

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Senate Legislative Record  
One Hundred and Twentieth Legislature  
State of Maine

Volume 2

First Regular Session (Continued)  
May 24, 2001 to June 22, 2001

First Confirmation Session  
October 24, 2001

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  
Wednesday  
March 13, 2002

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

Prayer by Minister Jon Dillinger, Church of Christ in Kittery.

**MINISTER DILLINGER:** Mr. President, men and women of the Senate, I want to thank you for the privilege and the true honor to be here to open you with a prayer this morning. Would you please join me in prayer.

Our Father who art in Heaven, hallowed be Thy name. We are so grateful for all of the prayers You have answered and for all of the blessings that You have given to each of us. We are awed by Your omniscience, Your omnipotence, and Your omnipresence. We are humbled by Your mercy and are grateful for Your loving grace. We thank You for this wonderful country in which we live, the freedom that we experience, and we thank You for the men and women who protect us and are forever indebted to those who have given their lives for those precious freedoms that we experience. Father, may we not abuse our freedoms out of a sense of selfishness. May we not misuse our freedoms to the extent that we disgrace You. We are grateful for the many talents that You give to each of us and for Your guiding hand in each of our lives. We are grateful for living in this beautiful State of Maine. Please, Father, may You be with these, Your elected Senators, and grant unto them the wisdom to make decisions that are right in Your sight. May You make easy the passage of laws that align with Your perfect will. May You defeat each and every effort of this Senate that is in opposition to Your perfect will. Father, may the decisions that are made here today bring glory to You and may the decisions made here today be just for the citizens of Maine. Father, I ask that You be with the President as he leads this body in a way that will bring glory to You. Be with the party leaders as they set the direction in which their different parties are to move. Help these Senators to work together in a bipartisan manner. Father, as these Senators conduct the business of this day, hold each of them securely in the very hollow of Your hand. Please be with the Senators who have special needs and may Your divine providence be that these needs be met. Be with their families, Lord, as they have to make many sacrifices that perhaps most of the citizens of the state are not aware of. Be with their loved ones while they work to make the State of Maine a better place to live. May these Senators put in place laws so that the needs of the people of this great state are met. May the decisions made here today make Maine a better place to live, a safer place to live, and a state that is, in Your view, a righteous state. Father, I come to You in the name of Your Son, asking that You bless this body of Senators and be with each of them and their families in a very special way this day. Amen.

Doctor of the day, Noah Nesin, M.D. of Mattawamkeag.

Reading of the Journal of Tuesday, March 12, 2002.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act to Fund the Endowment Incentive Fund"  
(EMERGENCY)

H.P. 33 L.D. 42  
(C "B" H-782)

In House, February 12, 2002, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

In Senate, February 19, 2002, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-782)**, in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-782) AS AMENDED BY HOUSE AMENDMENT "B" (H-891)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **SMALL** of Sagadahoc, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

**COMMUNICATIONS**

The Following Communication: S.P. 807

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

March 11, 2002

Hon. Peggy A. Pendleton  
Senate Chair, Joint Standing Committee on  
State and Local Government  
Hon. Martha A. Bagley, Chair  
House Chair, Joint Standing Committee on  
State and Local Government  
120<sup>th</sup> Legislature  
Augusta, ME 04333

Dear Senator Pendleton and Representative Bagley:

Please be advised that Governor Angus S. King, Jr. has nominated Nelson E. Durgin of Bangor and Bent Schlosser of Vassalboro for appointments as members of the Civil Service Appeals Board.

Pursuant to Title 5, §7081, these nominations will require review by the Joint Standing Committee on State and Local Government 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 **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

The Following Communication: S.C. 620

**120<sup>TH</sup> LEGISLATURE  
COMMITTEE ON UTILITIES AND ENERGY**

March 12, 2002

The Honorable Richard A. Bennett  
President of the Senate  
The Honorable Michael V. Saxl  
Speaker of the House of Representatives  
120th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

Pursuant to the Government Evaluation Act, Maine Revised Statutes, Title 3, chapter 35, we submit the findings and recommendations of the Joint Standing Committee on Utilities and Energy with respect to the Emergency Services Communication Bureau within the Department of Public Safety.

