

# 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)

**Legislative Record**  
**House of Representatives**  
**One Hundred and Twenty-First Legislature**  
**State of Maine**

**Volume II**

**First Regular Session**

May 27, 2003 – June 14, 2003

**First Special Session**

August 21, 2003 – August 23, 2003

**Second Regular Session**

January 7, 2004 - January 30, 2004

**Second Special Session**

February 3, 2004 - April 7, 2004

Pages 777-1562

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE  
SECOND REGULAR SESSION  
2nd Legislative Day  
Thursday, January 8, 2004

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

Prayer by Pastor James A. Wiley, Church Hill Baptist, Augusta.

Pledge of Allegiance.

Doctor of the day, Laurel Coleman, M.D., Manchester.

The Journal of yesterday was read and approved.

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Resolve, Authorizing the City of Biddeford To Consolidate Voting Districts for a Special Election in House District 18 in 2004 (EMERGENCY)

(H.P. 1350) (L.D. 1827)

Sponsored by Speaker COLWELL of Gardiner.

Cosponsored by Senator LaFOUNTAIN of York and Representatives: BRUNO of Raymond, RICHARDSON of Brunswick, SULLIVAN of Biddeford, TWOMEY of Biddeford, Senator: TREAT of Kennebec.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.

Under suspension of the rules, the Resolve was given its **FIRST READING WITHOUT REFERENCE** to a committee.

Under further suspension of the rules, the Resolve was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

**SENATE PAPERS**

The following Joint Order: (S.P. 651)

**ORDERED**, the House concurring, that:

1. The Joint Standing Committee on Judiciary shall conduct a study on court-imposed administrative fees. The committee shall conduct the study during authorized interim committee meetings, except that the committee may hold one additional meeting to conclude its work.

2. The committee shall:

A. Examine all fees imposed by the courts for all administrative matters, whether pursuant to statute or imposed by other means;

B. Determine whether the fee amount is appropriate; and

C. Establish a procedure for review and approval by the Legislature of all future fees or fee increases.

3. The committee members are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses for attendance at the additional meeting to conclude its work.

4. The committee shall submit a report, together with any necessary implementing legislation, to the Legislature no later than December 1, 2004.

5. The joint standing committee of the Legislature having jurisdiction over judiciary matters is authorized to introduce a bill related to the report to the First Regular Session of the 122nd Legislature.

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

**READ.**

On motion of Representative NORBERT of Portland, **TABLED** pending **PASSAGE** and later today assigned.

**COMMUNICATIONS**

The Following Communication: (S.P. 603)

**MAINE SENATE  
121ST LEGISLATURE  
OFFICE OF THE SECRETARY**

December 3, 2003

Hon. Beverly C. Daggett

President of the Senate

121st Legislature

Hon. Patrick Colwell

Speaker of the House

121st Legislature

Dear President Daggett and Speaker Colwell:

On December 3, 2003, 1 bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on December 3, 2003, as follows:

**Insurance and Financial Services**

Bill "An Act to Amend the Maine Consumer Credit Code Regarding Balloon Payments." (S.P. 602) (L.D. 1638) (Sponsored by Senator LaFountain of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203).

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

S/Millicent M. MacFarland

Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE.**

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 607)

**MAINE SENATE  
121ST LEGISLATURE  
OFFICE OF THE SECRETARY**

December 11, 2003

Hon. Beverly C. Daggett

President of the Senate

121st Legislature

Hon. Patrick Colwell

Speaker of the House

121st Legislature

Dear President Daggett and Speaker Colwell:

On December 11, 2003, 3 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 11, 2003, as follows:

**Natural Resources**

Bill "An Act To Amend Certain Laws Administered by the Department of Environmental Protection" (S.P. 606) (L.D. 1655) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative KOFFMAN of Bar Harbor and Senator: SAWYER of Penobscot, Representative: DAIGLE of Arundel) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

**State and Local Government**

Bill "An Act To Authorize the Town of Verona To Change Its Name" (S.P. 604) (L.D. 1653) (Sponsored by Senator YOUNGBLOOD of Penobscot) (Cosponsored by Representative CHURCHILL of Orland and Senator: DAMON of Hancock, Representative: ROSEN of Bucksport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Transportation**

Bill "An Act To Amend Transportation Laws" (S.P. 605) (L.D. 1654) (Sponsored by Senator HATCH of Somerset) (Cosponsored by Representative USHER of Westbrook) (Submitted by the Department of Transportation pursuant to Joint Rule 204.)

