

MAINE STATE LEGISLATURE

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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 (4/29/03) Assigned matter:

HOUSE REPORT - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Clarify Arrest Powers of Law Enforcement Officers"

H.P. 361 L.D. 469

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-123)**

Tabled - April 29, 2003, by Senator **STRIMLING** of Cumberland

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, April 28, 2003, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-123)**.)

(In Senate, April 29, 2003, Report **READ**.)

Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-123) **READ**.

On motion by Senator **MARTIN** of Aroostook, Senate Amendment "A" (S-111) to Committee Amendment "A" (H-123) **READ**.

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

Senator **MARTIN:** Thank you, Madame President, and members of the Senate. The Criminal Justice and Public Safety Committee did a good job on tightening up the present powers of law enforcement officers. Basically, what they did was to remove the powers of the part-time deputies, they already had the power to go statewide to arrest someone. The one thing they did do was to broaden the powers of the police officers of the University of Maine System. I do not believe that the University of Maine police officers, who are hired by the University of Maine, should have the power of law enforcement officers to make arrests in any part of the state. What I have done, with this amendment, is to remove the new authority that was being given to them in this bill. Basically, I am restricting their powers to what they presently are.

On motion by Senator **MARTIN** of Aroostook, Senate Amendment "A" (S-111) to Committee Amendment "A" (H-123) **ADOPTED**.

Committee Amendment "A" (H-123) as Amended by Senate Amendment "A" (S-111) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-123) AS AMENDED BY SENATE AMENDMENT "A" (S-111)** thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

The Chair laid before the Senate the following Tabled and Later (4/30/03) Assigned matter:

HOUSE REPORTS - from the Committee on **LABOR** on Bill "An Act To Amend the Laws Governing Noncompete Clauses in Broadcast Industry Contracts"

H.P. 823 L.D. 1120

Majority - **Ought to Pass** (8 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - April 30, 2003, by Senator **TREAT** of Kennebec

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, April 29, 2003, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, April 30, 2003, Reports **READ**.)

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

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

Senator **EDMONDS:** Thank you, Madame President, men and women of the Senate. This bill is an expansion of current law. Under current law, non-compete clauses in broadcasting industry contracts are presumed unreasonable, but the law presently excludes employment contracts with sales representatives. This bill removes that exclusion.

During the hearings we heard pros and cons in this area. It's very clear to me that Maine's media market is rather narrow. There is one media market for the whole state, or maybe two. What happens, for a sales representative, if they chose to leave one place to go work somewhere else, they are forbidden to do that within that media market. It could cause folks real hardship in terms of finding a new job. The concern registered by some is that perhaps people would take their client list with them. There was no testimony to that effect. It was just a concern raised. So I would urge you to join me in supporting the majority Ought to Pass report, allowing sales representatives who work in the broadcasting industry the chance to be able to move freely between jobs and among jobs in the state. Thank you.

Senator **BLAIS** of Kennebec requested a Division.