

# MAINE STATE LEGISLATURE

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**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**

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**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 SPECIAL SESSION  
18th Legislative Day  
Tuesday, March 16, 2004

S/Sen. Peggy A. Pendleton  
Senate Chair  
S/Rep. William S. Norbert  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

Prayer by Reverend Arlene M. Tully, Randolph and East Pittston United Methodist Churches.

National Anthem by Martin Swinger, Augusta.

Pledge of Allegiance.

Doctor of the day, Curtis Smith, M.D., Warren.

The Journal of Thursday, March 11, 2004 was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.C. 350)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE  
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

March 3, 2004

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Criminal Justice and Public Safety has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1835            An Act To Increase Penalties for Certain  
Violent Crimes Committed against Senior  
Citizens

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Ethan Strimling

Senate Chair

S/Rep. Patricia A. Blanchette

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 351)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE  
COMMITTEE ON JUDICIARY**

March 9, 2004

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1070            An Act To Increase Traffic Fines and Apportion  
a Part of the Increase to the Issuing  
Jurisdiction

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

The Following Communication: (H.C. 352)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE  
COMMITTEE ON TAXATION**

March 10, 2004

The Honorable Beverly C. Daggett

President of the Senate

The Honorable Patrick Colwell

Speaker of the House of Representatives

121st Legislature

State House

Augusta, Maine 04333

Dear Madam President and Mr. Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Taxation from the review and evaluation of the Department of Administrative and Financial Services, Bureau of Revenue Services under the State Government Evaluation Act. In its review, the Committee found that the Bureau is operating within its statutory authority.

Five members of the Committee (Senator Nass and Representatives Clough, Courtney, McCormick and Tardy) recommend that 7 vacant nonrevenue generating positions be permanently eliminated from the Bureau's position count and that the funding for those positions be deappropriated in order to reduce the overall costs of State Government.

Sincerely,

S/Senator Steven S. Stanley

Chair

S/Representative David G. Lemoine

Chair

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

---

The Following Communication: (H.C. 353)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE  
COMMITTEE ON TAXATION**

March 10, 2004

The Honorable Beverly C. Daggett

President of the Senate

The Honorable Patrick Colwell

Speaker of the House of Representatives

121st Legislature

State House

Augusta, Maine 04333

Dear Madam President and Mr. Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Taxation from the review and evaluation of the State Board of Property Tax Review under the State Government Evaluation Act. In its review, the Committee found that the Board is operating within its statutory authority.

Sincerely,

S/Senator Steven S. Stanley

Chair

S/Representative David G. Lemoine

Chair

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

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The Following Communication: (H.C. 354)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE  
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 12, 2004

The Honorable Beverly C. Daggett  
President of the Senate

The Honorable Patrick Colwell

Speaker of the House of Representatives

121st Legislature

State House

Augusta, ME 04333

Dear Madam President and Mr. Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Health and Human Services from the review and evaluation of the Maine Children's Trust Incorporated under the State Government Evaluation Act. In its review, the committee found that the Maine Children's Trust Incorporated is operating within its statutory authority and is meeting its statutory mandate.

Sincerely,

S/Senator Michael F. Brennan

Chair

S/Representative Thomas J. Kane

Chair

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

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The Following Communication: (H.C. 355)

**STATE OF MAINE  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0006**

March 10, 2004

The Honorable Beverly C. Daggett, President

The Honorable Patrick Colwell, Speaker

121st Maine Legislature

State House

Augusta, ME 04333

Re: Petroleum Market Share Act/Annual Report to the Legislature

Dear President Daggett and Speaker Colwell:

Enclosed, in accordance with the provisions of 10 M.R.S.A. § 1677, is the Attorney General's Annual Report to the Legislature concerning levels of concentration in Maine's retail petroleum markets.

Thank you for your consideration of these materials; please do not hesitate to call if you should have any questions in this regard.

Sincerely,

S/Francis Ackerman

Assistant Attorney General

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

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**PETITIONS, BILLS AND RESOLVES REQUIRING  
REFERENCE**

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005" (EMERGENCY)

(H.P. 1420) (L.D. 1919)

Sponsored by Representative BRANNIGAN of Portland.  
(GOVERNOR'S BILL)

Cosponsored by Senator CATHCART of Penobscot.

Bill "An Act To Authorize a General Fund Bond Issue in the Amount of \$4,822,368 To Provide Funds To Repair and Upgrade Maine Army National Guard Armories and Facilities and for the Challenger Learning Center of Maine"

(H.P. 1428) (L.D. 1928)

Sponsored by Representative HATCH of Skowhegan.

Under suspension of the rules, cosponsored by Senator HATCH of Somerset and Representatives: BENNETT of Caribou, Speaker COLWELL of Gardiner, FISCHER of Presque Isle, MAILHOT of Lewiston, PERRY of Bangor, TARDY of Newport, Senators: MARTIN of Aroostook, MAYO of Sagadahoc, STANLEY of Penobscot, WESTON of Waldo.

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

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

**REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent for concurrence.

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

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Bill "An Act To Change the Name of Township 17, Range 5, WELS, in the Unorganized Territory to Cross Lake" (EMERGENCY)

(H.P. 1425) (L.D. 1925)

Sponsored by Representative PARADIS of Frenchville.

