

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE  
SECOND SPECIAL SESSION  
JOURNAL OF THE SENATE**

In Senate Chamber  
Wednesday  
February 18, 2004

Senate called to order by President Beverly C. Daggett of Kennebec County.

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Prayer by Reverend Peter Panagore, First Radio Parish Church of America in Portland.

**REVEREND PANAGORE** Esteemed Senators, each of you get a comfy chair with a fine desk that is bolted to the floor on a carpeted room. You each get a Maine Senator license plate for your car. Poor pay, comparably. Committee work, partisan wrangling, necessary schmoozing, long hours, late nights, impossible budgets to balance, constituents calling with troubles, suggestions, opinions and demands, many meetings, and costly elections. In addition, many of you have families, mortgages, jobs or private businesses to which to attend. Nevertheless, here you are, today, willingly serving all the people of Maine. On behalf of the voiceless, the marginalized, the dispossessed, the working poor, the homeless, and the powerless, I say thank you for your work and I urge you always to remember them in your work. Let us pray.

Dear God, bless these Senators of ours with practical ideas, perseverance, cooperation, and consideration. Grant them the strength to make hard decisions that must be made. Give them intelligent leaders with persuasive voices to convince and influence if their positions benefit the whole of Your people. Give clear ears to others and open minds and sure hearts to hear with compassion and reason to reasonable points of view. Bless each Senator with conviviality and camaraderie when debating with civility and then deciding with justice and impartiality all the laws here voted in this session. Amen.

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Pledge of Allegiance led by Senator Carolyn M. Gilman of Cumberland County.

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Reading of the Journal of Thursday, February 12, 2004.

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Off Record Remarks

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**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Extend the Dairy Stabilization Subsidy Through May 31, 2004" (EMERGENCY)  
H.P. 1378 L.D. 1852

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **BRYANT** of Oxford, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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**COMMUNICATIONS**

The Following Communication:

S.P. 695

**STATE OF MAINE  
121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Bruce S. Bryant  
Senate Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
Rep. Linda Rogers McKee  
House Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
121<sup>ST</sup> Legislature  
Augusta, ME 04333

Dear Senator Bryant and Representative McKee:

Please be advised that Governor John E. Baldacci has nominated Rebecca Kurtz of Rangeley Plantation for appointment as a member of the Land Use Regulation Commission.

Pursuant to 12 M.R.S.A. 206-A §683, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

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

Sent down for concurrence.

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The Following Communication:

S.P. 696

**STATE OF MAINE  
121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Bruce S. Bryant  
Senate Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
Rep. Linda Rogers McKee  
House Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
121<sup>ST</sup> Legislature  
Augusta, ME 04333

Dear Senator Bryant and Representative McKee:

Please be advised that Governor John E. Baldacci has nominated Steve Kahl of Old Town for appointment as a member of the Land Use Regulation Commission.

Pursuant to 12 M.R.S.A. 206-A §683, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

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

Sent down for concurrence.

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The Following Communication:

S.P. 697

**STATE OF MAINE**  
**121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Bruce S. Bryant  
Senate Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
Rep. Linda Rogers McKee  
House Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Bryant and Representative McKee:

Please be advised that Governor John E. Baldacci has nominated Carol Murtaugh of Lubec for appointment as a member of the Land Use Regulation Commission.

Pursuant to 12 M.R.S.A. 206-A §683, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

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

Sent down for concurrence.

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The Following Communication:

S.P. 698

**STATE OF MAINE**  
**121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Bruce S. Bryant  
Senate Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
Rep. Linda Rogers McKee  
House Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Bryant and Representative McKee:

Please be advised that Governor John E. Baldacci has nominated James Nadeau of Winterville Plantation for appointment as a member of the Land Use Regulation Commission.

Pursuant to 12 M.R.S.A. 206-A §683, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

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

Sent down for concurrence.

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The Following Communication:

S.P. 699

**STATE OF MAINE**  
**121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Bruce S. Bryant  
Senate Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
Rep. Linda Rogers McKee  
House Chair, Joint Standing Committee on  
Agriculture, Conservation and Forestry  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Bryant and Representative McKee:

Please be advised that Governor John E. Baldacci has nominated Daniel J. Simonds of Rangeley for appointment as a member of the Board of Pesticides Control.

