

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Twentieth Legislature**  
**State of Maine**

**Volume I**

**First Regular Session**

December 6, 2000 – May 17, 2001

Pages 1-889

ONE HUNDRED AND TWENTIETH LEGISLATURE  
FIRST REGULAR SESSION  
24th Legislative Day  
Thursday, March 22, 2001

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Edward Ahlquist, Turner Village Church.  
Pledge of Allegiance.

The Journal of yesterday was read and approved.

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**SENATE PAPERS**

The following Joint Resolution: (S.P. 567)

**JOINT RESOLUTION TO PROMOTE ECONOMIC  
GROWTH IN RURAL MAINE**

WHEREAS, International Paper Company announced on February 8, 2001 that it would within 60 days permanently shut down 2 sawmill operations at Costigan and Passadumkeag, Maine; and

WHEREAS, the closure of the 2 sawmills will have a direct impact on at least 260 jobs and an indirect effect upon many hundreds of other jobs within the economy of the Penobscot Valley and the State of Maine; and

WHEREAS, International Paper Company has itself provided recognition that the sawmills at Costigan and Passadumkeag are competitive and viable operations by stating that they do not want the mills "competing" with their remaining operations in the future; and

WHEREAS, the Costigan and Passadumkeag sawmills are the only ones owned by International Paper Company in the northeast that produce spruce, fir and hemlock stud framing lumber products and the sawmills will not compete with the other operations in the northeast market; and

WHEREAS, the resulting void in framing lumber supply may likely be filled by the import of foreign framing lumber from Canadian suppliers; and

WHEREAS, International Paper Company has so far refused to sell the sawmills to any interested parties, including the employees who each gave as many as 27 years of their lives to the operations; and

WHEREAS, International Paper Company has benefited financially from state and local government incentive programs like Tax Increment Financing, TIF, and Business Equipment Tax Reimbursements, BETR; and be it further

RESOLVED: That, We, the Members of the One Hundred and Twentieth Legislature of the State of Maine now assembled in the First Regular Session, on behalf of the citizens we represent and in strong support of the desire of the State's inhabitants, call upon and strongly urge International Paper Company to reconsider its position concerning the sale of the 2 sawmills so that they can continue to be used by Maine's skilled workers for their highest and best use, which is indeed the production of stud dimension lumber; and be it further

RESOLVED: That the Legislature hereby calls upon the Governor and the Maine Congressional Delegation to continue to work with the International Paper Company hierarchy to preserve these much-needed Maine jobs by allowing the mills to be sold; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to

Governor Angus S. King, Jr. and the each Member of the Maine Congressional Delegation.

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

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The following Joint Order: (S.P. 562)

ORDERED, the House concurring, that the Joint Standing Committee on Business and Economic Development report out, to the Senate, a bill regarding the funding of biomedical research.

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

On motion of Representative COLWELL of Gardiner, **TABLED** pending **PASSAGE** and later today assigned.

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The following Joint Order: (S.P. 563)

ORDERED, the House concurring, that the Joint Standing Committee on Natural Resources report out, to the Senate, legislation regarding the recycling of plastics.

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

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The following Joint Order: (S.P. 566)

ORDERED, the House concurring, that the Blue Ribbon Commission on Electric Energy Production, Demand and Cost is established as follows.

**1. Commission established.** The Blue Ribbon Commission on Electric Energy Production, Demand and Cost, referred to in this order as the "commission," is established.

**2. Membership.** The commission consists of 3 members of the Senate chosen by the President of the Senate, provided that all members are not from the same political party; 3 members of the House of Representatives chosen by the Speaker of the House, provided that all members are not from the same political party; and 5 public members chosen jointly by the President of the Senate and the Speaker of the House as follows: a person with experience in an executive position at a Maine utility; one representative of a competitive energy provider; a person with experience in an executive position for a major power producer; a representative of individual consumers; and a representative of a major industrial consumer. In addition, the Public Advocate may participate as an ex officio member if the Public Advocate decides participating would advance the Public Advocate's mandate under law. The President of the Senate and the Speaker of the House shall each designate a joint chair when naming the commission members.

