

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Twentieth Legislature**  
**State of Maine**

**Volume II**

**First Regular Session**

May 18, 2001 – June 22, 2001

**Second Regular Session**

January 2, 2002 – March 6, 2002

Pages 890-1770

ONE HUNDRED AND TWENTIETH LEGISLATURE  
SECOND REGULAR SESSION  
10th Legislative Day  
Friday, February 1, 2002

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Doctor Stephen M. Tolander, Chief of Chaplain Services, Togus, Chelsea.

Pledge of Allegiance.

The Journal of Tuesday, January 29, 2002 was read and approved.

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**SENATE PAPERS**

The following Joint Order: (S.P. 761)

ORDERED, the House concurring, that, notwithstanding Joint Order H.P. 613, the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes shall submit the proposed recodification of the Maine Revised Statutes, Title 12, chapters 701 to 721 to the joint standing committee having jurisdiction over inland fisheries and wildlife matters no later than January 15, 2003.

Came from the Senate, **READ** and **PASSED**.

**READ.**

Pursuant to House Rule 523, this Joint Order required the affirmative vote of two-thirds of those present for **PASSAGE**. 85 having voted in the affirmative and 0 in the negative, 85 being more than two-thirds of the membership present, the Joint Order was **PASSED** in concurrence.

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Bill "An Act to Promote Cultural Tourism and Economic Growth"

(S.P. 757) (L.D. 2093)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

**REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

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**COMMUNICATIONS**

The Following Communication: (H.C. 365)

**STATE OF MAINE**  
**EXECUTIVE DEPARTMENT**  
**STATE PLANNING OFFICE**  
**38 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0038**

January 15, 2002

The Hon. Michael V. Saxl

Speaker of the House

House of Representative

2 State House Station

Augusta, ME 04333

Dear Speaker Saxl:

Enclosed is the Annual Report for activity in 2001. It has been both a fruitful and frustrating year. The productivity results from reaching a favorable settlement with Maine Yankee on its license termination plan, maintenance of good working relations between and among state agencies and Maine Yankee, and meeting other members of the state's support agencies as we weathered September 11. The frustration list is short: the one item is the continuing state responsibility to host spent fuel, a federal responsibility with federal legal protection from state concerns.

The storage of spent fuel and GTCC is and will be a security and fiscal ache until the cure of removal.

I appreciate the opportunity to serve you and the people of Maine. Please feel free to call if you have questions about the Report.

Sincerely,

S/Paula M. Craighead

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

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The Following Communication: (S.P. 758)

**STATE OF MAINE**  
**120TH MAINE LEGISLATURE**

January 25, 2002

Hon. John L. Martin

Senate Chair, Joint Standing Committee on

Natural Resources

Hon. Scott W. Cowger

House Chair, Joint Standing Committee on

Natural Resources

120th Legislature

Augusta, ME 04333

Dear Senator Martin and Representative Cowger:

Please be advised that Governor Angus S. King, Jr. has nominated Marcia McKeague of Medway for reappointment as a member of the Land for Maine's Future Board.

Pursuant to Title 5, M.R.S.A., §6204, this nomination will require review by the Joint Standing Committee on Natural Resources and confirmation by the Senate.

Sincerely,

S/Richard A. Bennett

President of the Senate

S/Michael V. Saxl

Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **NATURAL RESOURCES.**

**READ** and **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in **NON-CONCURRENCE** and sent for concurrence.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

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The Following Communication: (S.P. 759)

**STATE OF MAINE**  
**120TH MAINE LEGISLATURE**

January 25, 2002

Hon. John L. Martin

Senate Chair, Joint Standing Committee on

Natural Resources

Hon. Scott W. Cowger

House Chair, Joint Standing Committee on

Natural Resources

120th Legislature

Augusta, ME 04333

Dear Senator Martin and Representative Cowger:

Please be advised that Governor Angus S. King, Jr. has nominated George A. Smith of Mount Vernon for reappointment as a member of the Maine Outdoor Heritage Fund Board.

Pursuant to Title 12, M.R.S.A., §8204, this nomination will require review by the Joint Standing Committee on Natural Resources and confirmation by the Senate.

Sincerely,  
S/Richard A. Bennett  
President of the Senate  
S/Michael V. Saxl  
Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **NATURAL RESOURCES**.

**READ** and **REFERRED** to the Committee on **NATURAL RESOURCES** in concurrence.

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The Following Communication: (S.P. 760)

**STATE OF MAINE**  
**120TH MAINE LEGISLATURE**

January 28, 2002

Hon. Kevin L. Shorey,  
Senate Chair, Joint Standing Committee on  
Business and Economic Development

Hon. John Richardson  
House Chair, Joint Standing Committee on  
Business and Economic Development

120th Legislature

Augusta, ME 04333

Dear Senator Shorey and Representative Richardson:

Please be advised that Governor Angus S. King, Jr. has nominated William P. Morgan of Gorham and John Murphy of Fort Kent for reappointments as members of the Maine Educational Loan Authority.

Pursuant to Title 20-A, M.R.S.A., §11415, these nominations will require review by the Joint Standing Committee on Business and Economic Development and confirmation by the Senate.