Pursuant to 22 M.R.S.A. §1471-B, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

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

Sent down for concurrence.

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The Following Communication:

S.P. 700

**STATE OF MAINE**  
**121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Neria R. Douglass  
Senate Chair, Joint Standing Committee on  
Education and Cultural Affairs  
Rep. Glenn A. Cummings  
House Chair, Joint Standing Committee on  
Education and Cultural Affairs

121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Douglass and Representative Cummings:

Please be advised that Governor John E. Baldacci has nominated Jack Norris of Wallagrass for reappointment as a member of the State Board of Education.

Pursuant to 20-A M.R.S.A. §401, this nomination will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

**READ and REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

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The Following Communication:

S.P. 701

**STATE OF MAINE**  
**121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Neria R. Douglass  
Senate Chair, Joint Standing Committee on  
Education and Cultural Affairs  
Rep. Glenn A. Cummings  
House Chair, Joint Standing Committee on  
Education and Cultural Affairs  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Douglass and Representative Cummings:

Please be advised that Governor John E. Baldacci has nominated Jean Gulliver of Falmouth for reappointment as a member of the State Board of Education.

Pursuant to 20-A M.R.S.A. §401, this nomination will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

**READ and REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

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The Following Communication:

S.P. 702

**STATE OF MAINE**  
**121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Beth G. Edmonds  
Senate Chair, Joint Standing Committee on  
Labor  
Rep. William J. Smith  
House Chair, Joint Standing Committee on  
Labor  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Edmonds and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated Peter Leslie of Cape Elizabeth for reappointment as a member of the Maine Retirement System, Board of Trustees.

Pursuant to 5 M.R.S.A. §17102, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

**READ and REFERRED** to the Committee on **LABOR**.

Sent down for concurrence.

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The Following Communication:

S.P. 703

**STATE OF MAINE**  
**121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Beth G. Edmonds  
Senate Chair, Joint Standing Committee on  
Labor  
Rep. William J. Smith  
House Chair, Joint Standing Committee on  
Labor  
121<sup>st</sup> Legislature  
Augusta, ME 04333

Dear Senator Edmonds and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated Eunice Mercier of Augusta for reappointment as a member of the Maine Retirement System, Board of Trustees.

Pursuant to 5 M.R.S.A. §17102, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

**READ and REFERRED** to the Committee on **LABOR**.

Sent down for concurrence.

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The Following Communication:

S.P. 704

**STATE OF MAINE  
121<sup>ST</sup> MAINE LEGISLATURE**

February 12, 2004

Sen. Beth G. Edmonds  
Senate Chair, Joint Standing Committee on  
Labor  
Rep. William J. Smith  
House Chair, Joint Standing Committee on  
Labor  
121<sup>ST</sup> Legislature  
Augusta, ME 04333

Dear Senator Edmonds and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated Benedetto Viola of Scarborough for appointment as a member of the Maine Retirement System, Board of Trustees.

Pursuant to 5 M.R.S.A. §17102, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

S/Patrick Colwell  
Speaker of the House

**READ and REFERRED** to the Committee on **LABOR**.

Sent down for concurrence.

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The Following Communication:

H.P. 1379

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

February 11, 2004

Honorable Millicent M. MacFarland  
Clerk of the House  
2 State House Station  
Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Joint Order S.P. 689, I have appointed the following Representatives to serve as members of the Joint Select Committee on Regionalization and Community Cooperation:

Representative Janet L. McLaughlin of Cape Elizabeth  
Representative Philip R. Bennett, Jr. of Caribou  
Representative Glenn A. Cummings of Portland  
Representative Theodore Koffman of Bar Harbor  
Representative Christopher R. Barstow of Gorham  
Representative Janet T. Mills of Farmington  
Representative Edward J. Suslovic of Portland  
Representative Thomas W. Murphy, Jr. of Kennebunk  
Representative Anita Peavey-Haskell of Greenbush  
Representative Stephen Bowen of Rockport

Representative Joshua A. Tardy of Newport

Should you have any questions regarding these appointments, please feel free to contact me.