Cosponsored by Senator MARTIN of Aroostook and Representatives: FISCHER of Presque Isle, JACKSON of Fort Kent, SHERMAN of Hodgdon, SMITH of Van Buren, TWOMEY of Biddeford, WOTTON of Littleton, YOUNG of Limestone, Senator: ROTUNDO of Androscoggin.

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

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

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Bill "An Act To Promote Economic Development in the State by Encouraging the Production of Electricity from Renewable and Indigenous Resources"

(H.P. 1429) (L.D. 1929)

Sponsored by Representative LUNDEEN of Mars Hill.  
(GOVERNOR'S BILL)

Cosponsored by Senator KNEELAND of Aroostook and Representative: DUGAY of Cherryfield, Senator: EDMONDS of Cumberland.

Committee on **UTILITIES AND ENERGY** suggested and ordered printed.

**REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

Sent for concurrence.

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

### ORDERS

On motion of Representative **CANAVAN** of Waterville, the following Joint Resolution: (H.P. 1427) (Under suspension of the rules, cosponsored by President **DAGGETT** of Kennebec and Representatives: **ADAMS** of Portland, **BEAUDETTE** of Biddeford, **BLISS** of South Portland, **BROWN** of South Berwick, **BROWNE** of Vassalboro, **BULL** of Freeport, **CHURCHILL** of Orland, **CLOUGH** of Scarborough, **COLLINS** of Wells, Speaker **COLWELL** of Gardiner, **COWGER** of Hallowell, **CRAVEN** of Lewiston, **CRESSEY** of Baldwin, **CURLEY** of Scarborough, **DUNLAP** of Old Town, **DUPREY** of Medway, **EARLE** of Damariscotta, **EDER** of Portland, **FINCH** of Fairfield, **FLETCHER** of Winslow, **GAGNE-FRIEL** of Buckfield, **GREELEY** of Levant, **GROSE** of Woolwich, **HEIDRICH** of Oxford, **HOTHAM** of Dixfield, **HUTTON** of Bowdoinham, **JACOBSEN** of Waterboro, **JODREY** of Bethel, **JOY** of Crystal, **KAELIN** of Winterport, **LEDWIN** of Holden, **LEMOINE** of Old Orchard Beach, **LERMAN** of Augusta, **MAILHOT** of Lewiston, **MAKAS** of Lewiston, **McLAUGHLIN** of Cape Elizabeth, **MILLS** of Farmington, **MILLS** of Cornville, **NORBERT** of Portland, **NORTON** of Bangor, **O'BRIEN** of Augusta, **O'BRIEN** of Lewiston, **PATRICK** of Rumford, **PEAVEY-HASKELL** of Greenbush, **PELLON** of Machias, **PERCY** of Phippsburg, **PERRY** of Calais, **PINGREE** of North Haven, **PIOTTI** of Unity, **RICHARDSON** of Skowhegan, **RINES** of Wiscasset, **ROGERS** of Brewer, **SAMPSON** of Auburn, **SIMPSON** of Auburn, **SMITH** of Monmouth, **STONE** of Berwick, **SUSLOVIC** of Portland, **THOMPSON** of China, **TOBIN** of Dexter, **TWOMEY** of Biddeford, **VAUGHAN** of Durham, **WALCOTT** of Lewiston, **WHEELER** of Kittery, **WOODBURY** of Yarmouth, Senators: **BENNETT** of Oxford, **BRENNAN** of Cumberland, **BROMLEY** of Cumberland, **BRYANT** of Oxford, **CATHCART** of Penobscot, **DAMON** of Hancock, **DOUGLASS** of Androscoggin, **EDMONDS** of Cumberland, **GAGNON** of Kennebec, **HALL** of Lincoln, **HATCH** of Somerset, **LAFOUNTAIN** of York, **MARTIN** of Aroostook, **MAYO** of Sagadahoc, **MITCHELL** of Penobscot, **PENDLETON** of Cumberland, **ROTUNDO** of Androscoggin, **STANLEY** of Penobscot, **STRIMLING** of Cumberland, President Pro Tem **TREAT** of Kennebec)

#### JOINT RESOLUTION RECOGNIZING MARCH AS NATIONAL WOMEN'S HISTORY MONTH

WHEREAS, March has been annually designated as National Women's History Month in order to celebrate the contributions of women to our society; and

WHEREAS, the theme for National Women's History Month 2004 is "Women Inspiring Hope and Possibility," which celebrates the hope and sense of possibility that come to our lives from the inspirational work of women; and

WHEREAS, hope comes in many forms, from women challenging and changing laws, women conducting new medical research, women sharing stories of compassion, leadership and courage and women watching women stand tall against great odds; and

WHEREAS, women from all walks of life, all over the nation, inspire hope and possibility, as mentors and examples and as

athletes, activists, writers, scientists, educators, homemakers, advocates, politicians and survivors; and

WHEREAS, the State of Maine is known and respected for its long list of accomplished women in our society, be it in politics, literature, sports or entertainment, and we take this opportunity to make note of some of these Maine women who have been beacons of hope and inspiration to all people in our State; and

