

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

In Senate Chamber
Thursday
March 20, 2003

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

Prayer by Reverend Michelle Grube, Peoples United Methodist Church in Union.

REVEREND GRUBE: Let us pray. Eternal God, we woke this morning to the brilliance of the sunshine and freshness of a new day. But in other parts of the world we are aware that some woke to the sounds of exploding bombs. So we come to You this morning, oh God, not sure how we should pray, not even sure we have the right words to speak in Your presence. To pray for ourselves, for our own needs and wants, seems trivial when there are so many who stand in harms way.

Lord of love, you took little children up into Your embrace and declared that Your kingdom belongs to them. Hold all children close to Your heart. Make us, who are responsible for them, ever vigilant to guard them from violence and disease. Give them strength to endure the tensions and fears they feel in this time of war. Erase their sorrow when those who love them go to fight. Protect their minds from the infection of battle glory and visions of false power, that in a brighter day, upon a sweeter field, they might lead us in play and welcome Your promised dream of peace.

God of love and compassion, we also come to ask for Your protection for those who are being sent to far away places to defend us. Before this season of unrest, we had grown comfortable with thinking of them as they relate to us, as parents and spouses, our sons and daughters, our neighbors and friends. We look forward to a day when no community will ever be asked to release their loved ones for purposes of war. But today, Lord, history and circumstances force us to release them into Your care and into our country's service. We pray for their safe return, not only for ours, but for the safe return of others who are being sent from communities, so much like ours, in other parts of the world. As they face the myriad of challenges and decisions each day is destined to bring, may they be anchored in their faith, protected by Your presence, and comforted by the knowledge that they are loved by You and by this community.

Finally, oh God of peace, calm us, who wait and watch, as events beyond our power unfold. Deliver us from fear that paralyzes our ability to seek faithfully the ways You would have us be in Your presence to our constituents, our friends, and our neighbors. Help us to dwell in Your presence one moment at a time and to know that You are ceaselessly at work in our lives, in our state, in our nation, and in our world. For it is in Your holy name we pray. Amen.

Doctor of the day, Christine Gates, M.D. of Portland.

Reading of the Journal of Wednesday, March 19, 2003.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **TREAT** of Kennebec, the following Joint Order:

S.P. 466

ORDERED, the House concurring, that when the House stands adjourned it does so until Tuesday, March 25, 2003, at 9:00 in the morning and the Senate adjourns until Tuesday, March 25, 2003 at 9:30 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1007

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE
UNITED STATES AND THE CONGRESS OF THE UNITED STATES
TO FULFILL THE INTENT TO FUND 40% OF THE COSTS
OF SPECIAL EDUCATION AND TO END UNFUNDED MANDATES**

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

WHEREAS, the Congress of the United States has found that all children deserve a quality education, including children with disabilities; and

WHEREAS, the Individuals with Disabilities Education Act, 20 United States Code, Section 1400, et seq., provides that the Federal Government and state and local governments are to share in the expense of education for children with disabilities and commits the Federal Government to provide funds to assist with the excess of expenses of education for children with disabilities; and

WHEREAS, the Congress of the United States has committed to contribute up to 40% of the average per-pupil expenditure of educating children with disabilities and the Federal Government has failed to meet this commitment to assist the states; and

WHEREAS, the Federal Government has never contributed more than 13% to 20% of the national average per-pupil expenditure to assist with the excess expenses of educating children with disabilities under the Individuals with Disabilities Education Act; and

WHEREAS, this failure of the Federal Government to meet its commitment to assist with the excess expenses of educating a child with a disability contradicts the goal of ensuring that children with disabilities receive a quality education; and

WHEREAS, the imposition of unfunded mandates by the Federal Government on state governments interferes with the separation of powers between the 2 levels of government and the ability of each state to determine the issues and concerns of the State and what resources should be directed to address these issues and concerns; and

WHEREAS, the Federal Government recognized the inequalities of unfunded mandates on state governments 8 years ago when it passed the Unfunded Mandates Reform Act of 1995; and

WHEREAS, since the passage of the Unfunded Mandates Reform Act of 1995, however, the Federal Government continues to impose unfunded mandates on state governments, including in areas such as special education requirements; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the Congress of the United States either provide 40% of the national average per pupil expenditure to assist states and local education agencies with the excess costs of educating children with disabilities or amend the Individuals with Disabilities Education Act to allow the states more flexibility in implementing its mandates; and be it further