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

S/Millicent M. MacFarland

Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 663)

**MAINE SENATE  
121ST LEGISLATURE  
OFFICE OF THE SECRETARY**

December 17, 2003

Hon. Beverly C. Daggett

President of the Senate

121st Legislature

Hon. Patrick Colwell

Speaker of the House

121st Legislature

Dear President Beverly C. Daggett and Speaker Patrick Colwell:

On December 17, 2003, 11 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 17, 2003, as follows:

**Agriculture, Conservation and Forestry**

Resolve, Authorizing the Conveyance of a Conservation Easement on a Parcel of Land on Peaks Island to the Peaks Island Land Preserve (S.P. 652) (L.D. 1719) (Sponsored by Senator BRENNAN of Cumberland) (Cosponsored by Representative DUDLEY of Portland and Senator: TREAT of Kennebec, Representative: ADAMS of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Criminal Justice and Public Safety**

Bill "An Act To Strengthen the Sex Offender Registration and Notification Act of 1999" (S.P. 662) (L.D. 1729) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Representative GERZOFKY of Brunswick and Senators: BRYANT of Oxford, ROTUNDO of Androscoggin, TURNER of

Cumberland, Representatives: CHURCHILL of Washburn, MILLS of Farmington, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Health and Human Services**

Bill "An Act To Ensure the Lowest-priced Prescription Drugs for Maine Seniors" (S.P. 653) (L.D. 1720) (Sponsored by Senator TREAT of Kennebec) (Cosponsored by Representative PARADIS of Frenchville, Representative LEMOINE of Old Orchard Beach and Senators: DAMON of Hancock, HALL of Lincoln, HATCH of Somerset, MAYO of Sagadahoc, ROTUNDO of Androscoggin, STANLEY of Penobscot, Representatives: McNEIL of Rockland, PERRY of Calais) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require Criminal History Checks Prior to Placement of Children by the Department of Human Services" (S.P. 659) (L.D. 1726) (Sponsored by Senator DOUGLASS of Androscoggin) (Under suspension of the rules, cosponsored by Representative WALCOTT of Lewiston and Senators: DAMON of Hancock, HALL of Lincoln, MAYO of Sagadahoc, Representatives: CRAVEN of Lewiston, DAVIS of Falmouth, GROSE of Woolwich, MILLS of Farmington, PATRICK of Rumford, SIMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Judiciary**

Bill "An Act To Amend the 'Freedom of Access Laws' To Exclude Public Employees' Home Addresses" (S.P. 660) (L.D. 1727) (Sponsored by Senator STRIMLING of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Labor**

Bill "An Act To Amend the Fees Paid to Attorneys for Lump-sum Settlements in Workers' Compensation Cases" (S.P. 654) (L.D. 1721) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative PATRICK of Rumford and Representatives: BUNKER of Kossuth Township, DUNLAP of Old Town, GERZOFKY of Brunswick, HUTTON of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Prevailing Wage Law" (S.P. 655) (L.D. 1722) (Sponsored by Senator EDMONDS of Cumberland) (Cosponsored by Representative SMITH of Van Buren and Senators: BRYANT of Oxford, HATCH of Somerset, Representative: HUTTON of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Legal and Veterans Affairs**

Bill "An Act To Amend the Penalty Provisions and Reporting Deadlines of the Campaign Reports and Finances Laws" (S.P. 661) (L.D. 1728) (Sponsored by Senator GAGNON of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Natural Resources**

Bill "An Act To Establish a Monitoring Program of Maine Lakes Identified as Having Invasive Aquatic Species" (S.P. 656) (L.D. 1723) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative SAVIELLO of Wilton and Senators: DOUGLASS of Androscoggin, GAGNON of Kennebec, NASS of York, TREAT of Kennebec, Representatives: COLLINS of Wells, CROSTHWAITE of Ellsworth, McKEE of Wayne, MOODY of Manchester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**State and Local Government**

Resolve, To Commission a Portrait of the Honorable George J. Mitchell To Hang in the State House (S.P. 658) (L.D. 1725) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Speaker COLWELL of Gardiner and Senators: DAVIS of Piscataquis, TREAT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Taxation**

