

MAINE STATE LEGISLATURE

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

Volume II

First Regular Session (Continued)
May 21, 2003 to June 14, 2003

First Special Session
August 21, 2003 to August 22, 2003

First Confirmation Session
October 30, 2003

Second Regular Session
January 7, 2004 to January 30, 2004

Second Special Session
February 3, 2004 to March 18, 2004

Pages 715 - 1415

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

In Senate Chamber
Thursday
January 22, 2004

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

Prayer by Reverend Michelle Grube, Peoples United Methodist
Church in Union.

REVEREND GRUBE: Let us pray. Eternal God, in whose
appointment our life stands and who committed our work to us,
we come before You this morning, committing ourselves to You
as we begin yet another day. We come thanking You for the
newness of this day and the opportunity that we all have, not only
to serve the people we represent, but also to serve You, the Lord
of us all. Give us this day Your grace so that we may contribute
to truly establishing Maine as the example of the way life should
be everywhere.

I pray this morning, gracious God, that You might give to
these men and women the gifts, graces, and talents they need to
hear and follow Your will.

As You allowed Samuel to dream and to hear Your call to
service, I pray that You would give these, Your servants, fresh
dreams and visions for the future of our state, allowing them to
continually hear Your call.

As You gave courage and strength to David to persevere
until he was finally crowned king, I pray that You would give these
Senators a portion of that strength and courage so that they might
not be content to seek the false comfort of easy answers, but will
persevere to do that hard work of seeking Your will with each new
decision.

As You gave wisdom to Solomon to build up and successfully
lead the people of Israel, I pray that You might also give these
men and women a portion of that wisdom so that they might make
bold, responsible, and just decisions for all people in Maine.

Loving God, creator of all humanity, we pray that You would
help us to see, listen, and understand the people that we serve.
Often we see only the masses, but You see individuals, each with
names and unique identities. Often we see only persons who
appear ordinary and average, but You see these, Your children,
as having extraordinary potential. Often we see only people
whom we place in varying categories of worth depending on race,
creed, class, and age, but whom You see as worthy, no matter
what category they may fall. Help us, oh God, to see the
individual and the masses, to work with persons to develop each
ones' extraordinary potential and to honor the worthiness of each
person.

Now we look to You, oh Holy One, to be present with us
throughout this day of deliberation and decision making. Hear our
prayers, Lord. It is in Your name that we lift them before You.
Amen.

Reading of the Journal of Wednesday, January 21, 2004.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **TREAT** of Kennebec, the following Joint Order:
S.P. 677

ORDERED, the House concurring, that when the House and
Senate adjourn, they do so until Tuesday, January 27, 2004, at
10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

COMMUNICATIONS

The Following Communication: S.C. 432

**STATE OF MAINE
121ST MAINE LEGISLATURE**

December 29, 2003

Chief Justice Leigh I. Saufley
Maine Supreme Judicial Court
P.O. Box 368
Portland, ME 04112

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Session of the
121st Maine Legislature on Tuesday, January 27, 2004 at 10:30
a.m. concerning the State of Judiciary and any other matters that
you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Beverly C. Daggett
President of the Senate

S/Patrick Colwell
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 433

**STATE OF MAINE
SUPREME JUDICIAL COURT**

January 7, 2004

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

Representative Patrick Colwell
Speaker of the House
2 State House Station
Augusta, Maine 04333-0002

Dear President Daggett and Speaker Colwell:

I am pleased to accept your invitation to address a Joint Session of the 121st Maine Legislature on Tuesday, January 27, 2004, at 10:30 a.m. I appreciate the courtesy of the Legislative Branch of government in permitting me to address the cause of justice in Maine.

I look forward to seeing you on January 27, 2004.

Sincerely,

S/Leigh I. Saufley
Chief Justice

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 431

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

January 20, 2004

Beverly Daggett
Senate President
3 State House Station
Augusta, ME 04333-0002

Dear President 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 2004*.

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/Paula B. Gravelle
Research Analyst

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding the Sale of Weapons at Gun Shows"

H.P. 674 L.D. 917

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

Signed:

Senators:

STRIMLING of Cumberland
CARPENTER of York

Representatives:

BLANCHETTE of Bangor
GERZOFKY of Brunswick
GROSE of Woolwich
GREELEY of Levant
MAIETTA of South Portland

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

Signed:

Senator:

HATCH of Somerset

Representatives:

SNOWE-MELLO of Poland
SYKES of Harrison
CHURCHILL of Washburn

Comes from the House with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Reports **READ**.

On motion by Senator **STRIMLING** of Cumberland, Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in concurrence.

Senate

Change of Committee

Senator BROMLEY for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Enhance Pine Tree Development Zones"

S.P. 624 L.D. 1692

Reported that the same be **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

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

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

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

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

On motion by Senator **TREAT** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, January 27, 2004, at 10:00 in the morning.