

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

In Senate Chamber

Thursday

January 8, 2004

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

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Prayer by Reverend Paul Basham, Penney Memorial United Baptist Church in Augusta.

**REVEREND BASHAM:** Let us pray. Our Heavenly Father, we have arrived here today from all points of the compass and from all walks of life. We thank You for these who have chosen the path of public service and we ask Your blessings upon their families and the communities they represent.

As old Fort Western begins a year-long celebration of the 250 years since it was built, may we be mindful of our national and state heritage. As we recall the courageous work of those who carved a place out of the wilderness along the Kennebec River 2-1/2 centuries ago, may we be inspired to carve our way through a wilderness of ideas in these challenging days.

We pray for our Senate President, Beverly Daggett, as she guides us through struggles and debates to achieve our worthy goals. We ask Your blessings upon all members of the Senate, that they will find satisfaction and fulfillment in the sacrifices they are making to do the peoples work.

May Your providential care be with the men and women in the military how leave our shores to serve our country and bless their families who support them with love.

At the beginning of this new year, give to us a oneness that transcends our superficial differences, illuminate our minds with wisdom that lifts us above trivia and personal agendas amidst the tensions of disagreements. May we be aware that young eyes are watching us and help us to see the long range impact of what we do here today. May we take courage from those who built a place in the wilderness 250 years ago so we can find within ourselves the resources and resolve to make the decisions today that will stand the test of time.

This is our prayer. Amen.

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

Reading of the Journal of Wednesday, January 7, 2004.

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Off Record Remarks

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The Chair noted the absence of the Senator from Penobscot, Senator **CATHCART**, and the Senator from Penobscot, Senator **MITCHELL**, and further excused the same Senators from today's Roll Call votes.

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Out of order and under suspension of the Rules, on motion by Senator **TREAT** of Kennebec, 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.

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

Ordered sent down forthwith for concurrence.

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**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Increase the Amount of Restitution Allowed for State and Municipal Fire Service"

H.P. 1344 L.D. 1821

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

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

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Bill "An Act To Increase Access of Domestic Violence Victim Support Agencies to Certain Information"

H.P. 1345 L.D. 1822

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

On motion by Senator **PENDLETON** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

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Bill "An Act To Provide Property Tax Relief to Maine Homeowners" (EMERGENCY)

H.P. 1347 L.D. 1824

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

On motion by Senator **STANLEY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

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**Pursuant to Resolve  
Commission to Study Public Health**

The **Commission to Study Public Health**, pursuant to Resolve 2003, chapter 95 asked leave to report that the accompanying Resolve, Extending the Reporting Deadline for the Commission To Study Public Health (EMERGENCY)

H.P. 1346 L.D. 1823

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

Ordered sent forthwith to the Engrossing Division.

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**Joint Orders**

The following Joint Order:

H.P. 1343

ORDERED, the Senate concurring, that the Joint Standing Committee on Agriculture, Conservation and Forestry shall submit its report on new payment models for the logging industry, authorized by Joint Order 2003, H.P. 724 as amended by Senate Amendment "A," together with any necessary implementing legislation, to the Legislature no later than January 20, 2004.

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

**READ** and **PASSED**, in concurrence.

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Off Record Remarks

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**COMMUNICATIONS**

The Following Communication:

H.P. 1221

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**CLERK'S OFFICE**  
**2 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0002**

December 3, 2003

Hon. Patrick Colwell  
Speaker of the House  
121st Legislature

Hon. Beverly C. Daggett  
President of the Senate  
121st Legislature

Dear Mr. Speaker and Madam President:

On December 3, 2003, 5 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 3, 2003, as follows:

**Education and Cultural Affairs**

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) (Presented by Representative CRAVEN of Lewiston) (Cosponsored by Representatives: BUNKER of Kossuth Township, MILLETT of Waterford, 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 Provide Accurate Vital Records for Adults in Maine" (H.P. 1217) (L.D. 1640) (Presented by Representative BRUNO of Raymond) (Cosponsored by Representative DUDLEY of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203)

Bill "An Act To Provide an Exemption to the Laws Governing Patient Confidentiality Regarding Certain Former Patients of the Augusta Mental Health Institute" (H.P. 1219) (L.D. 1642) (Presented by Representative BRANNIGAN of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203)

**Legal and Veterans Affairs**

Bill "An Act To Make Polling Places More Convenient" (H.P. 1216) (L.D. 1639) (Presented by Representative PERCY of Phippsburg) (Cosponsored by Representatives: BULL of Freeport, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203)

Bill "An Act To Promote Fairness for Small Businesses That Serve Alcoholic Beverages" (H.P. 1220) (L.D. 1643) (Presented by Representative BRUNO of Raymond) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203)

Sincerely,

S/Millicent M. MacFarland

Clerk of the House

S/Joy J. O'Brien

Secretary of the Senate

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:

H.P. 1232

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**

**CLERK'S OFFICE**

**2 STATE HOUSE STATION**

**AUGUSTA, MAINE 04333-0002**

December 11, 2003

Hon. Patrick Colwell  
Speaker of the House  
121st Legislature

Hon. Beverly C. Daggett  
President of the Senate  
121st Legislature

Dear Mr. Speaker and Madam President:

On December 11, 2003, 10 bills were received by the Clerk of the House.

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

**Agriculture, Conservation and Forestry**

Resolve, To Clarify State Ownership of Land in the Town of Naples (H.P. 1222) (L.D. 1644) (Presented by Representative BRUNO of Raymond) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Business, Research and Economic Development**

Bill "An Act To Ensure Equitable Economic Development within the Kennebec Valley Economic Development District" (H.P. 1228) (L.D. 1650) (Presented by Representative MARRACHÉ of Waterville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Education and Cultural Affairs**

Bill "An Act To Rename the Former Vocational-technical Secondary Education Schools, Now Called Applied Technology Centers, Applied Career Technology Centers" (H.P. 1227) (L.D. 1649) (Presented by Representative LEDWIN of Holden) (Cosponsored by Senator MITCHELL of Penobscot and Representatives: ANDREWS of York, CUMMINGS of Portland, DAVIS of Falmouth, FINCH of Fairfield, MURPHY of Kennebunk, Senators: DOUGLASS of Androscoggin, WESTON of Waldo) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Inland Fisheries and Wildlife**

Resolve, To Establish a Demonstration Project To Introduce Grass Carp to Inland Waters (H.P. 1224) (L.D. 1646) (Presented by Representative USHER of Westbrook) (Cosponsored by Representative: DUPLESSIE of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Judiciary**

Bill "An Act Regarding the Number of Jurors Required To Render a Verdict in a Civil Trial" (H.P. 1230) (L.D. 1652) (Presented by Representative MILLS of Cornville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Labor**

Bill "An Act To Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2005" (EMERGENCY) (H.P. 1231) (L.D. 1656) (Submitted by the Maine State Retirement System pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13.)

