

# 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  
April 1, 2003

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

Prayer by Rev. Dr. Beth Pendleton Clark, United Church of Christ,  
Retired.

**REVEREND CLARK:** I would like to have a personal word first.  
Thank you very much for letting me come back again. I enjoy  
being with you and know a number of you quite well. I wanted to  
say first that I want to introduce you, if you do not know, to  
someone who was a real Mainer, my father, John Scott  
Pendleton, who was born in Northport Saturday Cove. He said  
that is the last place that God made, except that is where the  
sailors get drunk on Saturday night. He was a minister and he  
taught us how to pray. I want you to know it's not easy to pray.  
How do you get in touch with that unseen spirit that all of us need  
to support us from day to day? But will you join me as I try to  
pray.

Oh God, our Creator, the God of our nation as well as the  
God of all nations, You have sustained us through all time and  
now we again seek Your guidance as the problems and issues of  
society overwhelm us. Strengthen our determination to outlaw  
war, recognizing that it is not the mighty, the leaders who suffer  
the most, but children and families, innocents and humble  
soldiers. We should remember always that words are better than  
bullets. We acknowledge our humanity, that no one of us knows  
everything. Teach us that humility is better than hubris, that  
persuasion is better than coercion, that quiet assurance is better  
than arrogance, and that acceptance is better than judging.

Sometimes, unintentionally, someone spills some milk. Help  
us to be willing to say, 'I'm sorry' and work to clean up the mess  
without blaming. Help us to be human beings together, for we are  
not gods. Oh Holy God, continue to bless this Senate, with  
decisions for joy, for the people, as well as satisfactions for this  
Senate. We pray this in memory of wonderful leaders and  
parents who have supported us all. Amen.

Reading of the Journal of Monday, March 31, 2003.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Amend the Laws Governing Public Easements"  
H.P. 1078 L.D. 1473

Committee on **STATE AND LOCAL GOVERNMENT** suggested  
and ordered printed.

Comes from the House, **REFERRED** to the Committee on  
**JUDICIARY**.

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

**COMMUNICATIONS**

The Following Communication: S.P. 503

**STATE OF MAINE  
121<sup>ST</sup> MAINE LEGISLATURE**

March 31, 2003

Sen. Peggy A. Pendleton  
Senate Chair, Joint Standing Committee on  
Judiciary  
Rep. William S. Norbert  
House Chair, Joint Standing Committee on  
Judiciary  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Pendleton and Representative Norbert:

Please be advised that Governor John E. Baldacci has nominated  
Christine Foster of Portland for reappointment as a District Court  
Judge.

Pursuant to Title 4, M.R.S.A. §157, this nomination will require  
review by the Joint Standing Committee on Judiciary and  
confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

**READ** and **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

The Following Communication: S.P. 504

**STATE OF MAINE  
121<sup>ST</sup> MAINE LEGISLATURE**

March 31, 2003

Sen. Peggy A. Pendleton  
Senate Chair, Joint Standing Committee on  
Judiciary  
Rep. William S. Norbert  
House Chair, Joint Standing Committee on  
Judiciary  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Pendleton and Representative Norbert:

Please be advised that Governor John E. Baldacci has nominated Robert Mullen of Winthrop for reappointment as a District Court Judge.

Pursuant to Title 4, M.R.S.A. §157, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett	S/Patrick Colwell
President of the Senate	Speaker of the House

**READ and REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

---

The Following Communication: S.P. 505

**STATE OF MAINE**  
**121<sup>ST</sup> MAINE LEGISLATURE**

March 31, 2003

Sen. Peggy A. Pendleton  
Senate Chair, Joint Standing Committee on  
Judiciary  
Rep. William S. Norbert  
House Chair, Joint Standing Committee on  
Judiciary  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Pendleton and Representative Norbert:

Please be advised that Governor John E. Baldacci has nominated Peter James Goranites of Cumberland for reappointment as a District Court Judge.

Pursuant to Title 4, M.R.S.A. §157, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett	S/Patrick Colwell
President of the Senate	Speaker of the House

**READ and REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

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The Following Communication: S.P. 506

**STATE OF MAINE**  
**121<sup>ST</sup> MAINE LEGISLATURE**

March 31, 2003

Sen. Peggy A. Pendleton  
Senate Chair, Joint Standing Committee on  
Judiciary  
Rep. William S. Norbert  
House Chair, Joint Standing Committee on  
Judiciary  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Pendleton and Representative Norbert:

Please be advised that Governor John E. Baldacci has nominated James MacMichael of Skowhegan for reappointment as a District Court Judge.