RESOLVED: That We, your Memorialists, respectfully urge and request that the Congress of the United States revisit and reconfirm the Unfunded Mandate Reform Act of 1995 and put the

intent and purpose of the Act into practice by ending the imposition of unfunded federal mandates on state governments; and be it further

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

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication:

S.P. 462

STATE OF MAINE
121ST MAINE LEGISLATURE

March 18, 2003

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
121st Legislature
Augusta, ME 04333

Dear Senator Douglass and Representative Cummings:

Please be advised that Governor John E. Baldacci has nominated William J. Cody of Calais as Student Representative to the Board of Trustees, Maine Technical College System.

Pursuant to Title 20-A, M.R.S.A. §12705, 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.

The Following Communication:

S.C. 97

121ST LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES

March 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Insurance and Financial Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 435 An Act To Restrict the Cancellation of Health Insurance Coverage During an Enrollee's Period of Incarceration
- L.D. 487 An Act To Amend the Maine Insurance Guaranty Association Act
- L.D. 560 An Act To Allow a Mortgagor To Select a Land Title Company To Perform a Title Search
- L.D. 769 An Act To Allow Homeowners to Set the Amount of Insurance Coverage on Property
- L.D. 772 An Act To Require Insurance Companies To Return 1% of Net Profits
- L.D. 814 An Act To Help Businesses with a Clean Workers' Compensation Claims History

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Lloyd P. LaFountain III
Senate Chair

Rep. Christopher P. O'Neil
House Chair

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

The Following Communication:

S.C. 98

**121ST LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH
AND ECONOMIC DEVELOPMENT**

March 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 307 An Act To Allow Licensed Master Social Workers To Contract with Agencies in the State
- L.D. 498 An Act To Regulate Business Practices between Manufacturers, Distributors and Dealers of Power Equipment, Machinery and Appliances
- L.D. 512 An Act To Promote Economic Development in Rural Maine
- L.D. 539 An Act To Study Maine-Canada Issues
- L.D. 580 An Act Concerning the Fair Application of the Mechanic's Lien Laws

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Lynn Bromley
Senate Chair

S/Rep. Nancy B. Sullivan
House Chair

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

The Following Communication:

S.C. 99

**121ST LEGISLATURE
COMMITTEE ON LABOR**

March 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

L.D. 414 An Act To Require the State To Fully Pay for Health Insurance for Maine's Retired Educators

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

Sincerely,

S/Sen. Betheda G. Edmonds
Senate Chair

S/Rep. William J. Smith
House Chair

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

Off Record Remarks

SENATE PAPERS

Bill "An Act To Clarify the Timber Harvesting Notification Requirements"

S.P. 463 L.D. 1407

Sponsored by Senator BRYANT of Oxford.
Cosponsored by Representative PINEAU of Jay and Senator: KNEELAND of Aroostook,
Representative: JODREY of Bethel.
Submitted by the Department of Conservation pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Refine the Maine Rural Development Statutes"

S.P. 464 L.D. 1408

Sponsored by Senator BROMLEY of Cumberland.

Cosponsored by Representative SMITH of Monmouth and Senator: SHOREY of Washington, Representative: HATCH of Skowhegan.

Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.

Bill "An Act To Update the Process for the Allocation of the State Ceiling on Tax-exempt Bonds"

S.P. 465 L.D. 1409

Sponsored by President DAGGETT of Kennebec. (GOVERNOR'S BILL)

Cosponsored by Speaker COLWELL of Gardiner and Senators: BROMLEY of Cumberland, DAVIS of Piscataquis, HALL of Lincoln, TURNER of Cumberland, Representatives: BOWLES of Sanford, MILLS of Farmington, RICHARDSON of Brunswick, SULLIVAN of Biddeford.

Bill "An Act To Eliminate State Licensing of Boxers, Wrestlers and Transient Sellers"

S.P. 468 L.D. 1410

Sponsored by Senator BROMLEY of Cumberland.

Cosponsored by Representative SULLIVAN of Biddeford and Representative: RECTOR of Thomaston.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Increase the Licensing Fee Caps of the State Board of Optometry"

S.P. 469 L.D. 1411

Sponsored by Senator BROMLEY of Cumberland.

Cosponsored by Representative SULLIVAN of Biddeford and Representative: RECTOR of Thomaston.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **MARINE RESOURCES** on Bill "An Act Regarding Alewife Harvesting"
H.P. 115 L.D. 106

Reported that the same be **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

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

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE**, in concurrence.