#### **Taxation**

Bill "An Act To Conform the Maine Tax Laws for 2003 to the United States Internal Revenue Code" (EMERGENCY) (H.P. 1229) (L.D. 1651) (Presented by Representative LEMOINE of Old Orchard Beach) (Cosponsored by Senator STANLEY of Penobscot and Representatives: CLOUGH of Scarborough, COURTNEY of Sanford, McCORMICK of West Gardiner, McGOWAN of Pittsfield, SUSLOVIC of Portland, TARDY of Newport, Senator: NASS of York) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

#### **Transportation**

Bill "An Act Regarding Golf Carts Used as Island Vehicles" (EMERGENCY) (H.P. 1223) (L.D. 1645) (Presented by Representative MARLEY of Portland) (Cosponsored by Senator HATCH of Somerset and Representatives: BROWNE of Vassalboro, BUNKER of Kossuth Township, COLLINS of Wells, JODREY of Bethel, McKENNEY of Cumberland, SAMPSON of Auburn, 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 \$3,000,000 To Build a Warehouse To Stimulate and Support Maine's Manufacturing, Transportation and Harbor Industries" (H.P. 1225) (L.D. 1647) (Presented by Representative USHER of Westbrook) (Cosponsored by Senator HATCH of Somerset and Representatives: COLLINS of Wells, JODREY of Bethel, MARLEY of Portland, McNEIL of Rockland, SAMPSON of Auburn, Senators: DAMON of Hancock, DAVIS of Piscataquis, SAVAGE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Regarding Automobile Dealer Registration Plates" (H.P. 1226) (L.D. 1648) (Presented by Representative MILLS of Cornville) (Cosponsored by Representatives: CURLEY of Scarborough, LEDWIN of Holden) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Millicent M. MacFarland

Clerk of the House

S/Joy J. O'Brien

Secretary of the Senate

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:

H.P. 1339

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**CLERK'S OFFICE**  
**2 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0002**

December 16, 2003

Hon. Patrick Colwell

Speaker of the House

121st Legislature

Hon. Beverly C. Daggett

President of the Senate

121st Legislature

Dear Mr. Speaker and Madam President:

On December 16, 2003, 19 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 16, 2003, as follows:

#### **Appropriations and Financial Affairs**

Bill "An Act To Provide Funding for the Commission on Governmental Ethics and Election Practices" (EMERGENCY) (H.P. 1249) (L.D. 1673) (Presented by Speaker COLWELL of Gardiner) (Cosponsored by Senator GAGNON of Kennebec and Representatives: PINGREE of North Haven, RICHARDSON of Brunswick, Senators: President DAGGETT of Kennebec, MAYO of Sagadahoc, SAVAGE of Knox, TURNER of Cumberland, WESTON of Waldo, YOUNGBLOOD of Penobscot) (Submitted by the Commission on Governmental Ethics and Election Practices pursuant to Joint Rule 204.)

#### **Education and Cultural Affairs**

Resolve, Directing the Department of Education To Amend Its Rules Regarding Child Development Services for Children of Kindergarten Age Who Are Not Attending Kindergarten (H.P. 1233) (L.D. 1657) (Presented by Representative THOMAS of Orono) (Cosponsored by Senator CATHCART of Penobscot and Representative: DUNLAP of Old Town) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Health and Human Services**

Resolve, To Require Cost Neutrality and Appropriateness of Assisted Living Medication Courses (EMERGENCY) (H.P. 1242) (L.D. 1666) (Presented by Representative LERMAN of Augusta) (Cosponsored by President DAGGETT of Kennebec and Representatives: CRAVEN of Lewiston, DUNLAP of Old Town, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Inland Fisheries and Wildlife**

Resolve, Requiring the Department of Inland Fisheries and Wildlife To Publish Legal Shooting Times (H.P. 1234) (L.D. 1658) (Presented by Representative DUNLAP of Old Town) (Cosponsored by Senator BRYANT of Oxford and Representatives: CARR of Lincoln, CLARK of Millinocket, JACKSON of Fort Kent, MOODY of Manchester, PATRICK of Rumford, RICHARDSON of Greenville, WATSON of Bath, WOTTON of Littleton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Law Pertaining to the Discharge of a Firearm near a Dwelling" (H.P. 1236) (L.D. 1660) (Presented by Representative TRAHAN of Waldoboro) (Cosponsored by Senator HALL of Lincoln and Representatives: BLANCHETTE of Bangor, EARLE of Damariscotta, HATCH of Skowhegan, Senator: HATCH of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Strengthen the Prohibition against Night Hunting" (H.P. 1238) (L.D. 1662) (Presented by Representative DUNLAP of Old Town) (Cosponsored by Senator BRYANT of Oxford and Representatives: CARR of Lincoln, JACKSON of Fort Kent, MOODY of Manchester, PATRICK of Rumford, RICHARDSON of Greenville, USHER of Westbrook, WATSON of Bath, WOTTON of Littleton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Reestablish the Great Ponds Act" (EMERGENCY) (H.P. 1251) (L.D. 1675) (Presented by Representative DUNLAP of Old Town) (Cosponsored by Senator DAMON of Hancock and Representatives: JACKSON of Fort Kent, McKEE of Wayne, MILLETT of Waterford, MOODY of Manchester, RICHARDSON of Greenville, USHER of Westbrook, WATSON of Bath, WOTTON of Littleton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Insurance and Financial Services**

Bill "An Act To Require Owners and Operators of Snowmobiles and All-terrain Vehicles To Carry Liability Insurance" (H.P. 1241) (L.D. 1665) (Presented by Representative COLLINS of Wells) (Cosponsored by President DAGGETT of Kennebec and Representatives: BLANCHETTE of Bangor, JODREY of Bethel, MARLEY of Portland, McNEIL of Rockland, SAMPSON of Auburn, USHER of Westbrook, Senators: DAMON of Hancock, SAVAGE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Judiciary**

Bill "An Act To Abrogate the Hearsay Rule in Cases Involving Custody or Protection of Children" (H.P. 1245) (L.D. 1669) (Presented by Representative GOODWIN of Pembroke) (Cosponsored by Senator SHOREY of Washington and Representatives: BOWLES of Sanford, CARR of Lincoln, CLARK of Millinocket, DUGAY of Cherryfield, KAELIN of Winterport, TREADWELL of Carmel, Senators: DAVIS of Piscataquis, DOUGLASS of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Marine Resources**

Bill "An Act To Repeal the Exception Provision for Certain Imported Lobster under the Laws Governing Lobster Measurement" (EMERGENCY) (H.P. 1243) (L.D. 1667) (Presented by Representative PERRY of Calais) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BUNKER of Kossuth Township, DUGAY of Cherryfield, EARLE of Damariscotta, GOODWIN of Pembroke, PELLON of Machias, PERCY of Phippsburg, PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Natural Resources**

Bill "An Act To Ban the Sale of Novelties Containing Batteries with Mercury" (H.P. 1237) (L.D. 1661) (Presented by Representative COWGER of Hallowell) (Cosponsored by Senator DAMON of Hancock and Representatives: BULL of Freeport, DUNLAP of Old Town, HUTTON of Bowdoinham, KOFFMAN of Bar Harbor, O'NEIL of Saco, SAVIELLO of Wilton, SMITH of Monmouth, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide Assistance to Municipalities Regarding Downtown Rehabilitation Building Codes" (H.P. 1239) (L.D. 1663) (Presented by Representative LERMAN of Augusta) (Cosponsored by Representatives: DUNLAP of Old Town, SMITH of Monmouth, SULLIVAN of Biddeford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing Growth Management" (H.P. 1244) (L.D. 1668) (Presented by Representative KOFFMAN of Bar Harbor) (Cosponsored by Senator BROMLEY of Cumberland and Representatives: DUPLESSIE of Westbrook, MILLS of Cornville, PINGREE of North Haven, SUSLOVIC of Portland, Senators: DAMON of Hancock, MAYO of Sagadahoc, SAWYER of Penobscot, TREAT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **State and Local Government**

Bill "An Act To Authorize the Deorganization of the Town of Atkinson" (H.P. 1247) (L.D. 1671) (Presented by Representative ANNIS of Dover-Foxcroft) (Cosponsored by Senator: DAVIS of Piscataquis) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Taxation**

Bill "An Act To Provide an Income Tax Modification for the Empowerment Zone Employment Credit" (H.P. 1240) (L.D. 1664) (Presented by Representative SHERMAN of Hodgdon) (Cosponsored by Senator STANLEY of Penobscot and Representatives: BRYANT-DESCHENES of Turner, CARR of Lincoln, CHURCHILL of Washburn, COLLINS of Wells, DAVIS of Falmouth, Senators: PENDLETON of Cumberland, ROTUNDO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Include Disability Retirement Income in Retirement Income Eligible for Tax Exemption" (H.P. 1246) (L.D. 1670) (Presented by Representative WATSON of Bath) (Cosponsored by Representatives: DUNLAP of Old Town, LEMOINE of Old Orchard Beach, PATRICK of Rumford, PELLON of Machias, SAVIELLO

of Wilton, SMITH of Van Buren, Senator: MAYO of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Expand Property Tax Exemptions for Veterans to Cooperative Housing" (H.P. 1250) (L.D. 1674) (Presented by Representative LESSARD of Topsham) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BLANCHETTE of Bangor, CARR of Lincoln, CRAVEN of Lewiston, DAVIS of Falmouth, EARLE of Damariscotta, HATCH of Skowhegan, USHER of Westbrook, Senator: HATCH of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### Utilities and Energy