WHEREAS, we honor and celebrate the following famous Maine women who have inspired us, Maine Women's Hall of Fame inductees: Senator Margaret Chase Smith, Mable Sine Wadsworth, Gail H. Laughlin, Elizabeth S. Russell, Ninetta May Runnals, Gilda E. Nardone, Dorothy Murphy Healy, Esther Elizabeth Wood, Eloise A. Vitelli, Elizabeth (Liz) W. Crandall, Ed.D., Marti Stevens, Mildred Brown Schrupf, Ethel (Billie) Wilson Gammon, Lois Galgay Reckitt, Elizabeth (Libby) H. Mitchell, Olympia J. Snowe, Caroline Gentile, Joan Benoit Samuelson, Linda Smith Dyer, Chellie Pingree, Theodora June Kalikow and Nancy H. Hensel; and

WHEREAS, we also take this opportunity to honor and celebrate all those Maine women who have not achieved fame but who have given hope and inspiration through their daily action; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature now assembled in the Second Special Session, on behalf of the people we represent, take this opportunity to honor and celebrate March as National Women's History Month and to extend our sincere appreciation to all Maine women who have unselfishly given hope and inspiration.

#### READ.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Canavan.

Representative **CANAVAN**: Mr. Speaker, Men and Women of the House. If I had to describe women's history in a word it would be surprising. That is because school textbooks devote so little space to women's accomplishments that when you finally delve into the lives of those who smooth the way for women today, you learn some pretty amazing things. Most amazing of all is the story of women's suffrage. In every sense of the word, the women who fought to win the vote constituted an army. Some would even say their struggle constituted a battle, if not a war of two sharply divided camps, one side wanting to maintain the status quo and the other advancing the novel idea that women were entitled to vote. Opponents were not easily moved. Simply logic doesn't erase centuries of bias and ignorance. Opponents advanced the following arguments. Women were intellectually inferior and franchisement would make women less feminine. It would decimate the family. Women were too delicate in nature to be thrust into the political realm and it was against the natural order of things for women to be involved in politics.

Opponents included women as well as men and conversely some men were strongly in favor of the feminist view. To put in perspective the extent of the staying power of suffrage, I would point out that the Revolutionary War lasted eight years, the Civil War four years, World War I a year and a half, World War II four years, the struggle to gain voting rights for women lasted 72 years. People like Elizabeth Katie Stanton and Susan B. Anthony lived out their entire lives strategizing, lecturing, writing and fighting to win the vote and died never fully realizing their dream. They were labeled cranks, kooks and radicals. Worse, when Susan B. Anthony and her colleagues attempted to vote in the 1872 presidential election, they were arrested and tried. Forty-five years later, Alice Paul and her colleagues were attacked while marching for their cause. On another occasion, they were arrested and jailed for picketing the White House.

Thankfully they persisted in their effort and in 1920, 72 years after their struggle began, Amendment 19 to the US Constitution finally became law. Textbooks devote relatively little space to the story of suffrage and that is unfortunate because we can take from it remarkable insights. The obvious one being that it is hard to think outside the box when you have been penned in for centuries. The story of suffrage also clearly demonstrates that there was just to limit to human endurance when justice and fairness are at stake and when we are strongly enough committed to see them prevail.

We don't have a national holiday to honor the veterans of that army who for so long stood fast on principle. It is appropriate that we honor them today in some fashion for their gritty persistence and toughness in the face of staggering odds had the ultimate affect of doubling the number of Americans eligible to walk into a polling place today and have their voices heard. Without their fierce dedication principle, I, and many others, would not be here today. Thank you.

Subsequently, was **ADOPTED**.  
Sent for concurrence.

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

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**SPECIAL SENTIMENT CALENDAR**

In accordance with House Rule 519 and Joint Rule 213, the following items:

**Recognizing:**

Bishop Joseph J. Gerry, of Portland, who is retiring after 15 years as the Bishop of the Diocese of Portland. Born in Millinocket, he graduated from St. Anselm College in Manchester, New Hampshire and then pursued 4 years of theological studies at the abbey seminary. He was a member of the faculty of St. Anselm College from 1958 to 1986, teaching philosophy and humanities. He was ordained to the priesthood in St. Joseph's Cathedral, Manchester, New Hampshire by Bishop Brady on June 12, 1954. On February 21, 1989, he was installed as the 10th Bishop of Portland. As the executive secretary of the Ad Hoc Committee of the American-Cassinese Federation, he was instrumental in bringing the renewal of Vatican Council II to bear on American monastic communities. We extend our congratulations to Bishop Gerry on his retirement and send our best wishes to him at St. Anselm monastery;

(HLS 1313)