Pursuant to Title 4, M.R.S.A. §157, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett	S/Patrick Colwell
President of the Senate	Speaker of the House

**READ and REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

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The Following Communication: S.C. 131

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

March 27, 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. 315 An Act To Provide a Discount to Farmers Who Are Certified as Organic Farmers and Lease Land from the State
- L.D. 717 An Act Related to the Sale of Personal Sports Mobiles
- L.D. 759 An Act Concerning Public Members of the Board of Pesticides Control
- L.D. 933 An Act To Require Public Notification of Herbicide Applications in the State's Great Ponds
- L.D. 952 An Act To Establish a Maine-resident-only Reservation Period for State Park Campsites
- L.D. 1142 An Act To Restructure the Power and Duties within the Animal Welfare Act

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

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

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The Following Communication: S.C. 132

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

March 27, 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 Marine Resources has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 544 An Act To Improve Rights to Marine Resources

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

Sincerely,

S/Sen. Dennis Damon  
Senate Chair

S/Rep. Thomas Bull  
House Chair

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

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The Following Communication: S.C. 133

**121<sup>ST</sup> LEGISLATURE  
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

March 27, 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 State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 683 An Act To Require the State To Assume All Costs for Corrections Currently Paid by Local Taxpayers

- L.D. 1074 An Act To Prohibit Disbursement of Funds by the State, Municipalities and Counties to Certain Nonprofits and Require the Secretary of State To Develop a System of Registration

- L.D. 1126 An Act to Ensure Consistency in the Records and Documents of State and Local Government

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

Sincerely,

S/Sen. Margaret Rotundo  
Senate Chair

S/Rep. Janet L. McLaughlin  
House Chair

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

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The Following Communication: S.C. 134

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

March 27, 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 Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 191      An Act to Amend the Definition of "Commercial Agricultural Production"
- L.D. 574      An Act To Clarify the Definition of Commercial Agricultural Production

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

Sincerely,

S/Sen. Stephen Stanley  
Senate Chair

S/Rep. David G. Lemoine  
House Chair

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

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#### SENATE PAPERS

Bill "An Act To Protect the Small Forest Landowners"  
S.P. 500 L.D. 1500

Sponsored by Senator BRYANT of Oxford.  
Cosponsored by Representative JODREY of Bethel and Representative: PINEAU of Jay.  
Submitted by the Department of Conservation pursuant to Joint Rule 204.

On motion by Senator **BRYANT** of Oxford, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Amend the Laws Relating to the Maine State Retirement System"

S.P. 501 L.D. 1501

Sponsored by Senator EDMONDS of Cumberland.  
Cosponsored by Representative SMITH of Van Buren.  
Submitted by the Maine State Retirement System pursuant to Joint Rule 204.

On motion by Senator **EDMONDS** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Require the Department of Transportation to Resume Maintenance of Clark's Cove Road"  
S.P. 499 L.D. 1499

Sponsored by Senator HALL of Lincoln.  
Cosponsored by Representative EARLE of Damariscotta.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

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#### ORDERS

##### Joint Resolution

On motion by Senator **BROMLEY** of Cumberland (Cosponsored by Representative BLISS of South Portland and Representatives: GLYNN of South Portland, MAIETTA of South Portland), the following Joint Resolution:

S.P. 502

##### **JOINT RESOLUTION RECOGNIZING JEANNE O. CROCKER, MAINE'S 2003 HIGH SCHOOL PRINCIPAL OF THE YEAR**

WHEREAS, Jeanne O. Crocker, Principal of South Portland High School has been named Maine's 2003 High School Principal of the Year by the Maine Principals' Association; and

WHEREAS, Jeanne O. Crocker received a bachelor's degree in French and Spanish in 1976 from Colby College and a master's degree in school administration in 1979 from the University of Southern Maine; and

WHEREAS, Jeanne O. Crocker taught French and Spanish at South Portland High School and taught Spanish at Windham High School and at Waterville High School; and