Bill "An Act To Streamline the Time-share Rate Collection Process for Sanitary Districts" (H.P. 1235) (L.D. 1659) (Presented by Representative COLLINS of Wells) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BLANCHETTE of Bangor, CARR of Lincoln, CRAVEN of Lewiston, DAVIS of Falmouth, PARADIS of Frenchville, PINGREE of North Haven, SHERMAN of Hodgdon, USHER of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Charter of the Dover and Foxcroft Water District" (EMERGENCY) (H.P. 1248) (L.D. 1672) (Presented by Representative ANNIS of Dover-Foxcroft) (Cosponsored by Senator: DAVIS of Piscataquis) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Millicent M. MacFarland

Clerk of the House

S/Joy J. O'Brien

Secretary of the Senate

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:

H.P. 1340

**STATE OF MAINE**

**HOUSE OF REPRESENTATIVES**

**CLERK'S OFFICE**

**2 STATE HOUSE STATION**

**AUGUSTA, MAINE 04333-0002**

December 17, 2003

Hon. Patrick Colwell

Speaker of the House

121st Legislature

Hon. Beverly C. Daggett

President of the Senate

121st Legislature

Dear Mr. Speaker and Madam President:

On December 17, 2003, 87 bills were received by the Clerk of the House.

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 Amend the Laws Regarding Humane Agents and Dog Licenses" (H.P. 1264) (L.D. 1742) (Presented by Representative SMITH of Monmouth) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.)

Bill "An Act To Promote Responsible Pet Ownership" (H.P. 1285) (L.D. 1763) (Presented by Speaker COLWELL of Gardiner) (Cosponsored by Senator BRYANT of Oxford and Representatives: BENNETT of Caribou, CLOUGH of Scarborough, LEMOINE of Old Orchard Beach, LUNDEEN of Mars Hill, McKEE of Wayne, SUSLOVIC of Portland, TARDY of Newport, Senator: MAYO of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide Residents of the United States with Timber Harvesting Jobs on Land Managed by the Department of Conservation, Bureau of Parks and Lands" (H.P. 1304) (L.D. 1782) (Presented by Representative JACKSON of Fort Kent) (Cosponsored by Senator STANLEY of Penobscot and Representatives: HATCH of Skowhegan, HUTTON of Bowdoinham, PARADIS of Frenchville, PATRICK of

Rumford, SMITH of Monmouth, SMITH of Van Buren, WATSON of Bath, Senator: BRYANT of Oxford)  
(Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Appropriations and Financial Affairs**

Bill "An Act To Authorize a General Fund Bond Issue in the Amount of \$150,000,000 To Finance the Acquisition of Land and Interest in Land for Conservation, Water Access, Outdoor Recreation, Wildlife and Fish Habitat and Farmland Preservation and To Access \$50,000,000 in Matching Contributions from Public and Private Sources" (H.P. 1298) (L.D. 1776) (Presented by Representative RICHARDSON of Brunswick) (Cosponsored by Representative PINGREE of North Haven, Senator SAWYER of Penobscot, Senator TREAT of Kennebec and Representatives: Speaker COLWELL of Gardiner, DUPLESSIE of Westbrook, McKEE of Wayne, McNEIL of Rockland, SMITH of Monmouth, WATSON of Bath, Senators: MARTIN of Aroostook, TURNER of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Support the New Century Community Program" (H.P. 1309) (L.D. 1787) (Presented by Representative BRUNO of Raymond) (Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: Speaker COLWELL of Gardiner, CUMMINGS of Portland, DUDLEY of Portland, KAELIN of Winterport, PINGREE of North Haven, RECTOR of Thomaston, ROSEN of Bucksport, Senator: MAYO of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Requiring Long-range Budget Planning" (H.P. 1320) (L.D. 1798) (Presented by Representative WOODBURY of Yarmouth) (Cosponsored by Senator TURNER of Cumberland and Representatives: DUDLEY of Portland, MAILHOT of Lewiston, MILLETT of Waterford, PINGREE of North Haven, ROSEN of Bucksport, Senators: BRENNAN of Cumberland, DOUGLASS of Androscoggin, ROTUNDO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Restore Funding for the Violence Intervention and Prevention Program" (H.P. 1327) (L.D. 1805) (Presented by Speaker COLWELL of Gardiner) (Under suspension of the rules, cosponsored by Senator HALL of Lincoln and Representatives: FAIRCLOTH of Bangor, GROSE of Woolwich, MILLS of Farmington, PINGREE of North Haven, SIMPSON of Auburn, SMITH of Monmouth, SUSLOVIC of Portland, WALCOTT of Lewiston, Senators: DAMON of Hancock, ROTUNDO of Androscoggin) (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 for the Renovation of Millinocket Municipal Airport" (H.P. 1334) (L.D. 1812) (Presented by Representative DUPREY of Medway) (Cosponsored by Senator STANLEY of Penobscot and Representatives: CLARK of Millinocket, DUPLESSIE of Westbrook, FISCHER of Presque Isle, RICHARDSON of Brunswick, SMITH of Monmouth, USHER of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Business, Research and Economic Development**

Bill "An Act To Authorize Licensure by Endorsement for Canadian Dentists and Dental Hygienists" (H.P. 1258) (L.D. 1736) (Presented by Representative PELLON of Machias) (Cosponsored by Senator BROMLEY of Cumberland and Representatives: AUSTIN of Gray, BUNKER of Kossuth Township, DUDLEY of Portland, PARADIS of Frenchville, ROGERS of Brewer, SMITH of Monmouth, SULLIVAN of Biddeford, Senator:

BRENNAN of Cumberland) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Educational Requirements for Counselor Licensure" (H.P. 1279) (L.D. 1757) (Presented by Representative SULLIVAN of Biddeford) (Cosponsored by Senator BRENNAN of Cumberland and Representatives: ROGERS of Brewer, SMITH of Monmouth, Senator: DOUGLASS of Androscoggin) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Simplify the Finance Authority of Maine Act" (H.P. 1288) (L.D. 1766) (Presented by Representative KAELIN of Winterport) (Cosponsored by Senator BROMLEY of Cumberland and Representatives: AUSTIN of Gray, PELLON of Machias, ROGERS of Brewer, SULLIVAN of Biddeford, Senator: SHOREY of Washington) (Submitted by the Finance Authority of Maine pursuant to Joint Rule 204.)

Bill "An Act To Amend the Laws Relating to Corporations, Limited Partnerships, Limited Liability Companies and Limited Liability Partnerships" (EMERGENCY) (H.P. 1289) (L.D. 1767) (Presented by Representative NORTON of Bangor) (Cosponsored by Representative: DUPLESSIE of Westbrook) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Amend the Definition of 'Electrical Installations' in the Laws Governing Electricians" (H.P. 1295) (L.D. 1773) (Presented by Representative SIMPSON of Auburn) (Cosponsored by Senator BRYANT of Oxford and Representatives: GERZOFKY of Brunswick, HUTTON of Bowdoinham, MILLS of Farmington, PARADIS of Frenchville, SULLIVAN of Biddeford, Senators: BROMLEY of Cumberland, DOUGLASS of Androscoggin, HALL of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Reduce Contamination of Breast Milk and the Environment from the Release of Brominated Chemicals in Consumer Products" (H.P. 1312) (L.D. 1790) (Presented by Representative PINGREE of North Haven) (Cosponsored by Senator DAMON of Hancock and Representatives: DUPLESSIE of Westbrook, KOFFMAN of Bar Harbor, LERMAN of Augusta, MOODY of Manchester, SAVIELLO of Wilton, Senators: MAYO of Sagadahoc, SAWYER of Penobscot, TREAT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Permit the Filling of a Prescription Refill Prior to the End of the Prescription" (H.P. 1317) (L.D. 1795) (Presented by Representative DUDLEY of Portland) (Cosponsored by Senator BROMLEY of Cumberland and Representatives: BOWEN of Rockport, CRAVEN of Lewiston, EARLE of Damariscotta, PARADIS of Frenchville, SUSLOVIC of Portland, WALCOTT of Lewiston, WOODBURY of Yarmouth, Senator: HALL of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Control Adult Entertainment Establishments" (H.P. 1323) (L.D. 1801) (Presented by Representative PARADIS of Frenchville) (Cosponsored by Representatives: CHURCHILL of Orland, CHURCHILL of Washburn, COLLINS of Wells, DUDLEY of Portland, JACKSON of Fort Kent, ROGERS of Brewer, STONE of Berwick, WOTTON of Littleton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)