Presented by Representative BOWLES of Sanford.  
Cosponsored by Representative ADAMS of Portland, Representative ANDREWS of York, Representative ANNIS of Dover-Foxcroft, Representative ASH of Belfast, Representative AUSTIN of Gray, Representative BARSTOW of Gorham, Representative BEAUDETTE of Biddeford, Representative BENNETT of Caribou, Senator BENNETT of Oxford, Representative BERRY of Belmont, Representative BERUBE of Lisbon, Representative BIERMAN of Sorrento, Senator BLAIS of Kennebec, Representative BLANCHETTE of Bangor, Representative BLISS of South Portland, Representative BOWEN of Rockport, Representative BRANNIGAN of Portland, Representative BREault of Buxton, Senator BRENNAN of Cumberland, Senator BROMLEY of Cumberland, Representative BROWN of South Berwick, Representative BROWNE of Vassalboro, Representative BRUNO of Raymond, Senator BRYANT of Oxford, Representative BRYANT-DESCHENES of Turner, Representative BULL of Freeport, Representative

BUNKER of Kossuth Township, Representative CAMPBELL of Newfield, Representative CANAVAN of Waterville, Senator CARPENTER of York, Representative CARR of Lincoln, Senator CATHCART of Penobscot, Representative CHURCHILL of Orland, Representative CHURCHILL of Washburn, Representative CLARK of Millinocket, Representative CLOUGH of Scarborough, Representative COLLINS of Wells, Speaker COLWELL of Gardiner, Representative COURTNEY of Sanford, Representative COWGER of Hallowell, Representative CRAVEN of Lewiston, Representative CRESSEY of Baldwin, Representative CROSTHWAITE of Ellsworth, Representative CUMMINGS of Portland, Representative CURLEY of Scarborough, President DAGGETT of Kennebec, Representative DAIGLE of Arundel, Senator DAMON of Hancock, Representative DAVIS of Falmouth, Senator DAVIS of Piscataquis, Senator DOUGLASS of Androscoggin, Representative DUDLEY of Portland, Representative DUGAY of Cherryfield, Representative DUNLAP of Old Town, Representative DUPLESSIE of Westbrook, Representative DUPREY of Hampden, Representative DUPREY of Medway, Representative EARLE of Damariscotta, Representative EDER of Portland, Senator EDMONDS of Cumberland, Representative FAIRCLOTH of Bangor, Representative FINCH of Fairfield, Representative FISCHER of Presque Isle, Representative FLETCHER of Winslow, Representative GAGNE-FRIEL of Buckfield, Senator GAGNON of Kennebec, Representative GERZOFISKY of Brunswick, Senator GILMAN of Cumberland, Representative GLYNN of South Portland, Representative GOODWIN of Pembroke, Representative GREELEY of Levant, Representative GROSE of Woolwich, Senator HALL of Lincoln, Senator HATCH of Somerset, Representative HATCH of Skowhegan, Representative HEIDRICH of Oxford, Representative HONEY of Boothbay, Representative HOTHAM of Dixfield, Representative HUTTON of Bowdoinham, Representative JACKSON of Fort Kent, Representative JACOBSEN of Waterboro, Representative JENNINGS of Leeds, Representative JODREY of Bethel, Representative JOY of Crystal, Representative KAELIN of Winterport, Representative KANE of Saco, Representative KETTERER of Madison, Senator KNEELAND of Aroostook, Representative KOFFMAN of Bar Harbor, Senator LAFOUNTAIN of York, Representative LANDRY of Sanford, Representative LEDWIN of Holden, Representative LEMOINE of Old Orchard Beach, Senator LEMONT of York, Representative LERMAN of Augusta, Representative LESSARD of Topsham, Representative LEWIN of Eliot, Representative LORING of the Penobscot Nation, Representative LUNDEEN of Mars Hill, Representative MAIETTA of South Portland, Representative MAILHOT of Lewiston, Representative MAKAS of Lewiston, Representative MARLEY of Portland, Representative MARRACHÉ of Waterville, Senator MARTIN of Aroostook, Senator MAYO of Sagadahoc, Representative McCORMICK of West Gardiner, Representative McGLOCKLIN of Embden, Representative McGOWAN of Pittsfield, Representative MCKEE of Wayne, Representative MCKENNEY of Cumberland, Representative McLAUGHLIN of Cape Elizabeth, Representative McNEIL of Rockland, Representative MILLETT of Waterford, Representative MILLS of Farmington, Representative MILLS of Cornville, Senator MITCHELL of Penobscot, Representative MOODY of Manchester, Representative MOORE of the Passamaquoddy Tribe, Representative MOORE of Standish, Representative MURPHY of Kennebunk, Representative MUSE of Fryeburg, Senator NASS of York, Representative NORBERT of Portland, Representative NORTON of Bangor, Representative NUTTING of Oakland, Representative O'BRIEN of Augusta, Representative O'BRIEN of Lewiston, Representative O'NEIL of