**3. Convening meeting.** The chairs shall call the first meeting prior to June 1, 2001.

**4. Duties.** The commission shall study developments in the Maine electric energy market since deregulation and report to the Legislature their findings on the following questions.

A. What will be the impact of recent Federal Energy Regulatory Commission rulings on Maine energy consumers?

B. What is the ongoing role and purpose of the standard offer price in the competitive market and what can Maine consumers expect will happen with the standard offer price over the next 3 years?

C. What is the likelihood of energy shortfalls in Maine over the next 3 years?

D. Are there changes in Maine's restructuring law that could encourage an increase of generating capacity, improve conservation of energy or in any way facilitate more competition in the wholesale market, thus providing lower prices for consumers?

E. Are Maine electric consumers vulnerable to being harmed by anticompetitive behavior in the energy market?

F. Are the design and operation of New England's regional market optimal from the point of view of Maine energy consumers?

G. What are the appropriate size and scope of the regional transmission organization to be created to serve the needs of Maine's consumers of electricity?

H. How can load peak power periods be reduced and what are other strategies to reduce peak power use?

I. In light of the findings on questions A to F, what actions should Maine take to protect and serve Maine's energy consumers? If Maine has choices, how will those choices affect Maine energy consumers, the Maine environment and the Maine economy?

**5. Staff assistance.** The Office of Policy and Legal Analysis shall provide staffing as the commission directs. In addition, the legal counsel to the President of the Senate and the Speaker of the House shall assist as requested. The Maine Public Utilities Commission shall provide staff assistance as requested by the commission and approved by the chair of the Maine Public Utilities Commission. The commission is empowered to hire an economist as needed.

**6. Compensation.** Members of the commission who are Legislators are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and all commission members are entitled to receive reimbursement for travel and other expenses for attendance at authorized meetings of the commission.

**7. Report.** The commission shall report on the issues studied with any recommended legislation to the Second Regular Session of the 120th Legislature no later than January 1, 2002.

**8. Commission budget.** The commission is authorized to expend no more than \$75,000 from the legislative budget to complete its work. The chairs of the commission, with assistance of commission staff, shall administer the budget.

Came from the Senate, **READ** and **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

**READ** and **REFERRED** to the Committee on **UTILITIES AND ENERGY** in concurrence.

Bill "An Act to Prevent Interstate and International Smuggling of Illegal Drugs Into the State by Creating the Crime of Illegal Importation of Scheduled Drugs"

(S.P. 565) (L.D. 1725)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE** in concurrence.

Bill "An Act to Provide for Remediation of Abandoned Landfills"

(S.P. 564) (L.D. 1724)

Came from the Senate, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

**REFERRED** to the Committee on **NATURAL RESOURCES** in concurrence.

**Non-Concurrent Matter**

**JOINT ORDER** – Relative to Requiring the Joint Standing Committee on Appropriations and Financial Affairs to Report Out a Bill Regarding Upgrades to the State of Maine Building at the Eastern States Exposition

(H.P. 1142)

**READ** and **PASSED** in the House on March 8, 2001.

Came from the Senate **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On motion of Representative McKEE of Wayne, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

**COMMUNICATIONS**

The Following Communication: (H.C. 122)

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

March 19, 2001

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

Dear Clerk MacFarland:

In accordance with Resolves 1999, ch. 131 - Resolve, to Create the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft, I am pleased to re-appoint the following State Representatives:

- Representative Joseph E. Clark of Millinocket, Chair;
- Representative Gary J. Wheeler of Eliot;
- Representative Bruce S. Bryant of Dixfield;
- Representative Ken Honey of Boothbay; and
- Representative Richard H. Duncan of Presque Isle.

If you have any questions regarding these appointments, please contact my office.