Bill "An Act To Establish the Maine Jobs, Trade and Democracy Act" (EMERGENCY) (H.P. 1337) (L.D. 1815) (Presented by Speaker COLWELL of Gardiner) (Cosponsored by Senator EDMONDS of Cumberland and Representatives: PATRICK of Rumford, SHERMAN of Hodgdon, SMITH of Van Buren, TREADWELL of Carmel, Senators: President DAGGETT of Kennebec, DAVIS of Piscataquis, ROTUNDO of Androscoggin, YOUNGBLOOD of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Criminal Justice and Public Safety**

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) (Presented by Representative BLANCHETTE of Bangor) (Cosponsored by Senator HATCH of Somerset and Representatives: BULL of Freeport, DUPLESSIE of Westbrook, GERZOFKY of Brunswick, LESSARD of Topsham, PATRICK of Rumford, Senators: BRYANT of Oxford, NASS of York) (Submitted by the Department of Public Safety pursuant to Joint Rule 204.)

Bill "An Act To Amend the Law Providing Restitution to Victims of Timber Theft" (H.P. 1260) (L.D. 1738) (Presented by Representative SMITH of Monmouth) (Cosponsored by Senator BRYANT of Oxford and Representatives: HONEY of Boothbay, JACKSON of Fort Kent, McKEE of Wayne, THOMPSON of China) (Submitted by the Department of Conservation pursuant to Joint Rule 204.)

Bill "An Act To Amend the Laws Governing the Display of Fireworks and Indoor Pyrotechnics" (H.P. 1266) (L.D. 1744) (Presented by Representative DUPLESSIE of Westbrook) (Cosponsored by Senator HATCH of Somerset and Representatives: BULL of Freeport, GERZOFKY of Brunswick, LESSARD of Topsham, PATRICK of Rumford, SULLIVAN of Biddeford, Senators: BRYANT of Oxford, NASS of York) (Submitted by the Department of Public Safety pursuant to Joint Rule 204.)

Bill "An Act To Amend the Maine Emergency Medical Services Act of 1982" (H.P. 1284) (L.D. 1762) (Presented by Representative BULL of Freeport) (Cosponsored by Senator HATCH of Somerset and Representatives: BLANCHETTE of Bangor, GERZOFKY of Brunswick, LESSARD of Topsham) (Submitted by the Department of Public Safety pursuant to Joint Rule 204.)

Bill "An Act To Improve the Operations of the Department of Corrections and the Safety of State Correctional Facilities" (H.P. 1286) (L.D. 1764) (Presented by Representative BLANCHETTE of Bangor) (Cosponsored by Senator HATCH of Somerset and Representatives: CRAVEN of Lewiston, DUDLEY of Portland, HATCH of Skowhegan, LESSARD of Topsham, McGOWAN of Pittsfield, PARADIS of Frenchville, SMITH of Monmouth, WALCOTT of Lewiston) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act To Waive Fees for Background Checks for Certain Emergency Medical Services Personnel" (H.P. 1310) (L.D. 1788) (Presented by Representative CLOUGH of Scarborough) (Cosponsored by Senator NASS of York and Representatives: BULL of Freeport, CARR of Lincoln, CURLEY of Scarborough, DUPLESSIE of Westbrook, LESSARD of Topsham, MILLETT of Waterford, O'NEIL of Saco, USHER of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Revise the Minimum Firefighter Safety Standards" (H.P. 1311) (L.D. 1789) (Presented by Representative DUPLESSIE of Westbrook) (Cosponsored by Senator EDMONDS of Cumberland and Representatives: BLANCHETTE of Bangor, BULL of Freeport, RICHARDSON of Brunswick, SMITH of Van Buren, TREADWELL of Carmel, Senator: NASS of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Requiring Blood Testing of All Drivers Involved in Fatal Accidents" (H.P. 1325) (L.D. 1803) (Presented by Representative BOWLES of Sanford) (Cosponsored by Representatives: CARR of Lincoln, DUDLEY of Portland, DUNLAP of Old Town, DUPLESSIE of Westbrook, ROSEN of Bucksport, SHERMAN of Hodgdon, Senator: DAVIS of Piscataquis) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Education and Cultural Affairs**

Bill "An Act To Authorize Certain School Children To Carry Asthma Inhalers on Their Persons" (H.P. 1290) (L.D. 1768) (Presented by Representative BARSTOW of Gorham) (Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: DAVIS of Falmouth, EARLE of Damariscotta, FINCH of Fairfield, McLAUGHLIN of Cape Elizabeth, PATRICK of Rumford, SMITH of Monmouth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Health and Human Services**

Bill "An Act To Clarify the Requirements of the Behavioral Treatment Review Team for Persons with Mental Retardation or Autism" (H.P. 1261) (L.D. 1739) (Presented by Representative O'BRIEN of Augusta) (Submitted by the Department of Behavioral and Developmental Services pursuant to Joint Rule 204.)

Bill "An Act To Amend the Medicaid Drug Rebate Program and the Elderly Low-cost Drug Program" (H.P. 1269) (L.D. 1747) (Presented by Representative CRAVEN of Lewiston) (Cosponsored by Representatives: EARLE of Damariscotta, SMITH of Monmouth, Senator: BRENNAN of Cumberland) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

Bill "An Act To Amend the Rule-making Authority of the Department of Human Services to Ensure Cost-effective Operation of State Medical Services Programs and Compliance with Federal Requirements" (EMERGENCY) (H.P. 1270) (L.D. 1748) (Presented by Representative O'NEIL of Saco) (Cosponsored by Senator: BRENNAN of Cumberland) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

Bill "An Act To Improve the Quality and Safety in the Delivery of Personal Care Services" (H.P. 1275) (L.D. 1753) (Presented by Representative ANDREWS of York) (Cosponsored by Representatives: BULL of Freeport, GERZOSKY of Brunswick, MILLS of Farmington, NORBERT of Portland, SIMPSON of Auburn, WALCOTT of Lewiston, Senator: MAYO of Sagadahoc) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Responsibilities under the Adult Protective Services Act" (H.P. 1287) (L.D. 1765) (Presented by Representative NORBERT of Portland) (Cosponsored by Representatives: BULL of Freeport, GERZOFKY of Brunswick, MILLS of Farmington, Senator: MAYO of Sagadahoc) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

