

# MAINE STATE LEGISLATURE

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One Hundred and Twentieth Legislature  
State of Maine

Volume 2

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Second Confirmation Session  
December 6, 2001

Second Regular Session  
January 2, 2002 to April 1, 2002

Pages 912 - 1844

**STATE OF MAINE  
ONE HUNDRED AND TWENTIETH LEGISLATURE  
SECOND REGULAR SESSION  
JOURNAL OF THE SENATE**

In Senate Chamber  
Tuesday  
March 5, 2002

Senate called to order by President Richard A. Bennett of Oxford County.

Prayer by Reverend David Rinas, Prince of Peace Lutheran Church in Augusta.

**REVEREND RINAS:** The Lord be with you. Let us pray.

Lord, God, our Father in Heaven, we give You thanks for the opportunity for the men and women gathered here in this assembly today to effect the course of events and of lives throughout our state. We also pray, Lord, for situations throughout the world that had seemed so far away from us, that now are right on our doorsteps. Therefore we pray for peace in Jerusalem. We pray for peace in Afghanistan. We pray, Lord, for peace in our own homes and in our own state. I pray that You be with all who deliberate today, that You would give them Your spirit, the spirit of wisdom and understanding, the spirit of counsel and might, the spirit of knowledge and the fear of the Lord, the spirit of joy in Your presence. Amen.

Doctor of the day, Paul Liebow, M.D. of Bangor.

Reading of the Journal of Monday, March 4, 2002.

Off Record Remarks

**COMMUNICATIONS**

The Following Communication: S.P. 797

**STATE OF MAINE  
120<sup>TH</sup> MAINE LEGISLATURE**

March 4, 2002

Hon. Kenneth F. Lemont  
Senate Chair, Joint Standing Committee on  
Marine Resources  
Hon. David G. Lemoine  
House Chair, Joint Standing Committee on  
Marine Resources  
120<sup>th</sup> Legislature  
Augusta, ME 04333

Dear Senator Lemont and Representative Lemoine:

Please be advised that Governor Angus S. King, Jr. has nominated Craig Pendleton of Saco, Ralph L. Smith of Jonesport, David B. Turner of Meddybemps, and L. Blair Pyne of Bremen for reappointments and Dana B. Rice, Sr. of Birch Harbor, Allyson E. Jordan of Portland, Mary Elizabeth Sheehan of Portland and William C. Sutter of Wiscasset for appointments as members of the Marine Resources Advisory Council.

Pursuant to Title 12, M.R.S.A. §6024, these nominations will require review by the Joint Standing Committee on Marine Resources and confirmation by the Senate.

Sincerely,

S/Richard A. Bennett  
President of the Senate

S/Michael V. Saxl  
Speaker of the House

**READ and REFERRED to the Committee on MARINE RESOURCES.**

Sent down for concurrence.

The Following Communication: S.P. 798

**STATE OF MAINE  
120<sup>TH</sup> MAINE LEGISLATURE**

March 4, 2002

Hon. Richard Kneeland  
Senate Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
Hon. Linda Rogers McKee  
House Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
120<sup>th</sup> Legislature  
Augusta, ME 04333

Dear Senator Kneeland and Representative McKee:

Please be advised that Governor Angus S. King, Jr. has nominated Harold N. Larrabee of Knox for appointment as a member of the Northeast Interstate Dairy Compact.

Pursuant to Title 7, M.R.S.A. §2953-A, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Richard A. Bennett  
President of the Senate

S/Michael V. Saxl  
Speaker of the House

**READ and REFERRED to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY.**

Sent down for concurrence.

The Following Communication: H.C. 399

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
CLERK'S OFFICE**

March 4, 2002

Honorable Pamela L. Cahill  
Secretary of the Senate  
120th Legislature  
Augusta, Maine 04333

Dear Madam Secretary:

The House voted today to adhere to its previous action whereby it accepted the Minority Ought Not to Pass Report of the Committee on CRIMINAL JUSTICE on Bill "An Act to Adopt a New Interstate Compact Regarding Adults Who are on Probation or Parole"

(H.P. 827) (L.D. 1081)

Sincerely,

S/Millicent M. MacFarland  
Clerk of the House

**READ and ORDERED PLACED ON FILE.**

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Off Record Remarks

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Senate at Ease.

Senate called to order by the President.

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**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Provide funding for the Advisory Commission on Women Veterans"

H.P. 1532 L.D. 2035

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

Signed:

Senators:  
GOLDTHWAIT of Hancock  
MILLS of Somerset

Representatives:

BERRY of Livermore  
BRANNIGAN of Portland  
ETNIER of Harpswell  
NASS of Acton  
WINSOR of Norway  
BELANGER of Caribou  
ROSEN of Bucksport

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

Signed:

Senator:  
CATHCART of Penobscot

Representatives:

MAILHOT of Lewiston  
TESSIER of Fairfield  
JONES of Greenville

Comes from the House with the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED**, and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-828).**

Reports **READ.**

Senator **GOLDTHWAIT** of Hancock moved the Senate **ACCEPT** the Minority **OUGHT TO PASS** Report, in concurrence.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Goldthwait.