Sincerely,  
S/Michael V. Saxl  
Speaker of the House

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

The Following Communication: (S.C. 131)

**120TH LEGISLATURE  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
3 STATE HOUSE STATION  
AUGUSTA, ME 04333-0003**

March 21, 2001

The Honorable Millicent M. MacFarland  
Clerk of the House  
2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Please be advised the Senate today Adhered to its previous action whereby the Senate referred the Bill "An Act to Establish a Circuit Breaker Program for Fuel Assistance" (H.P. 631) (L.D. 831) to the Committee on Taxation in non-concurrence.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bills were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

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**BANKING AND INSURANCE**

Bill "An Act to Amend Maine Credit Laws"

(H.P. 1276) (L.D. 1736)

Presented by Representative SULLIVAN of Biddeford.

Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: DUDLEY of Portland, GLYNN of South Portland, MARRACHÉ of Waterville, MAYO of Bath, O'NEIL of Saco, Senator: LaFOUNTAIN of York.

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

Bill "An Act to Clarify and Update the Laws Related to Health Insurance Contracts"

(H.P. 1282) (L.D. 1742)

Presented by Representative SULLIVAN of Biddeford.

Cosponsored by Senator ABROMSON of Cumberland and Representatives: DUDLEY of Portland, GLYNN of South Portland, MARRACHÉ of Waterville, MAYO of Bath, O'NEIL of Saco, Senator: LaFOUNTAIN of York.

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

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**BUSINESS AND ECONOMIC DEVELOPMENT**

Bill "An Act to Amend the Forester Licensing Law"

(H.P. 1277) (L.D. 1737)

Presented by Representative RICHARDSON of Brunswick.

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

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

Bill "An Act to Clarify Certain Professional and Occupational Licensing Requirements"

(H.P. 1278) (L.D. 1738)

Presented by Representative CLOUGH of Scarborough.

Cosponsored by Senator SHOREY of Washington and Representatives: HATCH of Skowhegan, RICHARDSON of Brunswick.

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

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**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act to Promote Safe Schools"

(H.P. 1274) (L.D. 1734)

Presented by Representative DUDLEY of Portland.

Cosponsored by Representatives: BLISS of South Portland, COWGER of Hallowell, TWOMEY of Biddeford, Senator: RAND of Cumberland.

Bill "An Act to Guarantee Girls Equal Access to Sports Teams"

(H.P. 1281) (L.D. 1741)

Presented by Representative MICHAEL of Auburn.

Cosponsored by Representatives: McGLOCKLIN of Embden, MENDROS of Lewiston, MUSE of South Portland, MUSE of Fryeburg, TWOMEY of Biddeford, WATSON of Farmingdale.

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**UTILITIES AND ENERGY**

Bill "An Act to Amend the Charter of the Vinalhaven Water District" (EMERGENCY)

(H.P. 1275) (L.D. 1735)

Presented by Representative VOLENIK of Brooklin.

Cosponsored by Representatives: McGLOCKLIN of Embden, SAVAGE of Buxton.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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**Pursuant to Public Law**

**Maine Criminal Justice Information System Policy Board**

Representative POVICH for the **Maine Criminal Justice Information System Policy Board** pursuant to Public Law 1999, chapter 790, Part D, section 12 asks leave to report that the accompanying Resolve, to Implement Additional Recommendations of the MCJUSTIS Board

(H.P. 1279) (L.D. 1739)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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**Pursuant to Resolve**

**Maine Criminal Justice Information System Policy Board**

Representative POVICH for the **Maine Criminal Justice Information System Policy Board** pursuant to Resolve 1997, chapter 105, section 4 asks leave to report that the accompanying Bill "An Act to Implement Recommendations of the MCJUSTIS Board Pursuant to the Study Required by Resolve 1997, Chapter 105"

(H.P. 1280) (L.D. 1740)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**ORDERS**

On motion of Representative FULLER of Manchester, the following House Order: (H.O. 23)

ORDERED, that Representative Walter E. Ash, Jr. of Belfast be excused Monday, March 5th, Thursday, March 8th, Tuesday, March 13th, and Thursday, March 15th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Gerald N. Bouffard of Lewiston be excused Thursday, March 15th, Tuesday, March 20th and Wednesday, March 21st for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas J. Kane of Saco be excused Wednesday, February 28th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Theodore Koffman of Bar Harbor be excused Thursday, March 15th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Bernard E. McGowan of Pittsfield be excused Thursday, March 15th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Julie Ann O'Brien of Augusta be excused Tuesday, March 13th for legislative business.