Saco, Representative PARADIS of Frenchville, Representative PATRICK of Rumford, Representative PEAVEY-HASKELL of Greenbush, Representative PELLON of Machias, Senator PENDLETON of Cumberland, Representative PERCY of Phippsburg, Representative PERRY of Calais, Representative PERRY of Bangor, Representative PINEAU of Jay, Representative PINGREE of North Haven, Representative PIOTTI of Unity, Representative RECTOR of Thomaston, Representative RICHARDSON of Greenville, Representative RICHARDSON of Brunswick, Representative RICHARDSON of Skowhegan, Representative RINES of Wiscasset, Representative ROGERS of Brewer, Representative ROSEN of Bucksport, Senator ROTUNDO of Androscoggin, Senator SAVAGE of Knox, Representative SAMPSON of Auburn, Representative SAVIELLO of Wilton, Senator SAWYER of Penobscot, Representative SHERMAN of Hodgdon, Representative SHIELDS of Auburn, Senator SHOREY of Washington, Representative SIMPSON of Auburn, Representative SMITH of Monmouth, Representative SMITH of Van Buren, Representative SNOWE-MELLO of Poland, Senator STANLEY of Penobscot, Representative STONE of Berwick, Senator STRIMLING of Cumberland, Representative SUKEFORTH of Union, Representative SULLIVAN of Biddeford, Representative SUSLOVIC of Portland, Representative SYKES of Harrison, Representative TARDY of Newport, Representative THOMAS of Orono, Representative THOMPSON of China, Representative TOBIN of Windham, Representative TOBIN of Dexter, Representative TRAHAN of Waldoboro, Representative TREADWELL of Carmel, President Pro Tem TREAT of Kennebec, Senator TURNER of Cumberland, Representative TWOMEY of Biddeford, Representative USHER of Westbrook, Representative VAUGHAN of Durham, Representative WALCOTT of Lewiston, Representative WATSON of Bath, Senator WESTON of Waldo, Representative WHEELER of Kittery, Representative WOODBURY of Yarmouth, Senator WOODCOCK of Franklin, Representative WOTTON of Littleton, Representative YOUNG of Limestone, Senator YOUNGBLOOD of Penobscot.

On **OBJECTION** of Representative BOWLES of Sanford, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Bowles.

Representative **BOWLES**: Mr. Speaker, Ladies and Gentlemen of the House. It is my great honor today to join with my House and Senate colleagues in recognizing Bishop Joseph Gerry upon the occasion of his retirement as Bishop of the Roman Catholic Diocese of Portland. When I requested some additional biographical data for today and reviewed the list, the lengthy list, of his many accomplishments, my admiration for Bishop Gerry grew even greater than before. Rather than regale you with his list of honors and awards for a life spent in service to his fellow man, I would like to speak just briefly about the impressions I have formed over the past six years in regards to Bishop Gerry. Like so many of you, I have attended the luncheons sponsored each year by the Diocese at St. Paul's Retreat Center and listened to Bishop Gerry's thoughtful messages exhorting us to reach deep within ourselves to put aside our petty differences and prejudices to work for the betterment of our fellow citizens. In his talks to us the Bishop has also spoken about obligations to provide a moral compass and foundation, to help lead Maine citizens through confusing and often times troubling social change. He has delivered these messages with humility and humor, recognizing our human failings and frailties. I will miss his council and the State of Maine

will miss his leadership. We are better for having had Bishop Gerry's devotion to us for the past 16 years. Bishop Gerry, we wish you all the best in your retirement. We thank you for the blessings you have bestowed upon our state and its citizens.

Subsequently, was **PASSED** and sent for concurrence.

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**In Memory of:**

Virginia H. Curtis, of West Gardiner, who was born November 12, 1910, the daughter of Frank and Nellie (Pinkham) Hescock. The day before her graduation from Hallowell High School in 1927, Virginia went to work for Central Maine Power Company, where she worked for 16 years. She married Howard Curtis in 1928. In 1943, she delivered milk for Arthur Gosline and took her infant daughter with her on her route. In 1945, she started working for the Cobbosseecontee Telephone and Telegraph Company, and operated the switchboard from her home for 25 years. In this 24-hour-a-day job, she became better known to members of her community as "Ginny." She continued to work for the telephone company as a bookkeeper and bill collector until her retirement at age 88. Mrs. Curtis held the town clerk and excise tax collector positions for the Town of West Gardiner for 41 years, retiring in 1985. After her retirement, she held the position of deputy town clerk and presided over the ballot box for each election. She also served on the school committee from 1952 - 1959 and was the town correspondent for the Kennebec Journal for many years. She was an active member of the Old South Congregational Church in Hallowell where she served as secretary and sang in the choir. She was an active member of the Cobbosseecontee Grange 100, the Rainbow Club at the Cohen Center and the Cacklers Club, a bridge club that met weekly for many years. Mrs. Curtis enjoyed gardening, watching animals and birds, playing cards, watching a Red Sox ballgame, eating pie with ice cream or just going for a ride. She will be greatly missed by her loving family, her many friends and her community;

(HLS 1316)

Presented by Representative McCORMICK of West Gardiner. Cosponsored by President Pro Tem TREAT of Kennebec, Representative COWGER of Hallowell.

On **OBJECTION** of Representative McCORMICK of West Gardiner, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from West Gardiner, Representative McCormick.

Representative **MCCORMICK**: Mr. Speaker, Ladies and Gentlemen of the House. I think you can tell from this sentiment that this was a truly special person for the Town of West Gardiner. She knew everyone and each of their families and everyone knew her. She was a person you could go to if you wanted to know something about town history. Because of her involvement in the town and all of its functions, it will be very different this coming Saturday when we convene the annual town meeting and Virginia will not be there. She will be sadly missed by all. Thank you Mr. Speaker.

Subsequently, was **ADOPTED** and sent for concurrence.