WHEREAS, Jeanne O. Crocker served as assistant principal at South Portland High School from 1993 to 1994 and was appointed principal in 1998; and

WHEREAS, Jeanne O. Crocker has always served with professionalism, leadership, sincere dedication and commitment, always creating an atmosphere of accessibility to teachers and students; and

WHEREAS, Jeanne O. Crocker received this award for her accomplishments as an educational leader, her ability to resolve

complex problems, her involvement of the community in the life of the school and her contributions to the Maine Principals' Association and to her profession; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-first Legislature now assembled in the First Regular Session, take this occasion to congratulate Jeanne O. Crocker and express our appreciation to her for her commitment and dedication to the students of South Portland High School and to the State of Maine; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Jeanne O. Crocker.

**READ.**

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

Senator **BROMLEY:** Thank you, Madame President. I rise today bursting with pride to recognize the Principal of the Year, Jeanne Crocker from my hometown, South Portland. When I was in school, the principal was something to feared, whether you had done anything wrong or not. If you saw the principal coming down the hall, it might have made you nervous. In fact, in my school, we learned how to spell it correctly by saying pri-nci-pal, the principal is not your pal. That is not the case and that is not how we learned to spell this in South Portland in great part because of Jeanne Crocker and people who are like her. She is committed to her students, her teachers, her staff, and her community. In fact, I have encountered her selling tickets at the basketball game, and sadly, attending the funeral of a student. She is deeply connected to the community in very important ways. She has found a winning combination that is high standards and a supporting and nurturing environment. I give no higher praise than to say that when my 8<sup>th</sup> grader becomes a freshman next year, I'm calm, comfortable, and confident that she'll be in exactly the right place.

Mrs. Crocker is known for the way she creates this environment in a myriad of ways; whether it is simply saying, 'good morning, how are you doing?' to that student that might otherwise slip through the cracks, to supporting a teacher's new way of doing an old thing, or saying to the student, 'this college essay could really use one more re-write.'

Again, I am just bursting with pride at the Principal of the Year award that has been bestowed upon Jeanne Crocker. I thank you very much, Madame President.

On motion by Senator **BROMLEY** of Cumberland, **ADOPTED.**

Ordered sent down forthwith for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the chamber the Superintendent from South Portland, Reginald MacDonald, who is accompanying Maine's 2003 High School Principal of the Year, Jeanne O. Crocker. Would they both please stand and accept the greetings of the Maine Senate.

**House**

**Ought to Pass**

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Establish the Maine Week of Heroes"

H.P. 369 L.D. 477

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

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

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

**READ ONCE.**

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

---

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve the Method of Reapportionment of School Boards" (EMERGENCY)

H.P. 412 L.D. 527

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

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

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

**READ ONCE.**

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

---

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act Regarding the Sale of Hard Cider"

H.P. 455 L.D. 625

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

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

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

**READ ONCE.**

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

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## REPORTS OF COMMITTEES

The Committee on **TRANSPORTATION** on Bill "An Act To Increase the Debt Limit of the Rockland Port District"  
H.P. 451 L.D. 621

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

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

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

**READ ONCE**.

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

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**Ought to Pass As Amended**

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Reduce Jail Overcrowding"  
H.P. 56 L.D. 48

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-52)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-52)**.

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

**READ ONCE**.

Committee Amendment "A" (H-52) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Encourage Dog Tracking of Wounded Big Game Animals"  
H.P. 352 L.D. 460

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-39)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-39)**.

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

**READ ONCE**.

Committee Amendment "A" (H-39) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Enhance Consumer Protections in Relation to Certain Mortgages"  
H.P. 383 L.D. 494

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-53)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-53)**.

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

**READ ONCE**.

Committee Amendment "A" (H-53) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **LABOR** on Bill "An Act to Amend the Child Labor Laws"  
H.P. 13 L.D. 6

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-56)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-56)**.

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

**READ ONCE**.

Committee Amendment "A" (H-56) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **LABOR** on Bill "An Act to Provide a 5% Increase in the State's Contribution for Insurance for Retired Teachers"  
H.P. 39 L.D. 32

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-55)**.



Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-55)**.

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

**READ ONCE.**

Committee Amendment "A" (H-55) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **LABOR** on Bill "An Act To Provide Employees Fair Access to Personnel Files"

H.P. 319 L.D. 411

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-54)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-54)**.