Bill "An Act To Create the Maine Military Family Relief Fund" (S.P. 657) (L.D. 1724) (Sponsored by Senator HALL of Lincoln) (Cosponsored by Representative RICHARDSON of Brunswick and Representatives: BULL of Freeport, FISCHER of Presque Isle, GERZOFKY of Brunswick, McGOWAN of Pittsfield, MILLS of Farmington, MOODY of Manchester, SIMPSON of Auburn, SUSLOVIC of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

S/Millicent M. MacFarland

Clerk of the House

Came from the Senate, **READ and ORDERED PLACED ON FILE.**

**READ and ORDERED PLACED ON FILE** in concurrence.

---

The Following Communication: (S.P. 664)

**MAINE SENATE  
121ST LEGISLATURE  
OFFICE OF THE SECRETARY**

December 17, 2003

Hon. Beverly C. Daggett

President of the Senate

121st Legislature

Hon. Patrick Colwell

Speaker of the House

121st Legislature

Dear President Beverly C. Daggett and Speaker Patrick Colwell:  
On December 17, 2003, 43 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 17, 2003, as follows:

**Agriculture, Conservation and Forestry**

Bill "An Act To Improve the Property Boundary Marking Laws for Purposes of Timber Harvesting" (S.P. 625) (L.D. 1693) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative McKEE of Wayne and Representatives: DUPLESSIE of Westbrook, GERZOFKY of Brunswick, HONEY of Boothbay, JACKSON of Fort Kent, PINGREE of North Haven, SMITH of Monmouth) (Submitted by the Department of Conservation pursuant to Joint Rule 204.)

**Appropriations and Financial Affairs**

Bill "An Act To Ensure the State's Commitment to Former Students Who Were Physically or Sexually Abused at the Governor Baxter School for the Deaf or the Maine School for the Deaf" (S.P. 614) (L.D. 1682) (Sponsored by Senator EDMONDS of Cumberland) (Cosponsored by Representative BLISS of South Portland and Senators: BRYANT of Oxford, TREAT of Kennebec, Representative: USHER of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Authorize a General Fund Bond Issue in the Amount of \$1,000,000 To Fund Downtown Revitalization To

Preserve the Heritage of Municipalities" (S.P. 639) (L.D. 1707) (Sponsored by Senator GAGNON of Kennebec) (Cosponsored by Representative COWGER of Hallowell and Senators: HALL of Lincoln, MAYO of Sagadahoc, SHOREY of Washington, STANLEY of Penobscot, Representatives: DUDLEY of Portland, KOFFMAN of Bar Harbor, PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Insurance and Financial Services**

Bill "An Act To Guarantee That Consumers Receive Notification of Insurance Policy Cancellation" (S.P. 610) (L.D. 1678) (Sponsored by Senator HALL of Lincoln) (Cosponsored by Senator: HATCH of Somersset, Representatives: EARLE of Damariscotta, HATCH of Skowhegan, TRAHAN of Waldoboro, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Join the Interstate Insurance Product Regulation Compact" (S.P. 630) (L.D. 1698) (Sponsored by Senator LaFOUNTAIN of York) (Cosponsored by Representative O'NEIL of Saco and Senators: DOUGLASS of Androscoggin, MAYO of Sagadahoc, TURNER of Cumberland, Representatives: CANAVAN of Waterville, FISCHER of Presque Isle, ROSEN of Bucksport, WOODBURY of Yarmouth) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Clarify Membership on Boards of Directors for Maine Financial Institutions" (EMERGENCY) (S.P. 649) (L.D. 1717) (Sponsored by Senator MAYO of Sagadahoc) (Cosponsored by Representative PINGREE of North Haven and Senator: LaFOUNTAIN of York, Representatives: DAVIS of Falmouth, KOFFMAN of Bar Harbor, MAILHOT of Lewiston, O'NEIL of Saco, RICHARDSON of Brunswick, SUSLOVIC of Portland, WATSON of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Business, Research and Economic Development**