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Further Define a Strain of Maine Standardbred Horses" (EMERGENCY)

H.P. 94 L.D. 85

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-17)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-17)**.

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

READ ONCE.

Committee Amendment "A" (H-17) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR** on Bill "An Act To Expand Unemployment Benefits"

H.P. 92 L.D. 83

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-16)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-16) AND HOUSE AMENDMENT "A" (H-21)**.

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

READ ONCE.

Committee Amendment "A" (H-16) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Require Joint Standing Committee Approval for Certain Purchases Proposed by the Land for Maine's Future Board"

H.P. 101 L.D. 92

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

BRYANT of Oxford
KNEELAND of Aroostook
YOUNGBLOOD of Penobscot

Representatives:

McKEE of Wayne
LUNDEEN of Mars Hill
PINEAU of Jay
PIOTTI of Unity
SMITH of Monmouth
HONEY of Boothbay
FLETCHER of Winslow
EDER of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-19)**.

Signed:

Representatives:

CARR of Lincoln
CHURCHILL of Orland

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **BRYANT** of Oxford, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Off Record Remarks

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Limit the Use of State Funds To Purchase Land or Conservation Easements"
H.P. 103 L.D. 94

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

BRYANT of Oxford
KNEELAND of Aroostook
YOUNGBLOOD of Penobscot

Representatives:

McKEE of Wayne
LUNDEEN of Mars Hill
PINEAU of Jay
PIOTTI of Unity
SMITH of Monmouth
HONEY of Boothbay
CHURCHILL of Orland
FLETCHER of Winslow
EDER of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-18)**.

Signed:

Representative:

CARR of Lincoln

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **BRYANT** of Oxford, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

SECOND READERS

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

House

Bill "An Act To Modify Certain Criminal Appeal Statutes in View of the New Maine Rules of Appellate Procedure"

H.P. 216 L.D. 273

Bill "An Act To Amend Certain Aspects of Post-conviction Review Procedure"

H.P. 269 L.D. 340

Bill "An Act To Specify Information Required in a Divorce Decree"

H.P. 542 L.D. 736

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

House As Amended

Bill "An Act to Amend the Law Pertaining to Notice of Nonrenewal of an Automobile Insurance Policy"

H.P. 12 L.D. 5

(C "A" H-14)

Resolve, to Designate the Interstate 95 From Augusta to Houlton as the Purple Heart Highway

H.P. 21 L.D. 14

(C "A" H-13)

Bill "An Act To Empower Anglers in Fish Stocking Decisions"

H.P. 91 L.D. 82

(C "A" H-15)

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

Senate

Bill "An Act to Clarify the Laws Relating to Public Water Systems"

S.P. 56 L.D. 133

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later (3/19/03) Assigned matter:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Clarify That Possession of More Than 1 1/4 Ounces of Marijuana is a Crime"
S.P. 68 L.D. 145

Majority - **Ought to Pass** (10 members)

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

Tabled - March 19, 2003, by Senator **STRIMLING** of Cumberland

Pending - **FURTHER CONSIDERATION**

(In Senate, March 12, 2003, on motion by Senator **STRIMLING** of Cumberland, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In House, March 18, 2003, Reports **READ** and the Bill and Accompanying Papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in **NON-CONCURRENCE**.)

On motion by Senator **STRIMLING** of Cumberland, the Senate **ADHERED**.

The Chair laid before the Senate the following Tabled and Later (3/19/03) Assigned matter:

JOINT RESOLUTION - relative to Honoring St. Patrick's Day and Recognizing the Irish Contribution to Maine and the United States

H.P. 1017

Tabled - March 19, 2003, by Senator **WOODCOCK** of Franklin

Pending - **ADOPTION**, in concurrence

(In House, March 18, 2003, **READ** and **ADOPTED**.)

(In Senate, March 19, 2003, **READ**.)

ADOPTED, in concurrence.

Senate at Ease.

Senate called to order by the President.

Senator **WOODCOCK** of Franklin was granted unanimous consent to address the Senate off the Record.