**READ and PASSED.**

**SPECIAL SENTIMENT CALENDAR**

In accordance with House Rule 519 and Joint Rule 213, the following items:

**Recognizing:**

the members of the Oxford Hills Comprehensive High School Boys Alpine Ski Team, who won the State Class A Championship. We extend our congratulations to the team on this accomplishment;

(HLS 137)

Presented by Representative HEIDRICH of Oxford. Cosponsored by Representative WINSOR of Norway, Representative GAGNE of Buckfield, President Pro Tem BENNETT of Oxford, Senator FERGUSON of Oxford.

On **OBJECTION** of Representative HEIDRICH of Oxford, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

**REPORTS OF COMMITTEE**

**Change of Committee**

Representative COWGER from the Committee on **NATURAL RESOURCES** on Bill "An Act to Increase the Personnel and Air Quality Oversight of School Construction"

(H.P. 725) (L.D. 945)

Reporting that it be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS.**

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS.**

Sent for concurrence.

**Divided Report**

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass** on Bill "An Act to

Clarify the Act of Separation of Frye Island from the Town of Standish" (EMERGENCY)

(S.P. 156) (L.D. 500)

Signed:

Senators:

PENDLETON of Cumberland  
ROTUNDO of Androscoggin

Representatives:

BAGLEY of Machias  
McDONOUGH of Portland  
HATCH of Skowhegan  
LESSARD of Topsham  
McLAUGHLIN of Cape Elizabeth  
MURPHY of Berwick  
CHASE of Levant  
HASKELL of Milford  
NORBERT of Portland

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

YOUNGBLOOD of Penobscot

Representative:

KASPRZAK of Newport

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED.**

**READ.**

On motion of Representative BAGLEY of Machias, the Majority **Ought to Pass** Report was **ACCEPTED.**

The Bill was **READ ONCE** and was assigned for **SECOND READING** Tuesday, March 27, 2001.

Majority Report of the Committee on **BANKING AND INSURANCE** reporting **Ought Not to Pass** on Bill "An Act to Allow for Mandate-free Catastrophic Care Health Insurance Policies"

(H.P. 97) (L.D. 101)

Signed:

Senators:

LaFOUNTAIN of York  
DOUGLASS of Androscoggin  
ABROMSON of Cumberland

Representatives:

DUDLEY of Portland  
SMITH of Van Buren  
YOUNG of Limestone  
MAYO of Bath  
O'NEIL of Saco  
SULLIVAN of Biddeford  
CANAVAN of Waterville  
MARRACHÉ of Waterville

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representatives:

CRESSEY of Baldwin  
GLYNN of South Portland

**READ.**

Representative O'NEIL of Saco moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative GLYNN: Mr. Speaker, Ladies and Gentlemen of the House. I rise today in opposition to the Majority Report and ask you to defeat the pending motion and move on to the Minority Ought to Pass Report. This bill that we are considering today is a step towards providing the consumer with low-cost health insurance options and an alternative to going without health insurance in Maine. According to estimates from the Maine Bureau of Insurance, approximately 13 percent of Maine people or about 130,000 Mainers currently go without health insurance. Regardless of what source you speak with, be it either insurance industry leaders, small businessmen or citizens in all of our districts or the endless studies on this topic, the source of the problem is routinely identified as health insurance premium costs. Many Mainers who want coverage in the event of a catastrophic health event go without any form of health insurance because of their inability to afford health insurance.