Sincerely,

S/Patrick Colwell  
Speaker of the House

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

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

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The Following Communication:

S.C. 457

**121<sup>ST</sup> LEGISLATURE  
SENATE OF MAINE  
OFFICE OF THE PRESIDENT**

February 11, 2004

Honorable Joy J. O'Brien  
Secretary of the Senate  
3 State House Station  
Augusta, ME 04333

Dear Secretary O'Brien:

Pursuant to my authority under P.L. 2001, Chapter 358, I am pleased to reappoint Ron Bancroft of Cumberland to the Advisory Board of the Maine Learning Technology Endowment as a public member.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Beverly C. Daggett  
President of the Senate

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

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**SENATE PAPERS**

**Pursuant to Joint Order  
Joint Standing Committee on Natural Resources**

Senator MARTIN for the **Joint Standing Committee on Natural Resources**, pursuant to Joint Order, S.P. 684 asked leave to report that the accompanying Bill "An Act To Change the Point System for Clearing Vegetation Adjacent to Protected Natural Resources"

S.P. 705 L.D. 1858

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

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

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.



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All matters thus acted upon were ordered sent down forthwith for concurrence.

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Off Record Remarks

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**REPORTS OF COMMITTEES**

**House**

**Change of Committee**

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require That Rules Pertaining to Reimbursement for Services for Child Development Services Be Major Substantive Rules" (EMERGENCY)

H.P. 1218 L.D. 1641

Reported that the same be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

On motion by Senator **DOUGLASS** of Androscoggin, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in concurrence.

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**Ought to Pass As Amended**

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Amend the Laws Regarding Humane Agents and Dog Licenses"

H.P. 1264 L.D. 1742

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-680)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-680)**.

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

**READ ONCE.**

Committee Amendment "A" (H-680) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Expand the State Fire Marshal's Responsibilities and To Clarify That the Commissioner of Public Safety Will Follow the Maine Administrative Procedure Act when Adopting Certain Rules"

H.P. 1253 L.D. 1731

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-681)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-681)**.

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

**READ ONCE.**

Committee Amendment "A" (H-681) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Provide for the Passage of Anadromous Fish Species into the Little River"

H.P. 132 L.D. 173

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-677)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-677)**.

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

**READ ONCE.**

Committee Amendment "A" (H-677) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Clarify the Law Pertaining to the Discharge of a Firearm near a Dwelling"

H.P. 1236 L.D. 1660

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-679)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-679)**.

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

**READ ONCE.**

Committee Amendment "A" (H-679) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Senate**

**Ought to Pass As Amended**

Senator BRYANT for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Improve the Property Boundary Marking Laws for Purposes of Timber Harvesting"

S.P. 625 L.D. 1693

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-385)**.

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

**READ ONCE.**

Committee Amendment "A" (S-385) **READ.**

On motion by Senator **BRYANT** of Oxford, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (S-385).

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Senator BRYANT for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Clarify Certain Provisions Contained in the Recodified Hunting, Fishing and Trapping Laws"

S.P. 629 L.D. 1697

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-388).**

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

**READ ONCE.**

Committee Amendment "A" (S-388) **READ** and **ADOPTED.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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Senator LAFOUNTAIN for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Join the Interstate Insurance Product Regulation Compact"

S.P. 630 L.D. 1698

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-389).**

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

**READ ONCE.**

Committee Amendment "A" (S-389) **READ** and **ADOPTED.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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Senator SAVAGE for the Committee on **TRANSPORTATION** on Bill "An Act To Amend the Maine Turnpike Authority's Budget for Calendar Year 2004"

S.P. 636 L.D. 1704

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-387).**

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

**READ ONCE.**

Committee Amendment "A" (S-387) **READ** and **ADOPTED.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Support Domestic Businesses in Publicly Funded Construction Projects"

S.P. 217 L.D. 608

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-386)**.