Bill "An Act To Revise the Frequency of Home Health Licensing Surveys" (H.P. 1294) (L.D. 1772) (Presented by Speaker COLWELL of Gardiner) (Cosponsored by Senator EDMONDS of Cumberland and Representatives: CRAVEN of Lewiston, KANE of Saco, RICHARDSON of Brunswick, WALCOTT of Lewiston, Senators: BRENNAN of Cumberland, MAYO of Sagadahoc, ROTUNDO of Androscoggin, WESTON of Waldo) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Prohibit Female Genital Mutilation" (H.P. 1300) (L.D. 1778) (Presented by Representative SIMPSON of Auburn) (Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: ADAMS of Portland, BLANCHETTE of Bangor, DUDLEY of Portland, GERZOFKY of Brunswick, HUTTON of Bowdoinham, LEMOINE of Old Orchard Beach, NORBERT of Portland, Senator: HALL of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Restore Funding for Certain Nursing Facilities and Residential Care Facilities" (EMERGENCY) (H.P. 1313) (L.D. 1791) (Presented by Representative RICHARDSON of Brunswick) (Cosponsored by Senator MARTIN of Aroostook and Representatives: CURLEY of Scarborough, EARLE of Damariscotta, FISCHER of Presque Isle, KANE of Saco, PATRICK of Rumford, ROSEN of Bucksport, SAVIELLO of Wilton, Senator: President DAGGETT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Ensure Adequate Home-based Care Services and Provide the Most Cost-effective Long-term Care for Maine Seniors" (H.P. 1330) (L.D. 1808) (Presented by Representative RICHARDSON of Brunswick) (Under suspension of the rules, cosponsored by Senator ROTUNDO of Androscoggin and Representatives: BENNETT of Caribou, CHURCHILL of Washburn, Speaker COLWELL of Gardiner, CRAVEN of Lewiston, KETTERER of Madison, MAILHOT of Lewiston, PARADIS of Frenchville, PATRICK of Rumford, SHERMAN of Hodgdon, THOMPSON of China, WALCOTT of Lewiston, WOTTON of Littleton, Senators: BRENNAN of Cumberland, President DAGGETT of Kennebec, DOUGLASS of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Ensure Access to Life-sustaining Pharmaceuticals (EMERGENCY) (H.P. 1333) (L.D. 1811) (Presented by Representative DUDLEY of Portland) (Cosponsored by Senator BRENNAN of Cumberland and Representatives: CRAVEN of Lewiston, EARLE of Damariscotta, PARADIS of Frenchville, WALCOTT of Lewiston, Senator: HALL of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Inland Fisheries and Wildlife**

Bill "An Act To Make Technical Corrections to Maine's Fish and Wildlife Laws" (H.P. 1265) (L.D. 1743) (Presented by Representative DUNLAP of Old Town) (Cosponsored by Senator BRYANT of Oxford and Representatives: CARR of Lincoln, CLARK of Millinocket, Speaker COLWELL of Gardiner, JACKSON of Fort Kent, PATRICK of Rumford, RICHARDSON of Greenville, WATSON of Bath, WOTTON of Littleton) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Resolve, To Increase the Types of Legal Fishing on Fish River (H.P. 1296) (L.D. 1774) (Presented by Representative JACKSON of Fort Kent) (Cosponsored by Senator BRYANT of Oxford and Representatives: DUNLAP of Old Town, McGLOCKLIN of Embden, SMITH of Van Buren, WATSON of Bath, WOTTON of Littleton, Senators: MARTIN of Aroostook, STANLEY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Increase the Number of Moose Permits in High-accident Areas" (H.P. 1318) (L.D. 1796) (Presented by Representative PARADIS of Frenchville) (Cosponsored by Senator BRYANT of Oxford and Representatives: COLLINS of Wells, DUDLEY of Portland, DUNLAP of Old Town, HATCH of Skowhegan, LESSARD of Topsham, PATRICK of Rumford, WOTTON of Littleton, Senator: HATCH of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Insurance and Financial Services**

Bill "An Act Making Amendments to the Uniform Commercial Code Covering Provisions Dealing with Negotiable Instruments and Bank Deposits and Collections" (H.P. 1308) (L.D. 1786) (Presented by Representative O'NEIL of Saco) (Cosponsored by Senator MAYO of Sagadahoc and Senator: LaFOUNTAIN of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Law Relating to Insurance Contracts" (H.P. 1315) (L.D. 1793) (Presented by Representative O'NEIL of Saco) (Cosponsored by Senator MAYO of Sagadahoc and Senator: LaFOUNTAIN of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Permit the Photocopying of Driver's Licenses in Financial Transactions" (H.P. 1324) (L.D. 1802) (Presented by Representative BOWLES of Sanford) (Cosponsored by Senator DAVIS of Piscataquis and Representatives: CARR of Lincoln, DUNLAP of Old Town, ROSEN of Bucksport, SHERMAN of Hodgdon) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **Judiciary**

Resolve, Directing the Secretary of State To Review Model Legislation To Prevent Fraudulent Filings under the Uniform Commercial Code (H.P. 1259) (L.D. 1737) (Presented by Representative MILLS of Farmington) (Cosponsored by Representatives: CARR of Lincoln, SHERMAN of Hodgdon) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Permit Background Checks on Prospective Adoptive Parents" (H.P. 1276) (L.D. 1754) (Presented by Representative CURLEY of Scarborough) (Cosponsored by Representatives: EARLE of Damariscotta, SIMPSON of Auburn, WALCOTT of Lewiston, Senator: BRENNAN of Cumberland) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

Bill "An Act To Amend the Uniform Federal Lien Registration Act" (H.P. 1278) (L.D. 1756) (Presented by Representative SIMPSON of Auburn) (Cosponsored by Representatives: CARR of Lincoln, SHERMAN of Hodgdon) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Amend the Laws Relating to Nonprofit Corporations" (H.P. 1283) (L.D. 1761) (Presented by Representative BULL of Freeport) (Cosponsored by Representative: CARR of Lincoln) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act Regarding Child Support Collection Practices" (H.P. 1293) (L.D. 1771) (Presented by Representative SIMPSON of Auburn) (Cosponsored by Senator HATCH of Somerset and Representatives: BLANCHETTE of Bangor, DUDLEY of Portland, HATCH of Skowhegan, HUTTON of Bowdoinham, NORBERT of Portland, THOMPSON of China, WALCOTT of Lewiston, Senator: DOUGLASS of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require Written Notice of Revocation of Durable Powers of Attorney" (H.P. 1297) (L.D. 1775) (Presented by Representative MCKEE of Wayne) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: CANAVAN of Waterville, HUTTON of Bowdoinham, NORBERT of Portland, ROGERS of Brewer, Senators: BRYANT of Oxford, TREAT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing Mechanics' Liens" (H.P. 1303) (L.D. 1781) (Presented by Representative PELLON of Machias) (Cosponsored by Senator STANLEY of Penobscot and Representatives: DUNLAP of Old Town, DUPLESSIE of Westbrook, GOODWIN of Pembroke, MAILHOT of Lewiston, O'NEIL of Saco, PERRY of Calais, RICHARDSON of Brunswick, WATSON of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Standards for Granting a Name Change" (H.P. 1319) (L.D. 1797) (Presented by Representative MILLS of Farmington) (Cosponsored by Representatives: LEMOINE of Old Orchard Beach, RICHARDSON of Brunswick, Senator: DOUGLASS of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Discourage Misuse of Protection-from-abuse Proceedings" (H.P. 1322) (L.D. 1800) (Presented by Representative SMITH of Van Buren) (Cosponsored by Senator EDMONDS of Cumberland and Representatives: BLANCHETTE of Bangor, CLARK of Millinocket, DUDLEY of Portland, DUNLAP of Old Town, DUPLESSIE of Westbrook, JACKSON of Fort Kent, PATRICK of Rumford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Labor**

Bill "An Act To Obtain Severance Pay for the Employees of Great Northern Paper Company" (H.P. 1255) (L.D. 1733) (Presented by Representative CLARK of Millinocket) (Cosponsored by Senator DAVIS of Piscataquis and Representatives: CARR of Lincoln, GOODWIN of Pembroke, JENNINGS of Leeds, PATRICK of Rumford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Random Drug Testing Laws" (H.P. 1282) (L.D. 1760) (Presented by Representative SAVIELLO of Wilton) (Cosponsored by Senator MARTIN of Aroostook and Representatives: COWGER of Hallowell, JENNINGS of Leeds, MILLS of Farmington, RICHARDSON of Brunswick, SMITH of Van Buren, THOMPSON of China, USHER of Westbrook, WATSON of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Directing the Department of Labor and the Department of Behavioral and Developmental Services, Office of Substance Abuse To Study the Prevalence of Drug and Substance Abuse (H.P. 1314) (L.D. 1792) (Presented by Representative PERRY of Calais) (Cosponsored by Senator EDMONDS of Cumberland and Representatives: BUNKER of Kossuth Township, DUGAY of Cherryfield, EARLE of Damariscotta, GOODWIN of Pembroke, PELLON of Machias, PERCY of Phippsburg, PIOTTI of Unity, RICHARDSON of Brunswick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Concerning Optional Membership for Participating Local Districts in the Maine State Retirement System" (H.P. 1332) (L.D. 1810) (Presented by Representative RICHARDSON of Brunswick) (Cosponsored by Senator EDMONDS of Cumberland and Representatives: BUNKER of Kossuth Township, HATCH of Skowhegan, LESSARD of Topsham, PELLON of Machias, SAVIELLO of Wilton, SMITH of Van Buren, TREADWELL of Carmel, Senator: SHOREY of Washington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Concerning Disability Retirement Benefits under the Maine State Retirement System" (H.P. 1336) (L.D. 1814) (Presented by Representative DUDLEY of Portland) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: DUPLESSIE of Westbrook, HATCH of Skowhegan, PARADIS of Frenchville, Senator: HATCH of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Legal and Veterans Affairs**