The committee has concluded that the Bureau is operating in accordance with its statutory authority and is fulfilling its statutory mandate.

Sincerely,

S/Norman K. Ferguson, Jr.  
Senate Chair

S/William R. Savage  
House Chair

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

**Pursuant to Resolve**

The Majority of the Committee on **CRIMINAL JUSTICE pursuant to Resolve 1999, chapter 126** on Bill "An Act to Implement the Recommendations of the Commission to Study Domestic Violence"

H.P. 1658 L.D. 2163

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

Signed:

Senator:  
O'GARA of Cumberland

Representatives:  
O'BRIEN of Lewiston  
BLANCHETTE of Bangor  
QUINT of Portland  
GERZOFISKY of Brunswick  
MITCHELL of Vassalboro  
WHEELER of Bridgewater

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-883)**.

Signed:

Senators:  
McALEVEY of York  
DAVIS of Piscataquis

Representatives:  
POVICH of Ellsworth  
TOBIN of Dexter  
PEAVEY of Woolwich  
SNOWE-MELLO of Poland

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-883)**.

Reports **READ**.

Senator **McALEVEY** of York moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

**Senate**

**Ought to Pass As Amended**

Senator LaFOUNTAIN for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Ensure Health Maintenance Organization Accountability"

S.P. 217 L.D. 782

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-463)**.

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

**READ ONCE**.

Committee Amendment "A" (S-463) **READ** and **ADOPTED**.

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

---

Senator LaFOUNTAIN for the Committee on **BANKING AND INSURANCE** on Bill "An Act to Improve the Accessibility and Affordability of Health Care Benefits in the State"

S.P. 622 L.D. 1804

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-464)**.

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

**READ ONCE**.

Committee Amendment "A" (S-464) **READ** and **ADOPTED**.

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

---

Senator SAVAGE for the Committee on **TRANSPORTATION** on Bill "An Act to Waive the Title Fee for Towed Abandoned Vehicles"

S.P. 740 L.D. 2064

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-462)**.

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

**READ ONCE**.

Committee Amendment "A" (S-462) **READ** and **ADOPTED**.

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

---

**SECOND READERS**

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

**House**

Bill "An Act to Allow the Town of Lincoln to Adjust the Definition of Original Assessed Value for a Downtown Tax Increment Financing District" (EMERGENCY)

H.P. 1630 L.D. 2132

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

---

**House As Amended**

Bill "An Act to Establish the Maine Energy Advisory Council"  
H.P. 506 L.D. 646  
(C "A" H-882)

Bill "An Act to Increase the Number of 'Construction-manager-at-risk' Alternative Delivery Pilot Projects for School Construction and to Increase the Maximum Project Cost of Projects Eligible for Alternative Delivery"

H.P. 1426 L.D. 1864  
(C "A" H-879)

Bill "An Act to Ensure the Fair Collection of Overpayments"  
H.P. 1433 L.D. 1930  
(C "A" H-884)

Bill "An Act to Amend the Laws Governing Eligibility for General Assistance"

H.P. 1466 L.D. 1963  
(C "A" H-878)

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

---

**Senate As Amended**

Bill "An Act to Increase the Length of Time in Which a Retired State Employee May Add a Dependent to the Employee's Maine State Health Insurance Plan"

S.P. 729 L.D. 1988  
(C "A" S-461)

Bill "An Act to Implement the Recommendations of the Blue Ribbon Commission on Postsecondary Educational Attainment"  
S.P. 767 L.D. 2102  
(C "A" S-460)

**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:

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass Pursuant to Statute**

The Committee on **CRIMINAL JUSTICE** on Bill "An Act to Implement the Recommendations of the Joint Standing Committee on Criminal Justice Regarding the Review of the Department of Public Safety under the State Government Evaluation Act"

H.P. 1670 L.D. 2173

Reported that the same **Ought to Pass**, pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

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 LATER IN TODAY'S SESSION.**

---

**Ought to Pass Pursuant to Joint Order**

The Committee on **MARINE RESOURCES** on Bill "An Act to Designate the Great Salt Bay Marine Shellfish Preserve"

H.P. 1667 L.D. 2172

Reported that the same **Ought to Pass**, pursuant to Joint Order 2001, H.P. 1584.