Bill "An Act To Strengthen the Charitable Solicitations Act" (S.P. 623) (L.D. 1691) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SMITH of Monmouth and Representatives: AUSTIN of Gray, COWGER of Hallowell, DUDLEY of Portland, NORBERT of Portland, ROGERS of Brewer, SULLIVAN of Biddeford) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Enhance Pine Tree Development Zones" (S.P. 624) (L.D. 1692) (Sponsored by Senator HALL of Lincoln) (Cosponsored by Representative BLISS of South Portland and Senator: BROMLEY of Cumberland, Representatives: BERUBE of Lisbon, DUPREY of Medway, JACOBSEN of Waterboro, RECTOR of Thomaston, ROGERS of Brewer, SMITH of Monmouth) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Resolve, Directing the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes To Prepare a Recodification of the Maine Revised Statutes, Title 9, Chapter 385; Title 10, Chapters 901 and 951; and Title 32 (S.P. 628) (L.D. 1696) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SULLIVAN of Biddeford and Representatives: ROGERS of Brewer, SMITH of Monmouth) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Facilitate the Recovery of Stolen Property" (S.P. 647) (L.D. 1715) (Sponsored by Senator ROTUNDO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Criminal Justice and Public Safety**

Bill "An Act Creating the Central Maine Regional Public Safety Communication Center" (S.P. 615) (L.D. 1683) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Representative MOODY of Manchester and Senators: HALL of Lincoln, TREAT of Kennebec, Representatives: BROWNE of Vassalboro, Speaker COLWELL of Gardiner, COWGER of Hallowell, McKEE of Wayne, SUSLOVIC of Portland, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Education and Cultural Affairs**

Bill "An Act To Reimburse School Districts for Children in Group Care Facilities" (S.P. 611) (L.D. 1679) (Sponsored by Senator HALL of Lincoln) (Cosponsored by Representatives: BLANCHETTE of Bangor, CRAVEN of Lewiston, EARLE of Damariscotta, HATCH of Skowhegan, TRAHAN of Waldoboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Regarding Participation in the Federal No Child Left Behind Act of 2001 (EMERGENCY) (S.P. 648) (L.D. 1716) (Sponsored by Senator BRENNAN of Cumberland) (Cosponsored by Representative CRAVEN of Lewiston and Senators: BROMLEY of Cumberland, President DAGGETT of Kennebec, DOUGLASS of Androscoggin, ROTUNDO of Androscoggin, TREAT of Kennebec, Representatives: CUMMINGS of Portland, PINGREE of North Haven, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Health and Human Services**

Bill "An Act To Encourage Financial Efficiency of Facilities for Persons with Mental Retardation" (EMERGENCY) (S.P. 613) (L.D. 1681) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Representative DUDLEY of Portland and Senator: BROMLEY of Cumberland, Representatives: ADAMS of Portland, PINGREE of North Haven, SIMPSON of Auburn, SUSLOVIC of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve Awareness of Meningococcal Disease" (S.P. 617) (L.D. 1685) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative PATRICK of Rumford and Senator: DAMON of Hancock, Representatives: DUNLAP of Old Town, DUPLESSIE of Westbrook, GERZOFKY of Brunswick, TOBIN of Dexter) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Ensure Compliance with Federal Medicaid Requirements" (S.P. 627) (L.D. 1695) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Representative CRAVEN of Lewiston and Senators: BRENNAN of Cumberland, MAYO of Sagadahoc, Representative: WALCOTT of Lewiston) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

Bill "An Act To Ensure Appropriate Care and Custody of Children Orphaned by Domestic Violence" (S.P. 638) (L.D. 1706) (Sponsored by Senator DOUGLASS of Androscoggin) (Cosponsored by Representative CRAVEN of Lewiston and Senators: DAMON of Hancock, HALL of Lincoln, MAYO of Sagadahoc, Representatives: McLAUGHLIN of Cape Elizabeth, MILLS of Farmington, NORBERT of Portland, SIMPSON of Auburn, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Financial Management Procedures at the Maine Developmental Disabilities Council" (EMERGENCY) (S.P. 641) (L.D. 1709) (Sponsored by Senator BROMLEY of

Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Establish the Commission To Study Access to Prescription Medication for Persons with Mental Illness (S.P. 645) (L.D. 1713) (Sponsored by Senator BRENNAN of Cumberland) (Cosponsored by Representative DUDLEY of Portland and Senator: President DAGGETT of Kennebec, Representatives: BULL of Freeport, CRAVEN of Lewiston, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Inland Fisheries and Wildlife**