Bill "An Act To Update Laws Affecting the Military" (H.P. 1274) (L.D. 1752) (Presented by Representative CLARK of Millinocket) (Cosponsored by Representative CANAVAN of Waterville) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Bill "An Act To Amend the Election Laws" (H.P. 1277) (L.D. 1755) (Presented by Representative CLARK of Millinocket) (Cosponsored by Senator: MAYO of Sagadahoc) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Ensure the Accurate Counting of Votes" (H.P. 1281) (L.D. 1759) (Presented by Representative PINGREE of North Haven) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BOWEN of Rockport, Speaker COLWELL of Gardiner, ROSEN of Bucksport, SMITH of Monmouth, Senators: BENNETT of Oxford, President DAGGETT of Kennebec, GAGNON of Kennebec, TREAT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Marine Resources**

Bill "An Act To Provide for the Assessment of the Mahogany Quahog Resource" (EMERGENCY) (H.P. 1271) (L.D. 1749) (Presented by Representative BULL of Freeport) (Cosponsored by Senator DAMON of Hancock) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act To Correct Certain Errors and Inconsistencies in Marine Resources Laws" (H.P. 1280) (L.D. 1758) (Presented by Representative BULL of Freeport) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

### **Natural Resources**

Bill "An Act To Provide for the Safe Disposal of Household Hazardous Waste" (H.P. 1328) (L.D. 1806) (Presented by Representative CURLEY of Scarborough) (Cosponsored by Senator DAMON of Hancock and Representatives: AUSTIN of Gray, BROWNE of Vassalboro, CLOUGH of Scarborough, DAVIS of Falmouth, RECTOR of Thomaston, ROSEN of Bucksport, SAVIELLO of Wilton, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

### **State and Local Government**

Bill "An Act To Authorize the Commissioner of Administrative and Financial Services To Execute Easements" (H.P. 1299) (L.D. 1777) (Presented by Representative McLAUGHLIN of Cape Elizabeth) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act Concerning the Boundary Line of the Town of Unity" (H.P. 1301) (L.D. 1779) (Presented by Representative PIOTTI of Unity) (Cosponsored by Senator WESTON of Waldo and Representatives: BOWEN of Rockport, McLAUGHLIN of Cape Elizabeth, SUSLOVIC of Portland, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Promote Transparency in Budgeting" (H.P. 1302) (L.D. 1780) (Presented by Speaker COLWELL of Gardiner) (Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: ADAMS of Portland, DUNLAP of Old Town, McLAUGHLIN of Cape Elizabeth, PELLON of Machias, SAVIELLO of Wilton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Prequalification Criteria for Public Improvements" (H.P. 1305) (L.D. 1783) (Presented by Representative McLAUGHLIN of Cape Elizabeth) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Property in Fayette, Maine (H.P. 1306) (L.D. 1784) (Presented by Representative McLAUGHLIN of Cape Elizabeth) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Estate in Presque Isle, Known as the 'Aroostook Residential Center' (H.P. 1307) (L.D. 1785) (Presented by Representative FISCHER of Presque Isle) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

### **Taxation**

Bill "An Act To Repeal the Taxation of Personal Property Valued at \$1,000 or More" (H.P. 1257) (L.D. 1735) (Presented by Representative BARSTOW of Gorham) (Cosponsored by Representative BRUNO of Raymond, Senator STANLEY of Penobscot and Representative: CLOUGH of Scarborough) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Exempt Unemployment Benefits from State Income Tax" (EMERGENCY) (H.P. 1267) (L.D. 1745) (Presented by Representative CLARK of Millinocket) (Cosponsored by Senator DAVIS of Piscataquis and Representatives: CARR of Lincoln, DUNLAP of Old Town, GOODWIN of Pembroke, JENNINGS of Leeds, PATRICK of Rumford, USHER of Westbrook, Senator: EDMONDS of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide Equity in Veterans' Property Tax Exemptions" (H.P. 1268) (L.D. 1746) (Presented by Representative THOMPSON of China) (Cosponsored by Senator HATCH of Somerset and Representatives: BLISS of South Portland, CRAVEN of Lewiston, LEMOINE of Old Orchard Beach, McGOWAN of Pittsfield, SAVIELLO of Wilton, SIMPSON of Auburn, SMITH of Monmouth, SUSLOVIC of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide for Fair Treatment of Taxpayers" (H.P. 1291) (L.D. 1769) (Presented by Representative CLOUGH of Scarborough) (Cosponsored by Senator NASS of York and Representatives: CARR of Lincoln, CURLEY of Scarborough, DAVIS of Falmouth, MILLETT of Waterford, SIMPSON of Auburn, TARDY of Newport, Senator: STANLEY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Expand Maine's Homestead Exemption for the Blind" (H.P. 1316) (L.D. 1794) (Presented by Representative RICHARDSON of Brunswick) (Cosponsored by Senator EDMONDS of Cumberland and Representatives: CLOUGH of Scarborough, KETTERER of Madison, LEMOINE of Old Orchard Beach, PATRICK of Rumford, PINGREE of North Haven, SAVIELLO of Wilton, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Property Eligible for Reimbursement of Property Taxes under the Business Equipment Tax Reimbursement Program" (H.P. 1326) (L.D. 1804) (Presented by Representative BOWLES of Sanford) (Cosponsored by Representative DUDLEY of Portland and Representatives: CARR of Lincoln, DUNLAP of Old Town, ROSEN of Bucksport, SHERMAN of Hodgdon, Senator: DAVIS of Piscataquis) (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 a Certain Parcel of Real Estate Located in the City of Auburn (H.P. 1329) (L.D. 1807) (Presented by Representative LEMOINE of Old Orchard Beach) (Cosponsored by Senator STANLEY of Penobscot and Representatives: McCORMICK of West



Gardiner, McGOWAN of Pittsfield, SUSLOVIC of Portland) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Make Minor Substantive Changes to the Tax Laws" (H.P. 1335) (L.D. 1813) (Presented by Representative LEMOINE of Old Orchard Beach) (Cosponsored by Senator STANLEY of Penobscot and Representatives: CLOUGH of Scarborough, LERMAN of Augusta, McGOWAN of Pittsfield, SUSLOVIC of Portland, TARDY of Newport, Senator: NASS of York) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act Concerning Technical Changes to the Tax Laws" (H.P. 1338) (L.D. 1816) (Presented by Representative LEMOINE of Old Orchard Beach) (Cosponsored by Senator STANLEY of Penobscot and Representatives: CLOUGH of Scarborough, LERMAN of Augusta, McGOWAN of Pittsfield, TARDY of Newport, Senator: NASS of York) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

