

# MAINE STATE LEGISLATURE

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

**Volume II**

**First Regular Session**

May 27, 2003 – June 14, 2003

**First Special Session**

August 21, 2003 – August 23, 2003

**Second Regular Session**

January 7, 2004 - January 30, 2004

**Second Special Session**

February 3, 2004 - April 7, 2004

Pages 777-1562

O'Brien J, Pellon, Rector, Richardson E, Rogers, Rosen, Shields, Snowe-Mello, Sukeforth, Sullivan, Suslovic, Tardy, Tobin D, Tobin J, Treadwell, Woodbury.

ABSENT - Bierman, Bunker, Davis, Dugay, Gagne-Friel, Goodwin, Greeley, Joy, Laverriere-Boucher, McGlocklin, McGowan, Moore, Muse, Peavey-Haskell, Perry A, Perry J, Pingree, Richardson M, Wheeler, Young, Mr. Speaker.

Yes, 76; No, 54; Absent, 21; Excused, 0.

76 having voted in the affirmative and 54 voted in the negative, with 21 being absent, and accordingly the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

**ENACTORS**  
**Emergency Measure**

An Act To Prohibit Personal Watercraft on Lake St. George in the Town of Liberty

(H.P. 477) (L.D. 647)  
(S. "A" S-286)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and 16 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

**REPORTS OF COMMITTEE**  
**Committee of Conference**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act To Permit Video Gaming for Money Conducted by Nonprofit Organizations"

(H.P. 996) (L.D. 1354)

has had the same under consideration, and asks leave to report:

That the House **RECEDE** from **Passage to be Engrossed as Amended by Committee Amendment "A" (H-546)** and **COMMIT** the Bill and accompanying papers to the Committee on Legal and Veterans Affairs.

That the Senate **RECEDE** and **CONCUR** with the House.

Signed:

Representatives:

CLARK of Millinocket  
THOMPSON of China

Senators:

MARTIN of Aroostook  
BENNETT of Oxford  
DOUGLASS of Androscoggin

The Committee of Conference Report was **READ** and **ACCEPTED**.

The House voted to **RECEDE**.

The Bill and all accompanying papers were **COMMITTED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and sent for concurrence.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

**CONSENT CALENDAR**

**First Day**

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

(H.P. 217) (L.D. 274) Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-593)**

On motion of Representative NORBERT of Portland, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (H-593)** was **READ** by the Clerk.

On motion of Representative NORBERT of Portland, Joint Rule 311 was **SUSPENDED** for the purpose of offering an amendment.

The same Representative **PRESENTED House Amendment "A" (H-596)** to **Committee Amendment "A" (H-593)** which was **READ** by the Clerk and **ADOPTED**.

**Committee Amendment "A" (H-593)** as Amended by **House Amendment "A" (H-596)** thereto was **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-593)** as Amended by **House Amendment "A" (H-596)** thereto and sent for concurrence. **ORDERED SENT FORTHWITH.**

**REPORTS OF COMMITTEE**  
**Divided Report**

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Enact the School Finance and Tax Reform Act of 2003"

(I.B. 3) (L.D. 1372)

Signed:

Senators:

STANLEY of Penobscot  
NASS of York

Representatives:

LEMOINE of Old Orchard Beach  
TARDY of Newport  
McCORMICK of West Gardiner  
SIMPSON of Auburn  
PERRY of Bangor  
CLOUGH of Scarborough  
COURTNEY of Sanford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-594)** on same Bill.

Signed:

Senator:

STRIMLING of Cumberland

Representatives:

SUSLOVIC of Portland  
LERMAN of Augusta

**READ.**

Representative LEMOINE of Old Orchard Beach moved **INDEFINITE POSTPONEMENT** of the Bill and accompanying papers.

The **SPEAKER**: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. About 22 hours ago we were talking about essential

services was a long-term concept and that we would be working it a long time. I agree with this Indefinite Postponement. The committee amendment on the bottom of Page 1, top of Page 2, surprise, essential programs and services. I would urge you to vote to Indefinitely Postpone, 22 hours.

Subsequently, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

**SENATE PAPERS**

The following Joint Order: (S.P. 594)

**ORDERED**, the House concurring, that Bill, "An Act to Authorize the State to Establish a Multi-jurisdictional Lottery or Lottery Games," S.P. 515, L.D. 1536, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

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

**READ** and **PASSED** in concurrence. **ORDERED SENT FORTHWITH.**

**SENATE PAPERS**

The following Joint Resolution: (S.P. 593)

**JOINT RESOLUTION ACKNOWLEDGING  
JUNE 15, 2003 AS FATHER'S DAY**

**WHEREAS**, on Sunday, June 15, 2003, the Nation and the State of Maine will continue the time-honored tradition of celebrating Father's Day; and

**WHEREAS**, the celebration of Father's Day is a call upon all Americans to thank and honor fathers for their love, nurturance and guidance and for the sacrifices they have made on behalf of their daughters and sons; and

**WHEREAS**, fathers are an important thread in the social fabric that binds together the citizens of the State of Maine and the United States; and

**WHEREAS**, psychologically, emotionally and spiritually the continued presence and commitment of fathers and father figures are important for the well-being of children; and

**WHEREAS**, Maine's private and public sectors have joined to raise public awareness of the importance of fatherhood and the impact of a father's engagement with his children and family; and

**WHEREAS**, the well-being of our State depends, to a large extent, on fathers' participation in their children's lives; now, therefore, be it

**RESOLVED**: That We, the Members of the One Hundred and Twenty-first Legislature of the State of Maine now assembled in the First Regular Session, on behalf of the people we represent, take this occasion to urge all citizens to join in this observance on June 15, 2003 to acknowledge, encourage and celebrate the role of fatherhood with gratitude and respect.

Came from the Senate, **READ** and **ADOPTED**.

**READ** and **ADOPTED** in concurrence. **ORDERED SENT FORTHWITH.**

**SENATE PAPERS**

**Non-Concurrent Matter**

An Act to Repeal the Presidential Preference Primary Elections Process (EMERGENCY)

(H.P. 109) (L.D. 100)

**PASSED TO BE ENACTED** in the House on April 10, 2003. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-34)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-34) AND SENATE AMENDMENT "A" (S-289)** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

**Non-Concurrent Matter**

An Act To Provide Energy Opportunities to Northern Maine (EMERGENCY)

(S.P. 86) (L.D. 163)

**PASSED TO BE ENACTED** in the House on May 5, 2003. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-48)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-48) AS AMENDED BY SENATE AMENDMENT "A" (S-290)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

**Non-Concurrent Matter**

Resolve, Regarding the Operation of the Maine Registry of Certified Nursing Assistants

(H.P. 224) (L.D. 281)

**FINALLY PASSED** in the House on June 3, 2003. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-542)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-542) AS AMENDED BY SENATE AMENDMENT "A" (S-292)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

**Non-Concurrent Matter**

An Act to Adopt a New Interstate Compact Regarding Adults Who are on Probation and Parole

(H.P. 254) (L.D. 311)

**PASSED TO BE ENACTED** in the House on May 8, 2003. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-210)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-210) AND SENATE AMENDMENT "A" (S-293)** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

**Non-Concurrent Matter**

An Act To Provide Funding for the Downeast Institute for Applied Marine Research and Education

(H.P. 284) (L.D. 364)

**PASSED TO BE ENACTED** in the House on April 7, 2003. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-33)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-33) AS AMENDED BY SENATE AMENDMENT "A" (S-294)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.