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

**READ ONCE.**

Committee Amendment "A" (H-54) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Repeal the Presidential Preference Primary Elections Process" (EMERGENCY)

H.P. 109 L.D. 100

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-34)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-34)**.

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

**READ ONCE.**

Committee Amendment "A" (H-34) **READ** and **ADOPTED**, in concurrence.

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

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### **Divided Report**

The Majority of the Committee on **LABOR** on Bill "An Act Regarding an Employee's Access to Personnel Files"

H.P. 660 L.D. 883

Reported that the same **Ought Not to Pass.**

Signed:

Senators:

EDMONDS of Cumberland  
STANLEY of Penobscot  
BLAIS of Kennebec

Representatives:

CRESSEY of Baldwin  
HEIDRICH of Oxford  
NUTTING of Oakland  
TREADWELL of Carmel  
HUTTON of Bowdoinham  
HATCH of Skowhegan  
PATRICK of Rumford  
JACKSON of Fort Kent  
WATSON of Bath

The Minority of the same Committee on the same subject reported that the same **Ought To Pass.**

Signed:

Representative:

SMITH of Van Buren

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **EDMONDS** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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### **Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, Regarding Legislative Review of Portions of Chapter 130: Implementation of the State Purchasing Code of Conduct for Suppliers of Apparel, Footwear and Textiles, a Major Substantive Rule of the Department of Administrative and Financial Services (EMERGENCY)

H.P. 26 L.D. 19

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-50)**.

Signed:

Senators:

ROTUNDO of Androscoggin  
LaFOUNTAIN of York  
GILMAN of Cumberland

Representatives:

McLAUGHLIN of Cape Elizabeth  
BUNKER of Kossuth Township  
BARSTOW of Gorham  
KETTERER of Madison  
SUSLOVIC of Portland  
PEAVEY-HASKELL of Greenbush  
BOWEN of Rockport  
STONE of Berwick  
SUKEFORTH of Union

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-51)**.

Signed:

Representative:

CROSTHWAITE of Ellsworth

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-50)** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-50)**.

Reports **READ**.

On motion by Senator **ROTUNDO** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-50)** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-50) **READ** and **ADOPTED**, in concurrence.

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

---

**Senate**

**Divided Report**

The Majority of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend the Membership of the Propane and Natural Gas Board"  
S.P. 49 L.D. 126

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

BROMLEY of Cumberland  
HALL of Lincoln  
SHOREY of Washington

Representatives:

AUSTIN of Gray  
BERUBE of Lisbon  
JACOBSEN of Waterboro  
ROGERS of Brewer  
RECTOR of Thomaston

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-20)**.

Signed:

Representatives:

SULLIVAN of Biddeford  
O'BRIEN of Lewiston  
DUPREY of Medway  
PELLON of Machias  
SMITH of Monmouth

Reports **READ**.

On motion by Senator **BROMLEY** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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**SECOND READERS**

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

**House As Amended**

Bill "An Act to Extend the Time to Pay a Premium to the Insured"  
H.P. 9 L.D. 2  
(C "A" H-29)

Bill "An Act to Reduce Workers' Compensation Costs for Self-insured Public Utilities"  
H.P. 72 L.D. 64  
(C "A" H-30)

Bill "An Act to Require the Superintendent of Financial Institutions to Adopt Rules Regarding a Conversion of a Field of Membership by a Credit Union"

H.P. 130 L.D. 171  
(C "A" H-31)

Resolve, Authorizing the Department of Transportation To Erect Signs Identifying the Vietnam Memorial in Bangor

H.P. 277 L.D. 357  
(C "A" H-26)

Bill "An Act To Provide Funding for the Downeast Institute for Applied Marine Research and Education"

H.P. 284 L.D. 364  
(C "A" H-33)

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

---

**Senate**

Resolve, Regarding the Reduction of Barriers to the Transmission of Electricity

S.P. 232 L.D. 668

Bill "An Act To Amend the Laws Governing Registers of Deeds"

S.P. 325 L.D. 984

**READ A SECOND TIME and PASSED TO BE ENGROSSED.**

Sent down for concurrence.