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 LATER IN TODAY'S SESSION.**

---

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-889)**.

Signed:

Senators:

KNEELAND of Aroostook  
KILKELLY of Lincoln

Representatives:

McKEE of Wayne  
HAWES of Standish  
LUNDEEN of Mars Hill  
GOOLEY of Farmington  
FOSTER of Gray

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-890)**.

Signed:

Representatives:

PINEAU of Jay  
VOLENIK of Brooklin  
CARR of Lincoln  
JODREY of Bethel

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-889)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-889)**.

Reports **READ**.

On motion by Senator **KNEELAND** of Aroostook, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-889)** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-889) **READ** and **ADOPTED**, in concurrence.

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

---

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 **HEALTH AND HUMAN SERVICES** on Resolve, to Address the Crisis of a Shortage in Direct-care Staff in the Long-term Care System (EMERGENCY)

H.P. 1504 L.D. 2007

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-886)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-886)**.

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

**READ ONCE.**

Committee Amendment "A" (H-886) **READ** and **ADOPTED**, in concurrence.

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

---

**ORDERS OF THE DAY**

**Unfinished Business**

The following matters 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 (2/14/02) Assigned matter:

**JOINT ORDER** - relative to the Joint Standing Committee on Natural Resources reporting to the House legislation regarding solid waste disposal facilities

H.P. 1607

Tabled - February 14, 2002, by Senator **SMALL** of Sagadahoc

Pending - **PASSAGE**, in concurrence

(In House, February 13, 2002, **READ** and **PASSED**.)

(In Senate, February 14, 2002, **READ**.)

On motion by Senator **MARTIN** of Aroostook, Joint Order and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

---

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

---

The Chair laid before the Senate the following Tabled and Later (2/20/02) Assigned matter:

An Act to Provide Enhancements to the Small Enterprise Growth Program

H.P. 1420 L.D. 1868  
(C "A" H-778)

Tabled - February 20, 2002, by Senator **SHOREY** of Washington

Pending - **ENACTMENT**, in concurrence

(In Senate, February 14, 2002, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-778)**, in concurrence.)

(In House, February 19, 2002, **PASSED TO BE ENACTED**.)

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

---

Senate at Ease.

Senate called to order by the President.

---

The Chair laid before the Senate the following Tabled and Later (2/26/02) Assigned matter:

**SENATE REPORTS** - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Appropriate Funds for a Study to Determine the Feasibility of a Medical School in Maine" (EMERGENCY)

S.P. 501 L.D. 1588

Majority - **Ought Not To Pass** (7 members)

Minority - **Ought To Pass As Amended by Committee Amendment "A" (S-438)**

Tabled - February 26, 2002, by Senator **LONGLEY** of Waldo

Pending - motion by Same Senator to **ACCEPT** Majority **OUGHT NOT TO PASS** Report

(In Senate, February 26, 2002, Reports **READ**.)

On motion by Senator **MARTIN** of Aroostook, Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Off Record Remarks

---

The Chair laid before the Senate the following Tabled and Later (3/12/02) Assigned matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Promote the Health of Maine Women and Girls" (EMERGENCY)

H.P. 1510 L.D. 2013

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-875)** (7 members)

Minority - **Ought Not to Pass** (3 members)

Tabled - March 12, 2002, by Senator **LONGLEY** of Waldo

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

(In House, March 11, 2002, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-875).**)

(In Senate, March 12, 2002, Reports **READ.**)

On motion by Senator **LONGLEY** of Waldo, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-875) **READ** and **ADOPTED**, in concurrence.

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

---

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 Support Family Farms

S.P. 463 L.D. 1516  
(C "A" S-424)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in 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 Enact the Uniform Principal and Income Act of 1997  
H.P. 1173 L.D. 1573  
(C "A" H-851)

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

---

Senate at Ease.

Senate called to order by the President.