Bill "An Act To Clarify Certain Provisions Contained in the Recodified Hunting, Fishing and Trapping Laws" (S.P. 629) (L.D. 1697) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative DUNLAP of Old Town and Senator: DAMON of Hancock, Representatives: BUNKER of Kossuth Township, CHURCHILL of Orland, DUPLESSIE of Westbrook, GERZOFKY of Brunswick, HONEY of Boothbay, STONE of Berwick, TOBIN of Dexter) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Bill "An Act Regarding the Operation of All-terrain Vehicles on Private Roads" (S.P. 640) (L.D. 1708) (Sponsored by Senator GAGNON of Kennebec) (Cosponsored by Representative CLARK of Millinocket and Senators: BRYANT of Oxford, HATCH of Somerset, STANLEY of Penobscot, Representatives: COLLINS of Wells, DUNLAP of Old Town, USHER of Westbrook, WATSON of Bath, WOTTON of Littleton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Judiciary**

Bill "An Act To Promote Equity in Property Ownership" (S.P. 644) (L.D. 1712) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Senators: BRYANT of Oxford, MAYO of Sagadahoc, Representative: JACKSON of Fort Kent) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Labor**

Bill "An Act To Protect the Privacy of Home Information of Maine State Retirement System Members, Benefit Recipients, Trustees and Staff" (S.P. 619) (L.D. 1687) (Sponsored by Senator EDMONDS of Cumberland) (Submitted by the Maine State Retirement System pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Law Regarding Interpreting Services for People Who Are Deaf or Hard-of-hearing" (S.P. 620) (L.D. 1688) (Sponsored by Senator EDMONDS of Cumberland) (Cosponsored by Representative NORBERT of Portland and Senators: TREAT of Kennebec, TURNER of Cumberland, Representatives: BENNETT of Caribou, BULL of Freeport, GERZOFKY of Brunswick, LUNDEEN of Mars Hill, MILLETT of Waterford, PINGREE of North Haven) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

**Legal and Veterans Affairs**

Bill "An Act To Authorize the STARBASE Program" (S.P. 622) (L.D. 1690) (Sponsored by Senator DOUGLASS of Androscoggin) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Bill "An Act To Establish the Maine Military Family Relief Fund" (S.P. 631) (L.D. 1699) (Sponsored by Senator GAGNON of Kennebec) (Cosponsored by Representative LANDRY of Sanford and Representative: Speaker COLWELL of Gardiner) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Bill "An Act To Allow Towns To Consolidate for the Purpose of Establishing a Voting Place" (S.P. 642) (L.D. 1710) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Representative McLAUGHLIN of Cape Elizabeth and Senator: BRYANT of Oxford, Representatives: JACKSON of Fort Kent, PARADIS of Frenchville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Marine Resources**

Bill "An Act To Provide Reciprocal Authority to New Hampshire Marine Patrol Officers To Investigate Potential Terrorist Activities in Maine Waters" (S.P. 621) (L.D. 1689) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative BULL of Freeport) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act To Amend the Fees of Special Licenses under the Marine Resources Laws" (S.P. 633) (L.D. 1701) (Sponsored by Senator DAMON of Hancock) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act To Provide for Department of Marine Resources Jurisdiction Over Certain Sections of the State's Endangered Species Program" (S.P. 634) (L.D. 1702) (Sponsored by Senator DAMON of Hancock) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

**State and Local Government**

Bill "An Act To Encourage Cost Savings by State Employees" (S.P. 618) (L.D. 1686) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Representative MOODY of Manchester and Senators: BROMLEY of Cumberland, MAYO of Sagadahoc, ROTUNDO of Androscoggin, Representatives: Speaker COLWELL of Gardiner, PATRICK of Rumford, SUSLOVIC of Portland, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Taxation**