Senator **GOLDTHWAIT:** Thank you, Mr. President, ladies and gentlemen of the Senate. This bill was the result of the hard work of the advisory commission on women veterans to look at issues related to women veterans in the State of Maine. They brought us a bill that proposed additional services for women veterans with a fiscal note on it. It was the strong feeling of the majority of the committee that women veterans should be treated equally with men veterans and that they should not have to come in for an additional appropriation to receive services which were due to them. So following passing out of this report, a compromise was explored with the sponsors, resulting in the amendment put on the bill by the other body. I would urge you to support the Minority Ought to Pass recommendation and then the amendment as passed unanimously by the other body. Thank you.

On motion by Senator **GOLDTHWAIT** of Hancock, the Minority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

House Amendment "A" (H-828) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.**

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**Senate**

**Ought to Pass As Amended**

Senator RAND for the Committee on **JUDICIARY** on Bill "An Act Regarding Child Abandonment"

S.P. 539 L.D. 1670

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-447)**.

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

**READ ONCE**.

Committee Amendment "A" (S-447) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Require Appropriate Public Notice of a State Building Project"

S.P. 742 L.D. 2067

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-448)**.

Signed:

Senators:

PENDLETON of Cumberland  
ROTUNDO of Androscoggin

Representatives:

BAGLEY of Machias  
McDONOUGH of Portland  
HATCH of Skowhegan  
LESSARD of Topsham  
McLAUGHLIN of Cape Elizabeth  
MURPHY of Berwick

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

Signed:

Senator:

YOUNGBLOOD of Penobscot

Representatives:

KASPRZAK of Newport  
CHASE of Levant  
HASKELL of Milford  
CRESSEY of Baldwin

Reports **READ**.

Senator **PENDLETON** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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 AS AMENDED** 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 Require the Owner of a Submerged Snowmobile or Boat to Remove the Snowmobile or Boat"

H.P. 1467 L.D. 1968  
(C "A" H-844)

Bill "An Act to Amend Certain Statutes Regarding Beano and Games of Chance"

H.P. 1512 L.D. 2015  
(C "A" H-848)

Bill "An Act to Provide Retirement Equity for Capital Security Officers"

H.P. 1524 L.D. 2028  
(C "A" H-846)

Resolve, to Continue the Study of the Benefits and Costs for Increasing Access to Family and Medical Leave for Maine Families (EMERGENCY)

H.P. 1556 L.D. 2058  
(C "A" H-847)

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

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**Senate As Amended**

Bill "An Act to Clarify the Regulatory Authority of the Maine Forest Service Regarding Forestry-related Quarantines"

S.P. 664 L.D. 1855  
(C "A" S-446)

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

Sent down for concurrence.

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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 (3/4/02) Assigned matter:

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act Concerning the Payment of Child Support"  
H.P. 1202 L.D. 1624

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-830)** (4 members)

Tabled - March 4, 2002, by Senator **DAGGETT** of Kennebec

Pending - motion by Senator **MCALLEVEY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, February 27, 2002, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, February 28, 2002, Reports **READ**.)

The Chair ordered a Division. 17 Senators having voted in the affirmative and 8 Senators having voted in the negative, the motion by Senator **MCALLEVEY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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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 As Amended**

Senator **YOUNGBLOOD** for the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, to Recognize Veterans of World War II and the Korean Conflict in the State House Hall of Flags

S.P. 735 L.D. 2046

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-449)**.

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

**READ ONCE**.

Committee Amendment "A" (S-449) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

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Off Record Remarks

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Senate at Ease.

Senate called to order by the President.

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**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later (3/4/02) Assigned matter:

An Act to Permit the Town of Atkinson to Deorganize  
S.P. 707 L.D. 1909  
(C "A" S-437)

Tabled - March 4, 2002, by Senator **DAVIS** of Piscataquis

Pending - **ENACTMENT**, in concurrence

(In Senate, February 26, 2002, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-437)**.)

(In House, March 4, 2002, **PASSED TO BE ENACTED**.)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

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Off Record Remarks

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

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Senator **GOLDTHWAIT** of Hancock 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.

Senator **MITCHELL** of Penobscot was granted unanimous consent to address the Senate off the Record.

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

Senator **SAVAGE** of Knox was granted unanimous consent to address the Senate off the Record.

Senator **MCALLEVEY** of York was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act to Amend the Freedom of Access Laws to Protect Security Plans"

H.P. 1647 L.D. 2153

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

**REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act to Allow Qualified Shellfish Harvesters to Continue to Sample Water Quality"

H.P. 1646 L.D. 2152

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

**REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Resolve, to Establish a Fatherhood Issues Study Commission

H.P. 370 L.D. 472

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-852)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-852)**.