### **Transportation**

Bill "An Act To Honor Maine's First Peoples" (H.P. 1254) (L.D. 1732) (Presented by Representative MOORE of the Passamaquoddy Tribe) (Cosponsored by Senator EDMONDS of Cumberland and Representatives: Speaker COLWELL of Gardiner, DUNLAP of Old Town, DUPLESSIE of Westbrook, LORING of the Penobscot Nation, PERRY of Calais, SIMPSON of Auburn, USHER of Westbrook, Senator: SHOREY of Washington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Ensure the Safe Operation of Trains" (EMERGENCY) (H.P. 1256) (L.D. 1734) (Presented by Representative CLARK of Millinocket) (Cosponsored by Senator HATCH of Somerset and Representatives: CARR of Lincoln, GOODWIN of Pembroke, SHERMAN of Hodgdon, USHER of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Authorizing the Department of Transportation To Erect Signs Identifying the State Vietnam Veterans' Memorial in Capitol Park (H.P. 1292) (L.D. 1770) (Presented by Representative HUTTON of Bowdoinham) (Cosponsored by Senator HATCH of Somerset and Representatives: CHURCHILL of Washburn, DUPLESSIE of Westbrook, KAELIN of Winterport, PELLON of Machias, ROGERS of Brewer, SMITH of Van Buren, USHER of Westbrook, WATSON of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act to Ensure Access to Real Property by Owners" (H.P. 1321) (L.D. 1799) (Presented by Representative JACKSON of Fort Kent) (Cosponsored by Senator MARTIN of Aroostook and Representatives: BROWNE of Vassalboro, HATCH of Skowhegan, SMITH of Van Buren, USHER of Westbrook, WOTTON of Littleton, Senators: DAMON of Hancock, HATCH of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Relating to 48-hour Accident Reports" (EMERGENCY) (H.P. 1331) (L.D. 1809) (Presented by Representative MILLS of Farmington) (Cosponsored by Senator BROMLEY of Cumberland and Representatives: LEMOINE of Old Orchard Beach, RICHARDSON of Brunswick, SMITH of Van Buren, TARDY

of Newport, USHER of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Utilities and Energy**

Bill "An Act To Create the Position of Director of Energy Programs at the Public Utilities Commission" (H.P. 1252) (L.D. 1730) (Presented by Representative BLISS of South Portland) (Cosponsored by Senator HALL of Lincoln and Representatives: CUMMINGS of Portland, MARLEY of Portland, THOMPSON of China) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Bill "An Act To Make Electricity Provider Do-not-call Requirements Consistent with State and Federal Requirements" (H.P. 1262) (L.D. 1740) (Presented by Representative BLISS of South Portland) (Cosponsored by Senator HALL of Lincoln and Representative: THOMPSON of China) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Bill "An Act To Amend the Information Disclosure Requirements of Some Competitive Electricity Providers" (H.P. 1263) (L.D. 1741) (Presented by Representative BLISS of South Portland) (Cosponsored by Senator HALL of Lincoln and Representative: THOMPSON of China) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Bill "An Act To Improve the Ability of Water Utilities To Maintain a Contingency Allowance" (H.P. 1272) (L.D. 1750) (Presented by Representative BLISS of South Portland) (Cosponsored by Senator HALL of Lincoln and Representatives: CUMMINGS of Portland, MARLEY of Portland, THOMPSON of China) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Bill "An Act To Create Consistency between State and Federal Telephone Consumer Protection Laws" (H.P. 1273) (L.D. 1751) (Presented by Representative BLISS of South Portland) (Cosponsored by Senator HALL of Lincoln and Representatives: CUMMINGS of Portland, MARLEY of Portland, THOMPSON of China) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Sincerely,

S/Millicent M. MacFarland

Clerk of the House

S/Joy J. O'Brien

Secretary of the Senate

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:

H.P. 1341

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

October 3, 2003

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under House Rule 201.1 (I), I am pleased to appoint Representative Patricia A. Blanchette of Bangor to serve as House Chair of the Joint Standing Committee on Criminal Justice and Public Safety in the place of Representative George H. Bunker, Jr. of Kossuth Township.

Further, pursuant to the same authority, I am also pleased to appoint Representative Janet T. Mills of Farmington to serve as a member of the Joint Standing Committee on Criminal Justice and Public Safety in the place of Representative George H. Bunker, Jr. of Kossuth Township.

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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**SENATE PAPERS**

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

S.P. 671 L.D. 1826

Sponsored by Senator BROMLEY of Cumberland.

Cosponsored by Representative LEMOINE of Old Orchard Beach and Senators: BRENNAN of Cumberland, DAMON of Hancock, MAYO of Sagadahoc, TREAT of Kennebec, TURNER of Cumberland, Representatives: Speaker COLWELL of Gardiner, KOFFMAN of Bar Harbor, PERRY of Calais.

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

On motion by Senator **BRENNAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

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

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**ORDERS**

**Joint Orders**

On motion by Senator **GAGNON** of Kennebec, 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.

**READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Kennebec, Senator Gagnon.

Senator **GAGNON:** Thank you, Madame President, men and women of the Senate, this Joint Order is to recall from the Governor's desk the bill concerning harness racing, which we have heard a lot about. As most of you are aware, there has been quite a bit of activity related to gambling in the State of Maine. I think most of us have been aware of that. We completed a hearing last night on the Governor's bill and there is actually news today of a pending sale in Bangor. What we are trying to do is recall this bill and try to spend a little time to try to get some agreement with all of the parties. It is in the Governor's agreement, the committee's agreement, and the stakeholders' agreement that we do recall this bill. Once we get it back, we will refer it back to the committee and we will try to work everything out over a period of time. I appreciate your support.

Senator **BENNETT** of Oxford requested a Division.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** May I pose a question through the Chair to anyone who may wish to answer?

**THE PRESIDENT:** The Senator may pose his question.

Senator **TURNER:** Is the bill referenced by the good Senator from Kennebec, Senator Gagnon, the bill that we had passed in the first session and was sitting on his desk in veto-proof status?

**THE PRESIDENT:** The Senator from Cumberland, Senator Turner poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Kennebec, Senator Gagnon.

Senator **GAGNON:** Thank you, Madame President. The answer is yes.

At the request of Senator **BENNETT** of Oxford a Division was had. 26 Senators having voted in the affirmative and 5 Senators having voted in the negative, the motion by Senator **GAGNON** of Kennebec to **PASS, PREVAILED.**

Ordered sent down forthwith for concurrence.

Expression of Legislative Sentiment recognizing:

Kristy Worthen, of Arkansas, who initiated the "Shedding Light Tour," a project designed to educate the public about mental health issues. She designed a mental health flag at the request of the National Alliance for the Mentally Ill of Arkansas. Arkansas' Lieutenant Governor was so impressed with Kristy's story and the flag she made that he asked the National Lieutenant Governors Association to fly the flag one day at each state capitol to focus attention on mental health issues and help erase the stigma and dispel the myths associated with mental illness. She has visited 14 states and Washington, D.C. We welcome Kristy to the State of Maine and congratulate her on her quest to educate people about mental illness;

SLS 453

Sponsored by President DAGGETT of Kennebec.

Under suspension of the rules, cosponsored by Senators: TREAT of Kennebec, GAGNON of Kennebec, DAVIS of Piscataquis, WOODCOCK of Franklin, Representatives: Speaker COLWELL of Gardiner, RICHARDSON of Brunswick, DUPLESSIE of Westbrook, BRUNO of Raymond, BOWLES of Sanford.

**READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Brennan.

Senator **BRENNAN:** Thank you, Madame President, men and women of the Senate. We are very fortunate today to have Kristy here because she represents courage in the form that many of us would like to have on a regular basis. What she is doing is extraordinarily courageous. Let me tell you why. Last year, this body, this Legislature, passed, for the first time, a mental health parity bill. In 2003, we finally recognized that mental illness is comparable to other physical ailments and we finally recognize that by passing insurance parity in the State of Maine. That was in 2003. That shows the type of stigma that people with mental illness have lived with for hundreds of years in this country. That is why what she is doing is so courageous. She has already gone to 14 different states to talk about the mental illness she has grappled with in her life and to be here today. It truly is courageous.

Just to show the depths of some of the stigma we still have in the State of Maine, we are the only state that says in their constitution that if you are under guardianship for mental illness, you are not allowed to vote. In 2000, that issue went to the voters in the State of Maine and we asked them to repeal that and to allow persons who are under guardianship for mental illness to vote. It failed, 60% to 40%. 60% of the voters still felt that it was inappropriate for persons with mental illness that are under guardianship to vote in this state, even though we allow everybody else under guardianship in this state to vote. Again, it is only the State of Maine that has this in their constitution. Fortunately, a Federal Court Judge overruled that and now persons with mental illness who are under guardianship can vote in the state.