Bill "An Act To Make Retirement Benefits More Equitable by Imposing a Surcharge on Income from Congressional Retirement Benefits" (S.P. 616) (L.D. 1684) (Sponsored by Senator DAVIS of Piscataquis) (Under suspension of the rules, cosponsored by Senator STANLEY of Penobscot and Senators: NASS of York, SHOREY of Washington, Representatives: ANNIS of Dover-Foxcroft, BOWLES of Sanford, BRUNO of Raymond, CARR of Lincoln, CLARK of Millinocket, GOODWIN of Pembroke, TARDY of Newport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (S.P. 635) (L.D. 1703) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Representative LEMOINE of Old Orchard Beach and Senator: NASS of York, Representatives: CLOUGH of Scarborough, COURTNEY of Sanford, LERMAN of Augusta, McCORMICK of West Gardiner, McGOWAN of Pittsfield, SUSLOVIC of Portland, TARDY of Newport) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Streamline the Sales Tax Credit for Worthless Accounts To Eliminate Unnecessary Burdens on Certain Maine Businesses and Consumers" (S.P. 646) (L.D. 1714) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative SIMPSON of Auburn and Senators: BRYANT of Oxford, HATCH of Somerset, MAYO of Sagadahoc, TURNER of Cumberland, Representatives: COLLINS of Wells, McLAUGHLIN of Cape Elizabeth, MILLETT of Waterford, ROSEN of Bucksport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Sales Tax Exemptions Regarding Assisted Housing Programs" (EMERGENCY) (S.P. 650) (L.D. 1718) (Sponsored by Senator MAYO of Sagadahoc) (Cosponsored by Representative DUDLEY of Portland and Senator: LaFOUNTAIN of York, Representatives: DAVIS of Falmouth, KOFFMAN of Bar Harbor, MAILHOT of Lewiston, O'NEIL of Saco, RICHARDSON of Brunswick, SUSLOVIC of Portland, WATSON of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Transportation**

Bill "An Act To Allow Communications Towers on Land of the Maine Turnpike Authority" (S.P. 608) (L.D. 1676) (Sponsored by Senator HATCH of Somerset) (Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.)

Bill "An Act To Exempt Classic Auto Dealers from Dealer Plate Restrictions" (EMERGENCY) (S.P. 609) (L.D. 1677) (Sponsored by Senator WESTON of Waldo) (Cosponsored by Representative ASH of Belfast and Senator: President DAGGETT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Establish Harbor Master Standards and Course Requirements" (S.P. 612) (L.D. 1680) (Sponsored by Senator TURNER of Cumberland) (Cosponsored by Representative KOFFMAN of Bar Harbor and Representatives: CLOUGH of Scarborough, NORBERT of Portland, ROSEN of Bucksport, WOODBURY of Yarmouth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Motor Vehicle Laws" (S.P. 626) (L.D. 1694) (Sponsored by Senator HATCH of Somerset) (Cosponsored by Representative USHER of Westbrook and Representatives: BLANCHETTE of Bangor, DUNLAP of Old Town, McKENNEY of Cumberland, PARADIS of Frenchville) (Submitted by the Department of Public Safety pursuant to Joint Rule 204.)

Bill "An Act To Amend the Motor Vehicle Laws" (S.P. 632) (L.D. 1700) (Sponsored by Senator HATCH of Somerset) (Cosponsored by Representative USHER of Westbrook) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Amend the Maine Turnpike Authority's Budget for Calendar Year 2004" (S.P. 636) (L.D. 1704) (Sponsored by Senator HATCH of Somerset) (Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.)

Bill "An Act To Simplify the Maine Turnpike Authority's Enforcement Procedures for Toll Violations" (S.P. 637) (L.D. 1705) (Sponsored by Senator HATCH of Somerset) (Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.)

**Utilities and Energy**

Bill "An Act To Require That a Directory Listing of a Commercial Toll-free Number Include an Address" (S.P. 643) (L.D. 1711) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Representative CLOUGH of Scarborough and Senator: BRYANT of Oxford, Representatives: JACKSON of Fort Kent, PARADIS of Frenchville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

S/Millicent M. MacFarland

Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 668)

**MAINE SENATE  
121ST LEGISLATURE  
OFFICE OF THE SECRETARY**

December 22, 2003  
Hon. Beverly C. Daggett  
President of the Senate  
121st Legislature  
Hon. Patrick Colwell  
Speaker of the House  
121st Legislature

Dear President Beverly C. Daggett and Speaker Patrick Colwell:  
On December 22, 2003, 3 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 22, 2003, as follows:

**Business, Research and Economic Development**

Bill "An Act To Amend the Economic Development Laws" (S.P. 666) (L.D. 1818) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SULLIVAN of Biddeford and Senators: HALL of Lincoln, SHOREY of Washington, Representatives: AUSTIN of Gray, PELLON of Machias, ROGERS of Brewer, SMITH of Monmouth) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

**Labor**

Bill "An Act To Notify MaineCare of Workers' Compensation Settlements" (S.P. 665) (L.D. 1817) (Sponsored by Senator BRENNAN of Cumberland) (Cosponsored by Representatives: PINGREE of North Haven, WALCOTT of Lewiston) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

**Utilities and Energy**

Bill "An Act To Implement the Recommendations of the Study Group To Examine an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals" (S.P. 667) (L.D. 1819) (Submitted by the Study Group to Examine an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals pursuant to Resolve 2003, chapter 78.)