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

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**REPORTS OF COMMITTEE**

**Ought to Pass Pursuant to Statutes and Resolve**

Representative McLAUGHLIN for the **Joint Standing Committee on State and Local Government** on Bill "An Act To Implement the Recommendations of the Joint Standing Committee on State and Local Government Pursuant to the State Government Evaluation Act"

(H.P. 1426) (L.D. 1926)

Reporting **Ought to Pass** pursuant to the Maine Revised Statutes, Title 3, chapter 35 and Resolve 2003, chapter 101, section 1.

Report was **READ** and **ACCEPTED**. The Bill **READ ONCE**.

The Bill was assigned for **SECOND READING** Wednesday, March 17, 2004.

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**Divided Report**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Require that Patients in Private Mental Hospitals Be Afforded the Same Rights As Patients in State Mental Institutions"

(S.P. 79) (L.D. 156)

Signed:

Senators:

BRENNAN of Cumberland

MARTIN of Aroostook

WESTON of Waldo

Representatives:

EARLE of Damariscotta

CRAVEN of Lewiston

KANE of Saco

PERRY of Calais

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

Signed:

Representatives:

SHIELDS of Auburn

CURLEY of Scarborough

CAMPBELL of Newfield

LEWIN of Eliot

WALCOTT of Lewiston

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES**.

**READ**.

On motion of Representative KANE of Saco, the Bill and all accompanying papers were **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

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Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Establish a System of Advocacy and Oversight To Benefit Persons with Mental Retardation and Autism"

(S.P. 422) (L.D. 1291)

Signed:

Senators:

BRENNAN of Cumberland

MARTIN of Aroostook

WESTON of Waldo

Representatives:

EARLE of Damariscotta

KANE of Saco

CAMPBELL of Newfield

PERRY of Calais

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

Signed:

Representatives:

CRAVEN of Lewiston

SHIELDS of Auburn

CURLEY of Scarborough

WALCOTT of Lewiston

LEWIN of Eliot

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES**.

**READ**.

On motion of Representative KANE of Saco, the Bill and all accompanying papers were **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

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

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Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-359)** on Bill "An Act To Increase Maine's Minimum Wage"

(S.P. 237) (L.D. 673)

Signed:

Senators:

EDMONDS of Cumberland

STANLEY of Penobscot

Representatives:

SMITH of Van Buren

HUTTON of Bowdoinham

HATCH of Skowhegan

PATRICK of Rumford

WATSON of Bath

JACKSON of Fort Kent

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

Signed:

Senator:

BLAIS of Kennebec

Representatives:

TREADWELL of Carmel

CRESSEY of Baldwin

NUTTING of Oakland

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

**READ**.

Representative SMITH of Van Buren 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.

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Six Members of the Committee on **LABOR** report in Report **"A" Ought to Pass as Amended by Committee Amendment "A" (S-413)** on Bill "An Act To Clarify the Prevailing Wage Law"

(S.P. 655) (L.D. 1722)

Signed:

Senators:

EDMONDS of Cumberland

STANLEY of Penobscot



Representatives:

HUTTON of Bowdoinham  
PATRICK of Rumford  
JACKSON of Fort Kent  
WATSON of Bath

Six Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:

Senator:

BLAIS of Kennebec

Representatives:

SMITH of Van Buren  
TREADWELL of Carmel  
CRESSEY of Baldwin  
HEIDRICH of Oxford  
NUTTING of Oakland

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

**READ.**

Representative SMITH of Van Buren moved that the House **ACCEPT** Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-413).**

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-413)** and later today assigned.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Reestablish the Great Ponds Act" (EMERGENCY)

(H.P. 1251) (L.D. 1675)

Signed:

Senators:

BRYANT of Oxford  
CARPENTER of York  
KNEELAND of Aroostook

Representatives:

RICHARDSON of Greenville  
TOBIN of Dexter  
HONEY of Boothbay  
McGLOCKLIN of Embden  
TRAHAN of Waldoboro  
WHEELER of Kittery  
WOTTON of Littleton  
WATSON of Bath

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

Signed:

Representatives:

DUNLAP of Old Town  
MOODY of Manchester

**READ.**

On motion of Representative DUPLESSIE of Westbrook, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

**CONSENT CALENDAR**

**First Day**

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

(S.P. 657) (L.D. 1724) Bill "An Act To Create the Maine Military Family Relief Fund" Committee on **TAXATION** reporting

**Ought to Pass as Amended by Committee Amendment "A" (S-422)**

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

**CONSENT CALENDAR**

**Second Day**

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

(S.P. 617) (L.D. 1685) Bill "An Act To Improve Awareness of Meningococcal Disease" (C. "A" S-418)

(S.P. 694) (L.D. 1854) Bill "An Act To Delay the Implementation of Restrictions on Information on Electronically Printed Receipts" (EMERGENCY) (C. "A" S-420)

(H.P. 1354) (L.D. 1831) Resolve, Regarding Legislative Review of Portions of Chapter 360: Responsibilities of Manufacturers, Distributors, Dealers and Redemption Centers under the Returnable Beverage Container Law, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources (EMERGENCY) (C. "A" H-758)

