

# MAINE STATE LEGISLATURE

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One Hundred and Twenty-First Legislature  
State of Maine

Volume II

First Regular Session (Continued)  
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First Special Session  
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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 29, 2004

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

Prayer by Reverend Paul Cates, Vassalboro Friends Meeting in  
East Vassalboro.

**REVEREND CATES:** Let us pray. Dear God, as we enter this  
election year, we are aware of deep divisions which open up as  
candidates compete for high office. There are days when we are  
grateful for the fact that Maine is, it seems at times, to be a quiet,  
back water, somewhat removed from the clamor of the political  
struggle. Here it is easier to remember that the things we have in  
common with our political opponent are so much more important  
than the things that divide us. Help us then, we pray, to work  
together for all the residents of this great state, from the newborn  
babe to the frail and elderly. Working together to serve the  
people of Maine, we will discover a deeper sense of sister and  
brotherhood in service. Help us, dear God, to remain aware of  
Your helping, supporting presence and to reach out in spirit to  
accept the help that is readily available from Your hand. We ask  
this in the name of all the people of Maine, people whom it is our  
privilege to serve. Amen.

Doctor of the day, Lisa Ryan, D.O. of Naples.

Reading of the Journal of Wednesday, January 28, 2004.

Off Record Remarks

**PAPERS FROM THE HOUSE**

Pursuant to Statute  
Department of Marine Resources

The **Department of Marine Resources**, pursuant to the Maine  
Revised Statutes, Title 5, section 8072 asked leave to report that  
the accompanying Resolve, Regarding Legislative Review of  
Chapter 25.20: Protected Resources, a Major Substantive Rule of  
the Department of Marine Resources (EMERGENCY)

H.P. 1359 L.D. 1834

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

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the  
Committee on **MARINE RESOURCES** and ordered printed  
pursuant to Joint Rule 218, in concurrence.

**COMMUNICATIONS**

The Following Communication: S.C. 436

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

January 27, 2004

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 Transportation has voted  
unanimously to report the following bills out "Ought Not to Pass":

L.D. 1734 An Act To Ensure the Safe Operation of Trains

L.D. 1770 Resolve, Authorizing the Department of  
Transportation To Erect Signs Identifying the  
State Vietnam Veterans' Memorial in Capitol  
Park

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

Sincerely,

S/Sen. Pamela H. Hatch  
Senate Chair

S/Rep. Ronald E. Usher  
House Chair

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

**ORDERS**

**Joint Order**

On motion by Senator **DOUGLASS** of Androscoggin, the  
following Joint Order:

S.P. 680

ORDERED, the House concurring, that the Joint Standing Committee on Education and Cultural Affairs report out, to the Senate, a bill regarding the continued provision of free and appropriate public education for eligible children of kindergarten age.

**READ.**

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **PASS**.

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Off Record Remarks

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**Joint Resolution**

On motion by Senator **MAYO** of Sagadahoc (Cosponsored by Representative **WATSON** of Bath and Representatives: **GROSE** of Woolwich, **PERCY** of Phippsburg), the following Joint Resolution:

S.P. 681

**JOINT RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF MORSE HIGH SCHOOL**

WHEREAS, Charles W. Morse was a prominent New York financier, a self-made man, who worked his way through college and was an 1877 graduate of Bowdoin College. He founded Eastern Steamship, one of the most successful shipping lines operating along the Atlantic Coast; and

WHEREAS, it was 100 years ago, on January 30, 1904 that Charles Wyman Morse turned the keys of Morse High School over to the City of Bath in memory of his mother, Annie E. J. Morse; and

WHEREAS, the original school was built with the finest of local materials and was considered one of Bath's most beautiful buildings and one of the State's finest schools, and Charles W. Morse's own sons graduated from Morse High School; and

WHEREAS, the original school was destroyed by fire in 1928 and was replaced by the current structure in 1929 that today houses about 800 students and 75 faculty and staff; and

WHEREAS, Morse High School now celebrates its 100th Anniversary this year; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature, now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to congratulate all Morse High School alumni and staff, past and present, and the City of Bath on this centennial celebration of Morse High School.

**READ.**

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

Senator **MAYO:** Thank you, Madame President and members of this body. I would be remiss if I did not say at least something briefly about Morse High School and the fact that tomorrow will commemorate its 100<sup>th</sup> anniversary. It is interesting that the original Morse High School building was given by a man by the name of Charles Morse, who was a very prominent New York financier who graduated from Bowdoin and graduated from Bath High School. He gave the money for Morse High School, which was built in 1904.

I will give you a little bit of off the record history. Very interestingly, he, as a result of founding and operating the Eastern Steamship Company, cornered what is called the ice market on the east coast. In other words, all of the ice that went to the major cities on the east coast was transported by him. He had it cut in the Kennebec and other rivers here in Maine. Very shortly, he was able to dictate the price that people paid for ice that was bought at the turn of the century. He got into trouble, the federal government came after him, and he spent the better part of a decade in a federal institution as the result of his shady dealings. He returned to his home in Bath, and upon his death, the city had to pay for his funeral because he had absolutely no money left at that point.

The high school is still there. It still bears his name. There is a nice portrait that we were able to obtain of his mother and father. It is a nice painting that hangs in an appropriate place in the high school. It is an interesting school and I am happy that I am one of the three or four graduates of the school that is currently in the legislature. Thank you, Madame President.

On motion by Senator **MAYO** of Sagadahoc, **ADOPTED**.

Ordered sent down forthwith for concurrence.

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Off Record Remarks

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Clarify State Ownership of Land in the Town of Naples

H.P. 1222 L.D. 1644

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

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

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

**READ ONCE.**

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

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**SECOND READERS**

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

**House**

Bill "An Act To Clarify the Work Center Purchases Committee Requirements for Work Centers and Competitive Bidding"  
H.P. 1097 L.D. 1504

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

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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On motion by Senator **TREAT** of Kennebec, **ADJOURNED**, to Friday, January 30, 2004, at 10:00 in the morning.

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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 (1/28/04) Assigned matter:

JOINT ORDER - Directing the Joint Standing Committee on Education and Cultural Affairs To Review the Feasibility of Establishing Blueprints for State-financed School Construction  
H.P. 1357

Tabled - January 28, 2004, by Senator **TREAT** of Kennebec

Pending - **PASSAGE**, in **NON-CONCURRENCE**

(In House, January 27, 2004, **PASSED AS AMENDED BY HOUSE AMENDMENT "A" (H-638).**)

(In Senate, January 28, 2004, **READ.**)

On motion by Senator **DOUGLASS** of Androscoggin, **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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Senate at Ease.

Senate called to order by the President.

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

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