---

**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later (3/11/02) Assigned matter:

Bill "An Act to Clarify the Law Governing Unlawful Solicitation to Benefit Law Enforcement Agencies"

S.P. 753 L.D. 2090  
(C "A" S-457)

Tabled - March 11, 2002, by Senator **SMALL** of Sagadahoc

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-457)**

(In Senate, March 11, 2002, **READ A SECOND TIME.**)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-457).**

Under suspension of the Rules, ordered sent down forthwith for concurrence.

---

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act to Ban the Use of Aircraft While Hunting"

S.P. 746 L.D. 2078



In Senate, March 7, 2002, **PASSED TO BE ENGROSSED.**

Comes from the House, Bill and accompanying papers **COMMITTED** to the Committee on **INLAND FISHERIES AND WILDLIFE**, in **NON-CONCURRENCE.**

The Senate **RECEDED** and **CONCURRED.**

---

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

---

Off Record Remarks

---

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

---

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

---

On motion by President Pro Tem **MICHAUD** of Penobscot, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

---

Senate at Ease.

Senate called to order by the President.

---

Off Record Remarks

---

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

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution: H.P. 1668

**JOINT RESOLUTION COMMEMORATING THE HOLOCAUST HUMAN RIGHTS CENTER'S LEGISLATIVE AWARENESS DAY AND YOM HASHOAH, THE DAY OF REMEMBRANCE OF THOSE WHO SUFFERED AS VICTIMS OF THE HOLOCAUST**

WHEREAS, from 1933 to 1945, 6,000,000 Jews were murdered in the Nazi Holocaust as part of a systematic program of genocide, and millions of other people suffered as victims of Nazism; and

WHEREAS, the people of the State of Maine should always remember the atrocities committed by the Nazis so that such horrors are never repeated; and

WHEREAS, the people of the State of Maine should always remember those who liberated the Nazi concentration camps, some at the cost of their lives and others with lifelong emotional suffering, as holding an honored place in our history; and

WHEREAS, the people of the State of Maine should continually rededicate themselves to the principle of equal justice for all people, remain eternally vigilant against all tyranny and recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, March 13, 2002 has been designated internationally as the Holocaust Human Rights Center's Legislative Awareness Day; and

WHEREAS, April 9, 2002 has been designated internationally as a Day of Remembrance of the Victims of the Nazi Holocaust, and is known as Yom HaShoah; and

WHEREAS, the national community, pursuant to an Act of Congress, will be commemorating the week of April 7th to April 14th as the Days of Remembrance of the Victims of the Nazi Holocaust, with the theme of "Memories of Courage"; and

WHEREAS, it is appropriate for the people of the State of Maine to join in this international commemoration; now, therefore, be it

**RESOLVED:** That, We, the Members of the One Hundred and Twentieth Legislature, now assembled in the Second Regular Session, on behalf of the people we represent, pause in solemn memory of the victims of the Nazi Holocaust, urge one and all to recommit themselves to the lessons of the Nazi Holocaust through the Holocaust Human Rights Center's Legislative Awareness Day and the international week of commemoration and express our common desire to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the United States Holocaust Memorial Council in Washington, D.C., on behalf of the people of the State of Maine.

Comes from the House, **READ** and **ADOPTED.**

**READ** and **ADOPTED**, in concurrence.

---

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

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution: H.P. 1669

**JOINT RESOLUTION MEMORIALIZING CONGRESS TO FUND  
THE ADDITIONAL HOMELAND SECURITY COSTS**

WE, your Memorialists, the Members of the One Hundred and Twentieth Legislature of the State of Maine, now assembled in the Second Regular Session, most respectfully present and petition the Congress of the United States as follows:

WHEREAS, the tragic events that occurred on September 11, 2001 resulted in a horrific loss of thousands of lives as hijacked planes crashed into the Pentagon, into a field in the countryside of Pennsylvania and into both towers of the World Trade Center in New York City, resulting in their total collapse; and

WHEREAS, these planned assaults on our nation were perpetrated by terrorists who sought to harm us, our freedoms and our way of life, but ironically the events of September 11, 2001 have resulted in a national unity not seen since World War II; and

WHEREAS, funded by deep pockets overseas, the terrorists were able to take advantage of us by infiltrating and accessing our airports, towns and cities to plan their attacks and have shown us clearly that there are enemies of our way of life both at home and abroad; and