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

**BILLS IN THE SECOND READING**

**Senate as Amended**

Bill "An Act To Facilitate the Recovery of Stolen Property" (S.P. 647) (L.D. 1715) (C. "A" S-407)

**House as Amended**

Bill "An Act To Create the Position of Director of Energy Programs at the Public Utilities Commission" (H.P. 1252) (L.D. 1730) (C. "A" H-761)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Paper was **PASSED TO BE ENGROSSED AS AMENDED** in concurrence and the House Paper was **PASSED TO BE ENGROSSED AS AMENDED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

**ENACTORS**

**Emergency Measure**

An Act To Make Emergency Changes to Recent Law (H.P. 1404) (L.D. 1897) (S. "A" S-416)

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

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

**Acts**

An Act To Allow Communications Towers on Land of the Maine Turnpike Authority (S.P. 608) (L.D. 1676)

An Act To Permit Background Checks on Prospective Adoptive Parents

(H.P. 1276) (L.D. 1754)  
(C. "A" H-728)

An Act To Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to the Review of Agencies under the State Government Evaluation Act

(H.P. 1408) (L.D. 1902)

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

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An Act To Reduce the Voting Age Qualification for State Primary Elections for Voters Who Will Reach 18 Years of Age by the Time of the General Election

(H.P. 470) (L.D. 640)  
(C. "A" H-637)

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

On motion of Representative BOWLES of Sanford, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 328**

**YEA** - Ash, Beaudette, Bennett, Blanchette, Bliss, Brannigan, Brown R, Bull, Canavan, Cowger, Craven, Cummings, Davis, Dudley, Dunlap, Duplessie, Earle, Eder, Finch, Fischer, Gagne-Friel, Gerzofsky, Glynn, Grose, Hatch, Hutton, Jackson, Jennings, Kane, Ketterer, Koffman, Lemoine, Lerman, Lessard, Lundeen, Mailhot, Makas, Marley, McGlocklin, McKee, McLaughlin, Mills J, Moody, Moore, Norbert, Norton, O'Brien L, O'Neil, Paradis, Patrick, Pellon, Percy, Perry A, Pineau, Pingree, Piotti, Richardson J, Rines, Sampson, Saviello, Simpson, Smith N, Smith W, Sullivan, Suslovic, Thomas, Thompson, Twomey, Usher, Walcott, Watson, Woodbury, Wotton, Mr. Speaker.

**NAY** - Adams, Andrews, Annis, Austin, Berry, Berube, Bierman, Bowen, Bowles, Browne W, Bruno, Bryant-Deschenes, Campbell, Carr, Churchill E, Churchill J, Clark, Clough, Collins, Courtney, Cressey, Crosthwaite, Curley, Daigle, Duprey B, Duprey G, Faircloth, Fletcher, Greeley, Heidrich, Honey, Jacobsen, Jodrey, Joy, Landry, Ledwin, Lewin, McCormick, McKenney, Millett, Mills S, Murphy, Nutting, O'Brien J, Peavey-Haskell, Rector, Richardson E, Richardson M, Rogers, Rosen, Sherman, Shields, Snowe-Mello, Stone, Sukeforth, Sykes, Tardy, Tobin D, Tobin J, Trahan, Treadwell, Vaughan, Young.

**ABSENT** - Barstow, Breault, Bunker, Dugay, Goodwin, Hotham, Kaelin, Maietta, Marraché, McGowan, McNeil, Muse, Perry J, Wheeler.

Yes, 74; No, 63; Absent, 14; Excused, 0.

74 having voted in the affirmative and 63 voted in the negative, with 14 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, March 11, 2004, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act To Strengthen the Prohibition against Night Hunting  
(H.P. 1238) (L.D. 1662)  
(C. "A" H-692)

**TABLED** - March 2, 2004 (Till Later Today) by Representative **DUPLESSIE** of Westbrook.

**PENDING - PASSAGE TO BE ENACTED.**

On motion of Representative **DUNLAP** of Old Town, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-692)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-762)** to **Committee Amendment "A" (H-692)** which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative **DUNLAP**: Mr. Speaker, Ladies and Gentlemen of the House. I believe this amendment does deserve a word of explanation about the work of the Committee on Inland Fisheries and Wildlife surrounding the issue of night hunting. In recent years it has come to our attention that night hunters have been making increasing use of night vision equipment, which has been widely available on the Internet, many outdoor catalogs and other venues and it has many legitimate purposes. It also has many illegitimate purposes. The elements of night hunting has been laid out by our State Supreme Judicial Court back with a decision dating to 1956 that basically laid out and it is followed by the Legislature in statute that the elements of night hunting consist of a firearm, ammunition, one's presence in an area known to be abundant with wildlife, a light and also an overt act, which includes shining a tree line, firing a shot, etc. As we have debated in this chamber many times, it is not illegal to be in the fields and forests of this state where game is known to be abundant at night with a firearm, with ammunition or with a light as long as you don't do anything that would compromise your stranding before the court. However, the possession of night vision equipment has made the use of lights somewhat antiquated, if you will, and in order to address that and also to get at the truly bad actors, the repeat offenders, the committee voted unanimously to adopt legislation that would provide disincentives for those who may be considering the use of such equipment and to provide real punishment for those who ignore the disincentives. There have been some concerns raised by members of this chamber and of the other body who have served on a commission dealing with sentencing because the original Committee Amendment called for an automatic doubling of the minimum mandatory sentence,

including jail time. In order to get around that concern and yet maintain the integrity of the committee report, this amendment does a couple of things to clarify the original Committee Amendment, but it also says that the minimum mandatory jail sentence is only doubled if the subject is, in fact, a repeat offender with a prior conviction of a Class D offense under Title 12. That is what this amendment does. I thank the body for its patience.