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate  
S/Millicent M. MacFarland  
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 669)

**STATE OF MAINE  
121ST MAINE LEGISLATURE**

December 16, 2003  
Sen. Kenneth T. Gagnon  
Senate Chair, Joint Standing Committee on  
Legal and Veterans Affairs  
Rep. Joseph E. Clark  
House Chair, Joint Standing Committee on  
Legal and Veterans Affairs  
121st Legislature  
Augusta, ME 04333  
Dear Senator Gagnon and Representative Clark:

Please be advised that Governor John E. Baldacci has nominated John W. Libby of Waterville for appointment as Adjutant General.

Pursuant to 37-B M.R.S.A. Section 3, this nomination will require review by the Joint Standing Committee on Legal and Veterans Affairs and confirmation by the Senate.

Sincerely,  
S/Beverly C. Daggett  
President of the Senate  
S/Patrick Colwell  
Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS**.

**READ** and **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

---

**PETITIONS, BILLS AND RESOLVES REQUIRING  
REFERENCE**

**Pursuant to Statute  
Maine Turnpike Authority**

Representative USHER for the **Maine Turnpike Authority** pursuant to the Maine Revised Statutes, Title 23, section 1961, subsection 6 asks leave to report that the accompanying Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2005"

(H.P. 1349) (L.D. 1825)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

---

**ORDERS**

On motion of Representative TRAHAN of Waldoboro, the following Joint Order: (H.P. 1348)

**ORDERED**, the Senate concurring, that:

1. The Joint Standing Committee on Inland Fisheries and Wildlife shall:

- A. Review existing law governing the sale of lead-based tackle;
- B. Review the varieties of all lead-based tackle sold in the State;
- C. Review cooperative agreements with manufacturers to phase out lead-based tackle weighing less than 1/2 ounce; and
- D. Examine other sources of lead discharges into the inland waters of the State.

2. Based on its review, the committee shall report out, to the House, a bill concerning lead discharges into the waters of the State.

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

Sent for concurrence. **ORDERED SENT FORTHWITH**.

---

At this point, the Speaker recognized the Representative from Mars Hill, Representative LUNDEEN and the Representative from Portland, Representative MARLEY, and they were added to the quorum call of the Second Regular Session of the 121st Legislature.



**REPORTS OF COMMITTEE  
Divided Report**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Amend the Structure of the Office of Advocacy"

(S.P. 572) (L.D. 1621)

Signed:

Senators:

BRENNAN of Cumberland

WESTON of Waldo

Representatives:

KANE of Saco

DUGAY of Cherryfield

CRAVEN of Lewiston

EARLE of Damariscotta

WALCOTT of Lewiston

SHIELDS of Auburn

CURLEY of Scarborough

CAMPBELL of Newfield

LEWIN of Eliot

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representative:

LAVERRIERE-BOUCHER of Biddeford

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

**READ.**

On motion of Representative KANE of Saco, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

---

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

---

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-627)** on Bill "An Act To Protect Consumer Privacy Rights"

(H.P. 509) (L.D. 692)

Signed:

Senators:

BROMLEY of Cumberland

HALL of Lincoln

Representatives:

SULLIVAN of Biddeford

O'BRIEN of Lewiston

DUPREY of Medway

SMITH of Monmouth

AUSTIN of Gray

JACOBSEN of Waterboro

RECTOR of Thomaston

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

BERUBE of Lisbon

ROGERS of Brewer

**READ.**

On motion of Representative SULLIVAN of Biddeford, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-627)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, January 13, 2004.

---

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-624)** on Bill "An Act to Establish a Seamless Strategic Drug Abuse Model for Addressing Criminal Enforcement, Treatment, Education and Public Advocacy within Washington County"

(H.P. 38) (L.D. 31)

Signed:

Senators:

STRIMLING of Cumberland

CARPENTER of York

Representatives:

BLANCHETTE of Bangor

GERZOFISKY of Brunswick

LESSARD of Topsham

GROSE of Woolwich

MILLS of Farmington

SNOWE-MELLO of Poland

MAIETTA of South Portland

GREELEY of Levant

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

SYKES of Harrison

**READ.**

On motion of Representative BLANCHETTE of Bangor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-624)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, January 13, 2004.