WHEREAS, to protect our citizenry, our infrastructure, our cities and our highways and to keep our free society, we need to change certain security measures in many parts of our nation on a day-to-day basis; and

WHEREAS, new guidelines of security all across the country are being planned, such as increased security personnel and equipment, increased public safety response, heightened surveillance and intelligence gathering, improved medical preparedness, shelter improvements and improved emergency medical staff; and

WHEREAS, the costs for our homeland security have already begun to take their toll on states' budgets across the nation with added marine security costs, higher expenses in human services and bureaus of health and increased transportation and public utility costs; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge that the Federal Government be responsible for these increased costs that the states are bearing; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Speaker of the United States House of Representatives and the President of the United States Senate and to each Member of the Maine Congressional Delegation.

Comes from the House, **READ** and **ADOPTED**.

**READ** and **ADOPTED**, in concurrence.

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**

Bill "An Act to Designate the Great Salt Bay Marine Shellfish Preserve"  
H.P. 1667 L.D. 2172

Bill "An Act to Implement the Recommendations of the Joint Standing Committee on Criminal Justice Regarding the Review of the Department of Public Safety under the State Government Evaluation Act"  
H.P. 1670 L.D. 2173

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

**House As Amended**

Resolve, to Address the Crisis of a Shortage in Direct-care Staff in the Long-term Care System (EMERGENCY)  
H.P. 1504 L.D. 2007  
(C "A" H-886)

Bill "An Act to Promote the Health of Maine Women and Girls" (EMERGENCY)  
H.P. 1510 L.D. 2013  
(C "A" H-875)

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  
(C "A" H-889)

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

**Senate As Amended**

Bill "An Act to Ensure Health Maintenance Organization Accountability"  
S.P. 217 L.D. 782  
(C "A" S-463)

Bill "An Act to Improve the Accessibility and Affordability of Health Care Benefits in the State"  
S.P. 622 L.D. 1804  
(C "A" S-464)

Bill "An Act to Waive the Title Fee for Towed Abandoned Vehicles"

S.P. 740 L.D. 2064  
(C "A" S-462)

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

Sent down for concurrence.

---

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

---

**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

Bill "An Act to Fund the Endowment Incentive Fund"  
(EMERGENCY)

H.P. 33 L.D. 42  
(C "B" H-782)

Tabled - March 13, 2002, by Senator **SMALL** of Sagadahoc

Pending - **FURTHER CONSIDERATION**

(In House, February 12, 2002, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, February 19, 2002, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-782)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-782)**, in **NON-CONCURRENCE**.)

(In House, March 12, 2002, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-782) AS AMENDED BY HOUSE AMENDMENT "B" (H-891)** thereto, in **NON-CONCURRENCE**.)

On motion by Senator **DAGGETT** of Kennebec, the Senate **RECEDED** and **CONCURRED**.

---

The Chair laid before the Senate the following Tabled and Later (2/20/02) Assigned matter:

JOINT ORDER - relative to the Joint Standing Committee on Legal and Veterans Affairs reporting to the House legislation regarding malt liquor taste testing festival licenses  
H.P. 1621

Tabled - February 20, 2002 by Senator **SMALL** of Sagadahoc

Pending - **PASSAGE**, in concurrence

(In House, February 20, 2002, **READ** and **PASSED**.)

(In Senate, February 20, 2002, **READ**.)

On motion by Senator **DOUGLASS** of Androscoggin, Joint Order and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

---

The Chair laid before the Senate the following Tabled and Later (3/11/02) Assigned matter:

Joint Order - Establishing the Commission to Study Issues Concerning School Bus Drivers

S.P. 756  
(H "A" H-799)

Majority - **To Pass as Amended by House Amendment "A" (H-799)** (8 members)

Minority - **Not To Pass** (5 members)

Tabled - March 11, 2002, by Senator **EDMONDS** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **TO PASS AS AMENDED** Report

(In Senate, March 11, 2002, Reports **READ**.)

On motion by Senator **EDMONDS** of Cumberland, the Majority **TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

---

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

---

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

---

On motion by Senator **WOODCOCK** of Franklin, **ADJOURNED** to Thursday, March 14, 2002, at 10:00 in the morning.