Sincerely,  
S/Richard A. Bennett  
President of the Senate  
S/Michael V. Saxl  
Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

**READ** and **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in concurrence.

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

**Pursuant to Joint Study Order**  
**Committee to Study Access to Private and Public Lands in Maine**

Representative McGLOCKLIN for the **Committee to Study Access to Private and Public Lands in Maine** pursuant to Joint Order 2001, H.P. 1387 asks leave to report that the accompanying Resolve, to Promote the Interests of the People of Maine when Public Funds are Used to Acquire Conservation Easements

(H.P. 1593) (L.D. 2096)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Joint Study Order**  
**Committee to Study Access to Private and Public Lands in Maine**

Representative McGLOCKLIN for the **Committee to Study Access to Private and Public Lands in Maine** pursuant to Joint Order 2001, H.P. 1387 asks leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Committee to Study Access to Private and Public Lands in Maine" (EMERGENCY)

(H.P. 1594) (L.D. 2097)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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**Pursuant to Statute**  
**Department of Conservation**

Representative McKEE for the **Department of Conservation** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 10, Section 17(A)(2), (3) and (6), Standards for the Clearing of Vegetation for Development, Major Substantive Rules of the Maine Land Use Regulation Commission within the Department of Conservation (EMERGENCY)

(H.P. 1590) (L.D. 2095)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

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

On motion of Representative COWGER of Hallowell, **TABLED** pending **REFERENCE** and later today assigned.

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**ORDERS**

On motion of Representative FULLER of Manchester, the following House Order: (H.O. 39)

**ORDERED**, that Representative Randall L. Bumps of China be excused Friday, January 25th for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Peter D. Chase of Levant be excused Friday, January 25th for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Arthur F. Mayo III of Bath be excused Friday, January 25th for legislative business.

**AND BE IT FURTHER ORDERED**, that Representative David L. Tobin of Windham be excused Tuesday, January 22nd for health reasons.

**READ** and **PASSED**.

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**CONSENT CALENDAR**  
**First Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 674) (L.D. 1877) Bill "An Act to Allow Pledging of Medical Education Loans to Secure Bonds to Finance Educational Loans" Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(S.P. 128) (L.D. 404) Bill "An Act to Promote Equity Among Health Care Clinics" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "B" (S-403)**

(S.P. 268) (L.D. 915) Bill "An Act to Amend the Maine Insurance Guaranty Association Act" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "B" (S-402)**

(H.P. 1412) (L.D. 1856) Bill "An Act to Amend the Definition of 'Governmental Unit' as It Relates to the Maine Municipal Bond Bank Act" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(H.P. 674) (L.D. 874) Bill "An Act to Increase the Operating Subsidy to the Casco Bay Island Transit District" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-762)**

(H.P. 1399) (L.D. 1838) Bill "An Act to Eliminate Unnecessary Filing Requirements for Water Utilities" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-765)**

(H.P. 1457) (L.D. 1954) Bill "An Act to Repeal the Sunset Provision Regarding the State Police Providing Services at Cost to Governmental and Nongovernmental Entities" (EMERGENCY) Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-766)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

**CONSENT CALENDAR  
Second Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the Second Day:

(H.P. 1458) (L.D. 1955) Bill "An Act to Allow Federal Law Enforcement Officers to Enforce Maine Statutes"

On motion of Representative COLWELL of Gardiner, was **REMOVED** from the Second Day Consent Calendar.

The Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

(H.P. 1418) (L.D. 1862) Bill "An Act to Amend the Charter of the Winterport Sewerage District" (EMERGENCY) (C. "A" H-761)

On motion of Representative COLWELL of Gardiner, was **REMOVED** from the Second Day Consent Calendar.

The Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

**BILLS IN THE SECOND READING**

**Senate**

Bill "An Act to Facilitate More Effective Consumer Representation at the Office of the Public Advocate"

(S.P. 691) (L.D. 1893)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Paper was **PASSED TO BE ENGROSSED** in concurrence.

**ENACTORS**

**Emergency Measure**

An Act to Amend the Charter of the Corinna Sewer District

(S.P. 704) (L.D. 1906)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative COLWELL of Gardiner, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

**Acts**

An Act to Improve Emergency Medical Services by Expanding the Pool of Qualified Emergency Medical Services Personnel

(H.P. 1216) (L.D. 1657)

An Act to Allow Sharing of Information to Facilitate Interstate Cooperation Between Toll Agencies

(H.P. 1402) (L.D. 1841)

An Act to Ensure Victim Safety

(H.P. 1408) (L.D. 1846)

An Act to Clarify Rule-making Authority for the Office of the State Fire Marshal

(H.P. 1459) (L.D. 1956)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

The following item was taken up out of order by unanimous consent:

**SENATE PAPERS**

The following Joint Order: (S.P. 765)

**ORDERED**, the House concurring, that when the House stands Adjourned it does so until Tuesday, February 5, 2002, at 9:30 in the morning and the Senate Adjourns until Tuesday, February 5, 2002, at 10:00 in the morning.

Came from the Senate, **READ** and **PASSED**.

**READ** and **PASSED** in concurrence.

On motion of Representative SIMPSON of Auburn, the House adjourned at 12:23 p.m., until 9:30 a.m., Tuesday, February 5, 2002 pursuant to the Joint Order (S.P. 765).