But that was in 2000. In 2003, we finally passed mental health parity. The stigma surrounding mental health still persists widely in this state today and across the country. Again, I feel privileged to be able to stand here today and to meet and be able to talk to a woman who has shown such courage and made such

a commitment to go not only to our state, but across the country, and help us understand more about the stigma and the issues around mental illness that face all of us. Thank you very much.

**PASSED.**

Ordered sent down forthwith for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the chamber Kristy Worthen and her mother, Mary. They are accompanied by Diane McCormick of McCardinal Photo. Also in the rear of the chamber, representing NAMI Maine, are Diane Bechard, the President of NAMI Maine, accompanied by her husband, Julian; Mike Arenstam, a board member, accompanied by his wife, Peggy; Kelly Stalpes, a board member, accompanied by her son, and Alex; Melissa Gattine, the Special Projects Coordinator for NAMI Maine, accompanied by her son, Nathaniel. They are accompanied by Gerry Levesque, Dino Tsamparles, and Sarah Morrow who are from AstraZeneca Pharmaceuticals, the sponsors of Kristy's endeavors. May they please accept the greetings of the Maine Senate.

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

**PAPERS FROM THE HOUSE**

**House Paper**

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

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

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without Reference to a Committee.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Ordered sent forthwith to the Engrossing Division.

**REPORTS OF COMMITTEES**

**House**

**Change of Committee**

The Committee on **NATURAL RESOURCES** on Bill "An Act to Ensure Playground Safety"

H.P. 927 L.D. 1253

Reported that the same be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

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

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in concurrence.

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**ENACTORS**

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

**Emergency Measure**

An Act To Clarify the Landowner Liability Law with Regard to Construction and Maintenance of Snowmobile and Other Trails for Recreational Use

S.P. 266 L.D. 787  
(C "A" S-356)

**THE PRESIDENT:** The Chair recognizes the Senator from Franklin, Senator Woodcock.



Senator **WOODCOCK**: Thank you, Madame President, ladies and gentlemen of the Senate. I'm certain that each of us would much rather be out sledding today across Moosehead Lake or the environs, and in order to do so and not be concerned about some of the liabilities that are connected to the sledding business, we would, today, move forward with this bill, which would remove some of those concerns, particularly for the exceptional snowmobile clubs that we have in our state. I would like to take this opportunity to particularly thank my colleague, the good Senator from Piscataquis, Senator Davis, for his foresight in seeing that this bill needed immediate passage and his diligence in working it through the process so that several hundred million dollars that we realize from sledding in the winter season of Maine and the tens of thousands of people who participate in this outdoor activity will be able to go forth this morning and from now on during our winter period without the concerns that liability bring upon them. So as we go forth today in this minus 12 degree weather, we go forth with the reassurance that the snowmobilers of Maine are going to be able to participate this winter, realize the income from that, and be able to enjoy the activity without those concerns. Thank you very much, Madame President.

**THE PRESIDENT**: The Chair recognizes the Senator from Oxford, Senator Bennett.

Senator **BENNETT**: Thank you, Madame President, and fellow members of the Senate. Like many other members of the Senate, I represent a rural area of Maine. This issue is, of course, very important to my constituents. I've heard from scores of people on this issue. In fact, I've heard more on this issue than I think on any other issue during this legislature. It's hard to consider an activity of more significance to the people of Maine during the wintertime than snowmobiling. I think it is, indeed, propitious that this legislature can start its Second Regular Session by addressing such a real, tangible, important, and momentous issue for the people that we represent. Snowmobiling provides over a half a billion dollars of activity to our state's economy every year, at a time of year when it's desperately needed. Snowmobiling provides a much needed outlet for cabin fever for our constituents. Snowmobiling also provides access for many of our constituents, who wouldn't otherwise get such access, to Maine's natural wonders. I, too, want to just express my gratitude on behalf of my constituents to the Senator from Piscataquis, Senator Davis, for his leadership on this issue and putting this bill forward. I also want to add my gratitude to the Senator from Cumberland, Senator Pendleton, for her committee's work on expediting this process and getting this bill moved along very quickly. It is, indeed, as I said, a propitious bi-partisan beginning to this session. I thank them both and I thank the legislature, on behalf of my constituents, for addressing this issue. Thank you very much, Madame President.

**THE PRESIDENT**: The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN**: Thank you, Madame President. I suspect there is probably no one in this state whose area has more trails in the entire state than Senate District 1, soon to be Senate District 35. I find it interesting that the two previous Senators have failed to mention the sponsor of the bill.

**THE PRESIDENT**: The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS**: Thank you very much, Madame President. I guess that I probably could dispute with the good Senator from Aroostook, Senator Martin, over who has the most trails. I would just like to thank my good friends, Senator Bennett of Oxford and Senator Woodcock of Franklin, for their kind words of praise. It is gratifying and very nice to have people speak well of you. I must say that it certainly wasn't an effort by myself, to say the very least.

A year ago, I got a call from a fellow by the name of Fred Trask in Milo, Maine. He sells insurance. Fred told me that there was a problem in the industry. I put a bill in to help correct this problem. The bill didn't fair well at first, but over the course of our legislative sessions and with the help of the chair and the members of the Judiciary Committee, it fared better as time went along. There is a lot of things that happened along the way. Certainly Bob Myers, who is in the back of the chamber this morning, deserves the biggest bulk of any praise that needs to be handed around. He is head of the Maine Snowmobilers' Association, as you all well know, and he was very diligent, over and over, working hard with countless meetings and contacts, to make this happen. The Governor, himself, this morning told me that he would like to hook the supplemental budget to this legislation because it went through so quick. That maybe he could do that, maybe he couldn't.

Mostly, Madame President, I'd like to thank the volunteers that work the snowmobile trails, both in the good Senator from Aroostook, Senator Martin's district, my district, and in districts all across the state. This industry is the lifeblood in the winter time. The economic lifeblood, to say the very least. If it were not for people giving of themselves, with little or scant help from anywhere else, and people giving their time in building this industry, it would not be there.

With all that said, Madame President, I thank you. I thank you, too, Madame President, for getting this right through. You deserve the praise for that. This doesn't happen often with any bill. I thank you for that. Thank you, colleagues.

**THE PRESIDENT:** The Chair recognizes the Senator from Kennebec, Senator Blais.

Senator **BLAIS:** Thank you, Madame President, men and women of the Senate. It is a pleasure to be here today. In fact, it was a pleasure just to make it through the parking lot and into the building this morning. I certainly am not sure that I share the sentiments of the good Senator from Franklin, Senator Woodcock, about being out sledding today. I may have a little bit of warm weather blood in me.

I'd like to not repeat, but share in, the comments of my fellow Senators today in thanking the Senator from Piscataquis, Senator Davis, you, Madame President, and everyone here in the Senate that has been instrumental in bringing this bill forward for us today. I know that the passage of this bill, the enactment of this bill, is critically important to the people of my rural district. One other thing that I would like to add, however, is that this bill, I think, is recognition by this body and by the full legislature of the importance of tort reform in ensuring the affordability in our insurance systems. I look forward to seeing more legislation come forward in this regard. I would ask for a roll call, Madame President. Thank you.

Senator **BLAIS** of Kennebec requested a Roll Call.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President, ladies and gentlemen of the Senate. I do hope I have an opportunity to vote on this matter before the snow melts.

On motion by Senator **BLAIS** of Kennebec, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#216)**

YEAS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, MARTIN, MAYO, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT – BEVERLY C. DAGGETT

NAYS: Senators: None

ABSENT: Senators: LEMONT, NASS

EXCUSED: Senators: CATHCART, MITCHELL

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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Senate at Ease.

Senate called to order by the President.

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

**ENACTORS**

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

**Emergency Resolve**

Resolve, 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

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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Off Record Remarks

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On motion by Senator **TREAT** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, January 13, 2004, at 10:00 in the morning.