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

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Modify Water Well Reporting Requirements"

H.P. 1025 L.D. 1398

Bill "An Act To Amend the Maine Pesticide Control Act of 1975 To Increase the Pesticide Product Registration Fee"

H.P. 1027 L.D. 1400

Come 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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Conform the Voting Members of Certain State Entities"

H.P. 1029 L.D. 1402

Bill "An Act To Separate the Office of Tourism from the Office of Community Development"

H.P. 1033 L.D. 1406

Come from the House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Provide the Office of the State Fire Marshal with Adequate Funding for Construction Plans Review"

H.P. 1028 L.D. 1401

Bill "An Act To Adjust Fees Charged for Licenses Issued by the Bureau of State Police Licensing Division"

H.P. 1032 L.D. 1405

Come 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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Clarify Maine Law Relating to Viatical Settlements"

H.P. 1035 L.D. 1413

Comes from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion by Senator **TREAT** of Kennebec, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Amend the Procedure for Maine Human Rights Commission Hearings"

H.P. 1024 L.D. 1397

Bill "An Act To Allow District Attorneys To Approve Immunity Requests"

H.P. 1026 L.D. 1399

Bill "An Act Concerning Representation of the State in Disclosure Hearings" (EMERGENCY)

H.P. 1031 L.D. 1404

Come 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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Decriminalize Unlicensed Shellfish Digging"

H.P. 1038 L.D. 1415

Bill "An Act To Create an Owner-operator Requirement in the Scallop Fishery"

H.P. 1039 L.D. 1416

Bill "An Act To Make Changes to the Laws Governing Aquaculture Leasing"

H.P. 1040 L.D. 1417

Come from the House, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Amend a Requirement Concerning Dioxin"

H.P. 1030 L.D. 1403

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

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Increase the Ground Lease Term at the Long Creek Youth Development Center from 50 to 90 Years

H.P. 1034 L.D. 1412

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Amend the Laws Regarding Storage of Sand and Salt and To Provide Funding for State and Municipal Storage Facilities"

H.P. 1036 L.D. 1414

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

On motion by Senator **TREAT** of Kennebec, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1037

**JOINT RESOLUTION IN HONOR OF THE
MAINE FARMER AND MAINE AGRICULTURE**

WHEREAS, Maine's 6,900 farms last year provided full-time and part-time employment to more than 65,000 workers, approximately 10% of the State's workforce; and

WHEREAS, Maine's agricultural enterprises and associated industries provide more than 500 million dollars in the sale of farm products and contribute more than 1.2 billion dollars annually to the State's economy; and

WHEREAS, Maine farmers are the stewards of 1,250,000 acres of land that is a vital resource in maintaining the food security of Maine people, and an overwhelming majority of Maine people believe that buying local Maine agricultural products helps the State; and

WHEREAS, Maine is first in New England in the production of food, first in the world in the production of wild blueberries, the world leader in the production of brown eggs, 2nd in the Nation in the production of maple syrup, 8th in the Nation in production of fall potatoes and the only state anywhere involved in the production of fiddleheads; and

WHEREAS, agriculture forged Maine's past, maintains much of Maine's scenic open space, provides recreational opportunities, makes a significant contribution to the nature and character of Maine's many rural communities and provides for a strong future; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature, now assembled in the First Regular Session, pause in our deliberations to honor Maine farmers and innovators who have contributed so much to the betterment of our State and to pledge our support and encouragement and urge the youth of Maine to pursue the growing opportunities for careers in today's technologically advanced agricultural industry; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Commissioner of Agriculture, Food and Rural Resources in token of the esteem in which those in this vital field are held.

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

READ and **ADOPTED**, in concurrence.

Off Record Remarks

The President requested the Sergeant-At-Arms escort the Senator from Oxford, Senator **BRYANT** to the rostrum where he assumed the duties as President Pro Tem.

The President took a seat on the floor.

The Senate called to order by President Pro Tem **BRUCE S. BRYANT** of Oxford County.

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

ENACTOR

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

Emergency Measure

An Act To Eliminate a Defunct Account in the Department of Agriculture, Food and Rural Resources

H.P. 433 L.D. 570
(C "A" H-12)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with no Senators having voted in the negative, and 30 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 Pro Tem, was presented by the Secretary to the Governor for his approval.

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

ENACTOR

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

Emergency Measure

An Act To Provide Temporary Emergency Relief to Maine Dairy Farmers

S.P. 202 L.D. 593
(C "A" S-1)

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 Pro Tem, was presented by the Secretary to the Governor for his approval.

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

On motion by Senator **TREAT** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, March 25, 2003, at 9:30 in the morning.