---

**Senate As Amended**

Bill "An Act to Rename the Town of Westport"

S.P. 23 L.D. 37  
(C "A" S-18)

Bill "An Act Regarding the Sampling of Products"

S.P. 45 L.D. 122  
(C "A" S-19)

Bill "An Act Restricting Telemarketers from Blocking Their Telephone Numbers When Making Solicitation Calls"

S.P. 113 L.D. 331  
(C "A" S-15)

Bill "An Act To Increase Civil Process Fees"

S.P. 136 L.D. 399  
(C "A" S-17)

Bill "An Act To Revise the Boundary between the Town of Harrison and the Town of Bridgton"

S.P. 272 L.D. 793  
(C "A" S-16)

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

Sent down for concurrence.

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**ENACTORS**

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

**Emergency Measure**

An Act To Expand Unemployment Benefits

H.P. 92 L.D. 83  
(C "A" H-16; H "A" H-21)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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.

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**Emergency Measure**

An Act to Further Define a Strain of Maine Standardbred Horses

H.P. 94 L.D. 85  
(C "A" H-17)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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.

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**Acts**

An Act to Clarify the Laws Relating to Public Water Systems

S.P. 56 L.D. 133

An Act to Clarify the Ability of the Maine Forest Service and Tax Assessors to View Private Landowners' Forest Management Plans

H.P. 143 L.D. 184  
(C "A" H-20)

An Act To Amend Certain Aspects of Post-conviction Review Procedure

H.P. 269 L.D. 340  
(H "A" H-28)

An Act To Simplify the Bonding Limitations of the Maine Turnpike Authority

S.P. 212 L.D. 603

An Act Regarding Case Management Officers

H.P. 537 L.D. 731

**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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**ORDERS OF THE DAY**

**Unfinished Business**

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (3/25/03) Assigned matter:

HOUSE REPORTS - from 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

Majority - **Ought to Pass** (9 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - March 25, 2003, by Senator **HATCH** of Somerset

Pending - motion by the same Senator to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence

(In House, March 20, 2003, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, March 25, 2003, Reports **READ**.)

On motion by Senator **HATCH** of Somerset, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

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

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

#### **REPORTS OF COMMITTEES**

##### **Senate**

##### **Ought to Pass**

Senator **NASS** for the Committee on **TAXATION** on Bill "An Act To Suspend Property Tax Abatement Appeals When the Taxpayer Fails To Pay Taxes" (EMERGENCY)

S.P. 191 L.D. 551

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

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

**READ ONCE.**

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

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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 Amend the Licensing Requirements for Veterinarians"

H.P. 1098 L.D. 1505

Bill "An Act To Make Technical Changes to Statutes Regarding Regulatory Boards and Registrations"

H.P. 1099 L.D. 1506

Come from the House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

On motion by Senator **HALL** of Lincoln, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** 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 Limit the Size of Motorboat Engines Used on Paradise Pond"

H.P. 1096 L.D. 1503

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

On motion by Senator **BRYANT** of Oxford, **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 To Clarify the Exclusion of Assumed Reinsurance from Policy Claims Priority"

H.P. 1095 L.D. 1502

Bill "An Act To Clarify and Update the Laws Related to Health Insurance"

H.P. 1100 L.D. 1507

Come from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion by Senator **LAFOUNTAIN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** 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 the Work Center Purchases Committee Requirements for Work Centers and Competitive Bidding"  
H.P. 1097 L.D. 1504

Comes 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**

**Pursuant to Statutes  
Department of Labor**

The **Department of Labor**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 7: Rules Advancing the Performance of Sound Student Safety Practices in Maine's Public Schools and Colleges, a Major Substantive Rule of the Department of Labor, Bureau of Labor Standards (EMERGENCY)

H.P. 1101 L.D. 1508

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **DOUGLASS** of Androscoggin, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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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Senator **TREAT** of Kennebec was granted unanimous consent to address the Senate off the Record.

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Senator **WOODCOCK** of Franklin was granted unanimous consent to address the Senate off the Record.

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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:

**ENACTORS**

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

**Emergency Measure**

An Act To Improve the Safety of Public Roads  
H.P. 434 L.D. 571  
(C "A" H-74)

**PASSED TO BE ENACTED.**

On motion by Senator **TREAT** of Kennebec, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**.

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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.

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Senator **MAYO** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

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On motion by Senator **TREAT** of Kennebec, **ADJOURNED** to Wednesday, April 2, 2003, at 10:00 in the morning.