---

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-623)** on Bill "An Act To Permit Small Game Hunting on Private Property on Sunday in Unorganized Territory"

(H.P. 308) (L.D. 388)

Signed:

Senator:

BRYANT of Oxford

Representatives:

DUNLAP of Old Town

PINEAU of Jay

WATSON of Bath

WOTTON of Littleton

WHEELER of Kittery

McGLOCKLIN of Embden

RICHARDSON of Greenville

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senators:

CARPENTER of York

KNEELAND of Aroostook

Representatives:

TOBIN of Dexter

HONEY of Boothbay

TRAHAN of Waldoboro  
**READ.**

Representative DUNLAP of Old Town moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

---

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Clarify the Freedom of Access Laws as They Pertain to the Penobscot Nation"  
(H.P. 1116) (L.D. 1525)

Signed:

Senators:

PENDLETON of Cumberland  
WOODCOCK of Franklin

Representatives:

NORBERT of Portland  
BULL of Freeport  
BENNETT of Caribou  
MILLS of Farmington  
SHERMAN of Hodgdon  
CARR of Lincoln  
DUPREY of Hampden  
BRYANT-DESCHENES of Turner

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-626)** on same Bill.

Signed:

Senator:

CATHCART of Penobscot

Representatives:

SIMPSON of Auburn  
GERZOFKY of Brunswick

Representative LORING of the Penobscot Nation - of the House - supports the Minority **Ought to Pass as Amended by Committee Amendment "A" (H-626)** Report.

**READ.**

Representative DUNLAP of Old Town moved that the Bill be **TABLED** until later in today's session pending **ACCEPTANCE** of either Report.

Subsequently, the same Representative **WITHDREW** his motion to **TABLE**.

Representative NORBERT of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

---

### CONSENT CALENDAR

#### Second Day

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

(H.P. 316) (L.D. 408) Bill "An Act Regarding the Presumption of Violations of the Hunting-on-Sunday Prohibition" (C. "A" H-625)

No objections having been noted at the end of the Second Legislative Day, the House Paper was **PASSED TO BE ENGROSSED AS AMENDED** and sent for concurrence.

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

---

The following items were taken up out of order by unanimous consent:

#### SENATE PAPERS

The following Joint Order: (S.P. 670)  
**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 13, 2004, at 10:00 in the morning.

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

---

The following Joint Order: (S.P. 672)  
**ORDERED**, the House concurring, that Bill, "An Act To Support Harness Horse Racing in Maine, Equine Agriculture in Maine, Maine Agricultural Fairs and the General Fund of the State," S.P. 449, L.D. 1361, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

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

---

#### REPORTS OF COMMITTEE

##### Divided Report

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act to Allow the Sale of Lobster and Crab Fishing Licenses"

(H.P. 219) (L.D. 276)

Signed:

Senators:

DAMON of Hancock  
PENDLETON of Cumberland  
BENNETT of Oxford

Representatives:

BULL of Freeport  
PERCY of Phippsburg  
McNEIL of Rockland  
KAELIN of Winterport  
BOWEN of Rockport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-628)** on same Bill.

Signed:

Representatives:

ASH of Belfast  
BIERMAN of Sorrento

**READ.**

On motion of Representative BULL of Freeport, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

---

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

---

At this point, the Speaker recognized the Representative from Auburn, Representative SIMPSON and she was added to the quorum call of the Second Regular Session of the 121st Legislature.

The following items were taken up out of order by unanimous consent:

**SENATE PAPERS**

Bill "An Act To Encourage the Proper Disposal of Expired Pharmaceuticals" (EMERGENCY)

(S.P. 671) (L.D. 1826)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

---

**ENACTORS**

**Emergency Measure**

Resolve, Authorizing the City of Biddeford To Consolidate Voting Districts for a Special Election in House District 18 in 2004

(H.P. 1350) (L.D. 1827)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 132 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

---

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

---

On motion of Representative CAMPBELL of Newfield, the House adjourned at 10:59 a.m., until 10:00 a.m., Tuesday, January 13, 2004 pursuant to the Joint Order (S.P. 670).