Several businessmen that I have spoken with in the state say that they would rather cover the small incremental costs out of their pockets and have minor health problems or needed physicals, but need and want health insurance if something major in their lives happen. This bill is offering folks an option. Right now they don't have any option. They have to go with the state mandated health insurance products. We do not have any equity in health insurance rules in Maine. They are not the same for everybody. Everybody has a different set of rules. The large group market covering employers with more than 50 employees is divided between insured groups and self-insured or self-funded groups. Approximately 59 percent of these private insurances are commercial and out of the segment. Some 31 percent are self-insured or self-funded. These self-funded insurance plans are 100 percent preempted from being regulated by Maine State Government by federal law known as ARISA. While other health insurance falls under the expensive Maine State Government mandates. Simply stated, because of this, self-insured plans, the employer bears the risk and although some of the risk may be passed on to the insurer through excess loss or stop loss policies, the businesses can tailor their health insurance plans to what the company can afford and can realize dramatic health insurance cost savings.

Basically what I am saying is depending on what company you work for in the State of Maine, it will dictate whether or not they are subjected to expensive State of Maine government health insurance mandates. In our system, where is the fairness for Maine citizens bearing the cost? Where is the equity? Where is the ability of 130,000 Mainers that go without health insurance being able to afford a health insurance product that will at least give them the kind of coverage that they want? According to the very most conservative estimates by the Maine Bureau of Insurance, both group and individual premium costs due to the State of Maine health insurance mandates for groups larger than 20 percent is estimated that health insurance premiums cost increase on the average of 7.74 percent for indemnity and 7.42 percent for HMOs. There are statistics that I won't bore you with, with all the groups. As you can see, our mandates cost money. There is no requirements that a business in Maine that a Maine citizen works for offer health insurance to its employees. There isn't a requirement that health insurance co-pays and premiums increase. It can't be passed on to the

employee as it rises. As health insurance costs continue to become higher and higher and higher for Mainers and employers, the number of uninsured Mainers becomes larger.

As previously stated, the rules are not fair. They are not standard. They depend on which company employs you. This one size fits all approach does not work and has driven the cost of health insurance premium costs.

Lastly, I would like to conclude that recently, just yesterday, the Republican Caucus, was addressed by Commissioner Longley from the Executive's Office. She updated us on a number of the health care initiatives that we are looking at and why the health care initiatives in Maine are failing. One of the things that was identified is that in order to have purchasing alliances here in Maine to gain cheaper more affordable health insurance that our risk pools aren't big enough. The only way we are going to be able to reach a critical mass to be able to pass any kind of savings on is we are going to have to look to at least merging with other states. As we look to merge with other states, does anyone believe that there is any state other than Maine that doesn't have more mandates on these health insurance policies? Literally, those states are going to have to adopt our health insurance mandates or we are going to have to repeal them or as this bill contemplates, there needs to be an option.

For many Mainers the current health insurance products that are available are 100 percent appropriate. They meet their needs and they should remain to be an available option. I don't agree with that. This bill doesn't address that. This bill says for catastrophic health insurance you should have the option of having a plan that doesn't have all of these mandates. You should have the ability to choose. We should have choice in the State of Maine and the Legislature by choosing has made the decision it is our way or the highway. You either have the insurance plans that we design through our state mandates or you go uninsured. I don't believe that should continue to be the course that the State of Maine takes. Mr. Speaker, when the vote is taken on this important vote, I would respectfully request the yeas and nays. Thank you.

Representative GLYNN of South Portland **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

Representative O'NEIL: Mr. Speaker, Men and Women of the House. Health care, we will be dealing with it for the next couple of months and beyond. The bill before us today, LD 101, is another of the civil bullets that lots of folks have brought in. It is a complex issue. We have numerous problems ahead of us and behind us. What it amounts to is stripping away years of reforms and patient protections for which a lot of us in this room have worked hard.

The Representative from South Portland and I both want to expand risk pools. The best risk pool that we know is 1.3 million Mainers. Until such time as we get that risk pool, in the meantime the last thing we want to do is stratify the risk pools and erode them. The adverse selection that would come under a situation like this, in essence, takes the young health people out of our risk pool, since I am no longer young and healthy, and makes it even tougher for the people who are paying a lot of money now. We have dealt with this over and over again folks. We have benefits in there like maternity benefits, alcohol, drug, mammogram screening, post-mastectomy reconstructive

surgery. These are things that make health care insurance what it is. I submit to you folks that the only people who would want health insurance with a very high catastrophic deductible, it is catastrophic when you have to pay it, are the people who don't need it. The rest of us get left holding a bigger, heavier bag.