The SPEAKER: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative JOY: Mr. Speaker, May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative JOY: Mr. Speaker, Men and Women of the House. On Line 40, third word, should that be none instead of not?

The SPEAKER: The Representative from Crystal, Representative Joy has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative DUNLAP: Mr. Speaker, Men and Women of the House. To answer the Representative's question, he is probably correct. I believe we can fix that in a later amendment if need be.

House Amendment "A" (H-762) to Committee Amendment "A" (H-692) was ADOPTED.

Committee Amendment "A" (H-692) as Amended by House Amendment "A" (H-762) thereto was ADOPTED.

The Bill was PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-692) as Amended by House Amendment "A" (H-762) thereto in NON-CONCURRENCE and sent for concurrence.

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

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

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

**SENATE PAPERS**

Bill "An Act To Modify Taxation of Benefits under Employee Retirement Plans, Including Retirement Plans for Teachers" (S.P. 764) (L.D. 1927)

Came from the Senate, REFERRED to the Committee on TAXATION and ordered printed.

REFERRED to the Committee on TAXATION in concurrence.

**REPORTS OF COMMITTEE**

Refer to the Joint Select Committee on Regionalization and Community Cooperation Pursuant to Joint Order

Report of the Joint Select Committee on Regionalization and Community Cooperation on Bill "An Act To Promote Intergovernmental Cooperation, Cost Savings and Efficiencies"

(S.P. 767) (L.D. 1930)

Reporting that it be REFERRED to the Joint Select Committee on REGIONALIZATION AND COMMUNITY COOPERATION pursuant to Joint Order 2003, S.P. 689.

Came from the Senate with the Report READ and ACCEPTED and the Bill REFERRED to the Joint Select Committee on REGIONALIZATION AND COMMUNITY COOPERATION.

Report was READ and ACCEPTED and the Bill REFERRED to the Joint Select Committee on REGIONALIZATION AND COMMUNITY COOPERATION in concurrence.

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

The Chair laid before the House the following item which was TABLED earlier in today's session:

An Act To Make Emergency Changes to Recent Law (H.P. 1404) (L.D. 1897) (S. "A" S-416)

Which was TABLED by Representative RICHARDSON of Brunswick pending PASSAGE TO BE ENACTED.

On motion of Representative RICHARDSON of Brunswick, TABLED pending PASSAGE TO BE ENACTED and later today assigned.

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) Ought Not to Pass - Minority (5) Ought to Pass as Amended by Committee Amendment "A" (H-733) - Committee on BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Control Adult Entertainment Establishments"

(H.P. 1323) (L.D. 1801) TABLED - March 9, 2004 (Till Later Today) by Representative SULLIVAN of Biddeford.

PENDING - Motion of same Representative to ACCEPT the Minority OUGHT TO PASS AS AMENDED Report.

Subsequently, the Minority Ought to Pass as Amended Report was ACCEPTED.

The Bill was READ ONCE. Committee Amendment "A" (H-733) was READ by the Clerk and ADOPTED. The Bill was assigned for SECOND READING Wednesday, March 17, 2004.

SENATE REPORT - Ought to Pass as Amended by Committee Amendment "A" (S-412) - Committee on TRANSPORTATION on Bill "An Act To Simplify the Maine Turnpike Authority's Enforcement Procedures for Toll Violations"

(S.P. 637) (L.D. 1705) - In Senate, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-412).

TABLED - March 10, 2004 (Till Later Today) by Representative MARLEY of Portland.

PENDING - ACCEPTANCE OF COMMITTEE REPORT.

Subsequently, the Committee Report was **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (S-412)** was **READ** by the Clerk.

Representative **MARLEY** of Portland **PRESENTED House Amendment "A" (H-763)** to **Committee Amendment "A" (S-412)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Marley.

Representative **MARLEY**: Mr. Speaker, Ladies and Gentlemen of the House. Very simply, this amendment simply ensures that any notices that are sent out be by certified mail to ensure that the address receives them as notification. Thank you.

**House Amendment "A" (H-763)** to **Committee Amendment "A" (S-412)** was **ADOPTED**.

**Committee Amendment "A" (S-412)** as Amended by **House Amendment "A" (H-763)** thereto was **ADOPTED**.

The Bill was assigned for **SECOND READING** Wednesday, March 17, 2004.

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

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On motion of Representative **McCORMICK** of West Gardiner, the House adjourned at 12:08 p.m., until 9:00 a.m., Wednesday, March 17, 2004 in honor and lasting tribute to Virginia H. Curtis, of West Gardiner and Jane M. McCormack, of Portland.