Signed:

Senators:

ROTUNDO of Androscoggin  
LAFOUNTAIN of York  
GILMAN of Cumberland

Representatives:

McLAUGHLIN of Cape Elizabeth  
KETTERER of Madison  
BARSTOW of Gorham  
BUNKER of Kossuth Township

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

Signed:

Representatives:

PEAVEY-HASKELL of Greenbush  
CROSTHWAITE of Ellsworth  
STONE of Berwick  
SUSLOVIC of Portland  
SUKEFORTH of Union  
BOWEN of Rockport

Reports **READ**.

Senator **ROTUNDO** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On motion by Senator **TURNER** of Cumberland, **TABLED** 1 Legislative Day, pending the motion by Senator **ROTUNDO** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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Off Record Remarks

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### **SECOND READERS**

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

#### **House**

Bill "An Act To Create Consistency between State and Federal Telephone Consumer Protection Laws"

H.P. 1273 L.D. 1751

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

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

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#### **House As Amended**

Bill "An Act to Ensure Parity Among Mental Health Professionals Under Medicaid"

H.P. 134 L.D. 175  
(C "A" H-675)

Bill "An Act Regarding the Number of Jurors Required To Render a Verdict in a Civil Trial"  
H.P. 1230 L.D. 1652  
(C "A" H-673)

Bill "An Act To Improve the Ability of Water Utilities To Maintain a Contingency Allowance"  
H.P. 1272 L.D. 1750  
(C "A" H-676)

Bill "An Act To Authorize Certain School Children To Carry Asthma Inhalers on Their Persons"  
H.P. 1290 L.D. 1768  
(C "A" H-674)

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

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**Senate**

Bill "An Act To Strengthen the Charitable Solicitations Act"  
S.P. 623 L.D. 1691

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

Sent down for concurrence.

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**Senate As Amended**

Bill "An Act To Exempt Classic Auto Dealers from Dealer Plate Restrictions" (EMERGENCY)  
S.P. 609 L.D. 1677  
(C "A" S-382)

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

Sent down for concurrence.

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Senate at Ease.

Senate called to order by the President.

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**ORDERS OF THE DAY**

**Unfinished Business**

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (2/12/04) Assigned matter:

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding Habitual Truants"

H.P. 800 L.D. 1082

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-634)** (10 members)

Minority - **Ought to Pass** (1 members)

Tabled - February 12, 2004, by Senator **DOUGLASS** of Androscoggin

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

(In House, February 11, 2004, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-634) AS AMENDED BY HOUSE AMENDMENT "A" (H-678)** thereto.)

(In Senate, February 12, 2004, Reports **READ**.)

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

**READ ONCE.**

Committee Amendment "A" (H-634) **READ**.

House Amendment "A" (H-678) to Committee Amendment "A" (H-634) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-634) as Amended by House Amendment "A" (H-678) thereto, **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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

**PAPERS FROM THE HOUSE**

**House Paper**

**Pursuant to Resolve  
Task Force on the Planning and Development of Marine Aquaculture in Maine**

The **Task Force on the Planning and Development of Marine Aquaculture in Maine**, pursuant to Resolve 2003, chapter 40 and chapter 101, section 3 asked leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Task Force on the Planning and Development of Marine Aquaculture in Maine"

H.P. 1383 L.D. 1857

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

**Pursuant to Public Law and Resolve  
Commission to Improve the Sentencing, Supervision, Management  
and Incarceration of Prisoners**

The **Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners**, pursuant to Public Law 2003, chapter 451, Part K, section 2 and Resolve, chapter 101, section 3 asked leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners" (EMERGENCY)

H.P. 1382 L.D. 1856

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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The President appointed the Senator from Kennebec, Senator **GAGNON**, to serve as President Pro Tem for the session on Thursday, February 19, 2004.

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Senator **BROMLEY** of Cumberland was granted unanimous consent to address the Senate off the Record.

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Senator **DAVIS** of Piscataquis was granted unanimous consent to address the Senate off the Record.

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

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On motion by Senator **TREAT** of Kennebec, **ADJOURNED**, to Thursday, February 19, 2004, at 10:00 in the morning.