Mr. Speaker and friends of the House, it is kind of like this. You wouldn't want to buy a car that didn't have a radio, windshield, tires, seats, seatbelts, dashboard or car phone in it. As such, you wouldn't want to buy one of these polices. Please, support the 11 to 2 report and let's move on.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative McKenney.

Representative **MCKENNEY**: Mr. Speaker, Ladies and Gentlemen of the House. Everybody in this body knows that we are facing a pending health care crisis. Probably most of you campaigned on that issue. Working together, we can fix this problem, but it is going to take a lot of work. Unfortunately, there is no one grand plan. There is no one big sweeping piece of legislation that is going to take care of this. It is going to be thousands of little small steps that fix this problem. This bill before you is only one of those little tiny baby steps that take us in the right direction. We need to support this. We need to take these steps in order to get to where we want to go. I cannot understand for a moment why we won't take that step. Thank you.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Sullivan.

Representative **SULLIVAN**: Mr. Speaker, Men and Women of the House. I ask you to support the pending motion. About 8 or 10 years ago I was not in this body. My provider asked us to please go to HMOs. This was a preventative type of insurance. If you got your test and they were able to find any disease, even the dreaded cancer, the earlier they found it, the better it was. Insurance companies would pay for these tests. You wouldn't have to wait. I know. I did it as a mother with a young child. If that child was sick, I took him to the doctors and it may have meant that I went without something because I needed that \$45 or \$50 for that office call. We knew and the insurance companies told us that people would not go for these tests because they either feared the test would hurt or they did not have the money for a test. We bought that. HMOs are very common now. The mandates we are talking about are the very preventative things that the HMOs are built on. I would ask each and every one of you sitting in this chamber if you have been touched by the death of a woman from breast cancer because it was found too late. Mammograms save money. It is cheaper for an insurance company to pay the \$100 and whatever dollars, depending on where you go, for a mammogram than it is to pay for treatment that may or may not be successful. These are the types of mandates we are talking about, that awful word, screening for prostate cancer, screening for breast cancer, maternity benefits so that a child and the mother's health is maintained. I don't think that we were elected to take away Mainers chances for a healthy life. Our cancer rate is extremely high here. I have to tell you that I don't enjoy going for mammograms and I am sure there is not a woman here in this chamber that cannot understand how I feel, but I do it because my insurance company pays for it. I would find it very easy to make an excuse why I didn't have \$114 to spend on something that is not a really comfortable event. I ask you to think of the men and women who are alive today because mandates allow

them the right for good health care. That is all I am asking you. Think about that, please. Thank you.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Bruno.

Representative **BRUNO**: Mr. Speaker, Men and Women of the House. I am hearing all about mandates. I have sat in this body, I am in my fourth term now, I have voted for many of those mandates and when I served on Banking and Insurance, I even proposed some of the mandates and cosponsored some of those. This is not about mandates. We are not arguing the benefit of mandates. What we are arguing about is an affordable insurance product for people who have no insurance or who are considering dropping health insurance. When we look at where we have gone with insurance in this state, we have gone from products provided by insurance companies to now companies self-insuring and companies deciding on their own what is good for them employees. There has been a huge swing in that direction because those companies want to decide, not have the State Legislature decide what they need to provide for their employees. We can sit here and argue to benefit of every mandate. We have 33 of them. Are we going to take them one by one and say we saved so many lives with every mandate? Are we going to sit here and say that we realize that we have a health care crisis in this state that we need to provide affordable insurance for some people? It may not be the Cadillac of plans. It may be that stripped down Yugo, but at least they have something. That is what this bill is trying to do. I urge you to vote against the pending report and support the Ought to Pass. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. The good Representative from Raymond is 100 percent right. This doesn't have much to do about mandates. It is about choice and the ability and the option of choosing this kind of coverage at a possible lower premium. The good Representative from Saco, Representative O'Neil, mentioned about a silver bullet. Somebody else mentioned about one step. It reminded me of a little story about my youth. When I was a young kid my father bought me this brand new pair of sneakers. I went down to the river and took off those sneakers because I like to catch turtles and snakes and all that. The certain river that I went to had a very strong current and one of those sneakers fell in the river. I really didn't know what to do, so I figured one sneaker is not very good so I through the other sneaker in. I went back home and my father said, "Paul where is your sneakers?" I said, "Dad, one of them fell in the river." He said, "Where is the other one?" I said, "I threw it in the river, dad, one sneaker is no good." He proceeded to give me a good spanking and said, "Son, one sneaker is better than none." I say to the good Representative from Saco that one step is better than none, as one sneaker is better than none.