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

**READ ONCE.**

Committee Amendment "B" (H-852) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.**

The Committee on **JUDICIARY** on Bill "An Act to Enact the Uniform Principal and Income Act of 1997"

H.P. 1173 L.D. 1573

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-851)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-851)**.

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

**READ ONCE.**

Committee Amendment "A" (H-851) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.**

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Clarify Municipal Reapportionment Authority"

H.P. 1446 L.D. 1943

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-850)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-850)**.

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

**READ ONCE.**

Committee Amendment "A" (H-850) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.**

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On motion by Senator **DAGGETT** of Kennebec, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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Off Record Remarks

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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 Repeal the Retroactive Effect of Changes Made to the Subdivision Laws

H.P. 1534 L.D. 2037  
(C "A" H-835)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 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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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 Provide for the 2002 and 2003 Allocations of the State Ceiling on Private Activity Bonds

S.P. 755 L.D. 2091

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 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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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 Resolve**

Resolve, Regarding Participation in Regional Transmission Organization

H.P. 1492 L.D. 1995  
(C "A" H-838)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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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:

**Mandate**

An Act to Assist Municipalities of Sagadahoc County with the Change in the County Budget Year

S.P. 726 L.D. 1967  
(C "A" S-417; S "A" S-440)



This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, and having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 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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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:

**Acts**

An Act to Make Minor Substantive Changes to the Tax Laws  
S.P. 666 L.D. 1870  
(C "A" S-429)

An Act Relating to the Dissemination of Intelligence and Investigative Information  
S.P. 697 L.D. 1899  
(C "A" S-433)

**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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An Act to Clarify that the Sales Tax Exemption for Purchase of Manufacturing Equipment Applies Equitably  
S.P. 133 L.D. 457  
(C "B" S-412)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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An Act to Amend the Boundaries Between Ripley and St. Albans  
H.P. 1429 L.D. 1926  
(C "A" H-825)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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An Act to Protect Police Horses  
H.P. 1435 L.D. 1932  
(C "A" H-834)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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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:

**Resolve**

Resolve, to Study School Administrative Unit Organization in Maine  
S.P. 733 L.D. 2043  
(H "A" H-843 to C "A" S-428)

**FINALLY PASSED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

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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:

**Acts**

An Act to Modify Investment-related Insurance Company Provisions of the Maine Insurance Code  
H.P. 1475 L.D. 1976  
(S "A" S-439 to C "A" H-812)

An Act Regarding Fire Safety Laws for Residential Care Facilities  
H.P. 1494 L.D. 1997  
(C "A" H-833)

An Act to Require Additional Transportation Information on the Maine Chemical Inventory Reporting Form  
H.P. 1564 L.D. 2069  
(C "A" H-836)

An Act to Aid Fire Departments in Meeting Mandatory Reporting Requirements  
S.P. 776 L.D. 2112

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

An Act to Promote Organ Donation

H.P. 1448 L.D. 1945  
(C "A" H-840)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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

**SENATE PAPERS**

**Pursuant to Joint Order  
Joint Standing Committee on Taxation**

Senator **GAGNON** for the **Joint Standing Committee on Taxation** pursuant to Joint Order 2001, S.P. 770 asked leave to report that the accompanying Bill "An Act to Change the Standard for Requesting an Adjustment to State Valuation Because of a Sudden and Severe Disruption of Valuation" (EMERGENCY)

S.P. 799 L.D. 2154

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

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

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

Sent down for concurrence.

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Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

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

**SECOND READERS**

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

**House As Amended**

Resolve, to Establish a Fatherhood Issues Study Commission  
H.P. 370 L.D. 472  
(C "B" H-852)

Bill "An Act to Enact the Uniform Principal and Income Act of 1997"

H.P. 1173 L.D. 1573  
(C "A" H-851)

Bill "An Act to Clarify Municipal Reapportionment Authority"

H.P. 1446 L.D. 1943  
(C "A" H-850)

Bill "An Act to Provide funding for the Advisory Commission on Women Veterans"

H.P. 1532 L.D. 2035  
(H "A" H-828)

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

---

**Senate As Amended**

Bill "An Act Regarding Child Abandonment"

S.P. 539 L.D. 1670  
(C "A" S-447)

Resolve, to Recognize Veterans of World War II and the Korean Conflict in the State House Hall of Flags

S.P. 735 L.D. 2046  
(C "A" S-449)

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

Sent down for concurrence.

---

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:

**Act**

An Act to Promote Safety of Families through the Workplace  
H.P. 1463 L.D. 1960  
(C "A" H-841)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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On motion by Senator **ROTUNDO** of Androscoggin, **ADJOURNED** to Wednesday, March 6, 2002, at 10:00 in the morning.