The Representative from Saco also mentioned about a truck and how you wouldn't buy a truck without a radio. I certainly couldn't afford a radio at the time and I bought a truck that was stripped. It was a great truck. It served me very well. I am sure that if this is passed, it will serve the citizens of Maine very well too. I urge you to vote against the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Colwell.



Representative **COLWELL**: Mr. Speaker, Men and Women of the House. A couple of rules that I learned early on when I came to the Legislature is when people say it is not about the money, it is about the money. When they say it not about mandates, it is about mandates. What we are considering here and in the very title of the bill, it is, "An Act to Allow for Mandate Free Catastrophic Insurance." It really is about mandates. We seem to have a lot of analogies here about cars. I think that is appropriate in the United States of America to talk about cars. I will put one more up here. My good friend, the Minority Leader from Raymond said, it may not be a Cadillac, but it is a Yugo. I wouldn't buy a Yugo. I think probably a better analogy is this is a mandate free Yugo. You buy a new car and you open the trunk. You get a flat for the first time and you got one of those donuts in there, the little toy spare tires. This Yugo that we are going to sell to the people of the State of Maine if we pass this bill is a Yugo with not one, but four of those donuts on the highway. That won't get you to work very many times. You can only go 50 miles on one of those donuts. This mandate free choice that we have here, not only won't get you to work, but it won't get you to the doctor. It is about mandates. It is about mammogram screenings, prostate screenings for men, it is about maternity benefits so that women who have a child aren't forced out on the street the next day. If they can leave, sure. It is about mandates. I love the story about the sneaker. Maybe you should have kept one sneaker or maybe one sneaker does work, but it would only work for a one-legged person. I urge all members of this body to support this strong, strong bipartisan recommendation from the Banking and Insurance Committee. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Dudley.

Representative **DUDLEY**: Mr. Speaker, Men and Women of the House. There has also been along with discussions on cars, a question of steps and this bill represents a step in the direction that is favorable to the people of Maine. I argue quite the contrary. This bill is a step, however, but it is a major step backwards. If the question before us is increasing access to health care to covering everybody, if we really want to cover everybody it is a pretty easy task to do. We just sell them a policy that doesn't cover them when they get sick. That is a really cheap policy to sell. That is what this bill proposes to do, to a certain extent. It will shift the cost to the consumer, not the insurer paying it. It is the consumer paying when the consumer gets sick. This bill fails to address the real issue when it comes to health care and that is a question of cost. This bill does nothing about the cost of health care in the State of Maine. It just shifts that cost to the consumer. Maybe it would be better for some of the employers, but it is just going to hurt the consumers. It is taking the cost from one place and putting it in another place. That is not my idea of reform. That is not my idea of solving the problem. The truth is the way to expanding coverage shouldn't become a question of putting quantity in competition with quality. I just don't understand what use an insurance policy is that doesn't cover you when you get sick. Thank you very much Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative **GLYNN**: Mr. Speaker, Ladies and Gentlemen of the House. The purpose of this bill, as I rose originally, was and still remains 13 percent of Maine people go

without health insurance and that is 130,000 Mainers. The public policy question before you is, is some insurance better than no insurance? The resounding statement I am hearing, particularly from the Majority Leader, is a resounding no. We would rather them go without health insurance. This provides an option that you can buy what you can afford. If we don't allow people to buy what they can afford, they won't have any. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Poland, Representative Snowe-Mello.

Representative **SNOWE-MELLO**: Mr. Speaker, Ladies and Gentlemen of the House. I stand here today and I have looked into both sides of the story. I truly believe that this bill is a win, win situation. The company that my husband works for has given their employees a choice for many years of what type of insurance they can use. I believe that this bill offers a similar type of choice. Choice is always good. Some employees do not believe strongly against birth control and those kinds of things on their insurance policies. If they can have an insurance policy that doesn't have that in there and would cut down the amount of their premiums, why not? We believe in choice in so many other things, why can't there be choice here? I believe that this is extremely important and I believe that we ought to pass this. I believe that this bill would allow an employee to decide what is important to them. What fits their pocketbook? What fits their needs? To assume that everyone agrees on what type of benefits they have is just not true. We all have different needs. There are people out there that disagree with what their policy offers. Let's make their right to do what they like and to let them sign up for the type of package that suits them. I think this bill is great. I can't understand why everyone keeps saying mandates. If they want to mandate, if they want the whole deal, fine, they can pay for it and they can have it. If they don't want it and they want a basic policy, then that is what they can have. I think you ought to vote against the Ought Not to Pass report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Mayo.

Representative **MAYO**: Mr. Speaker, Ladies and Gentlemen of the House. This is one battle this morning that I had planned to stay out of. After having now served since 1994 as a member of Banking and Insurance and heard similar bills, I feel that I must chime in as a member of the majority on this particular bill. If this is about choice, we already have the choice. Anthem Blue Cross, which is the largest insurer in the State of Maine offers three different catastrophic insurance policies, currently. One for 2,500 deductible. One for 5,000 and one for a \$7,500 deductible and they may even offer one for a \$10,000. Yes, those do have the mandates that are currently offered, but that is somewhere between 5 and 7 percent of the cost. I would like to quote this morning from a letter that the Joint Standing Committee on Banking and Insurance received from Peter Gore, the lobbyist from the Maine Chamber. "In that we have doubts that in the long run this policy would be any more affordable or any more attractive to Maine employers or their employees than those currently offered." I think that is a very telling remark. The other thing that I would bring to your attention this morning is that this LD 101 was opposed by the administration. It was opposed by the Superintendent of Insurance for many reasons. One of which is that the policies are being offered today and the second reason is there is a bill currently in the Revisor's Office, which we shall see on our desk's next Tuesday, which is the administration's health care proposals as a result of the Blue

Ribbon Commission. In that particular proposal will be a suggestion for a pilot project on what is being proposed to go across the board in 101. A pilot project would allow us to see whether, in fact, this type of policy would be attractive to the people in the State of Maine. That is the time to have this argument, this debate, not this morning on LD 101. I would urge people in this chamber to support the 11 to 2 committee report. Thank you.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

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The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 18**

YEA - Ash, Bagley, Baker, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Bull, Bumps, Bunker, Canavan, Carr, Chick, Chizmar, Clark, Clough, Colwell, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Dugay, Duncan, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Goodwin, Green, Hall, Hatch, Hawes, Hutton, Jacobs, Jones, Kane, Koffman, Labrecque, Landry, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Lundeen, Madore, Mailhot, Marley, Marrache, Mayo, McDonough, McGlocklin, McGowan, McKee, McLaughlin, McNeil, Mitchell, Murphy E, Muse C, Muse K, Norbert, Norton, Nutting, O'Brien JA, O'Brien LL, O'Neil, Paradis, Patrick, Peavey, Perry, Pineau, Povich, Quint, Richard, Richardson, Rines, Savage, Sherman, Simpson, Skoglund, Smith, Stanley, Stedman, Sullivan, Tarazewich, Tessier, Thomas, Tracy, Tuttle, Usher, Volenik, Watson, Wheeler EM, Wheeler GJ, Mr. Speaker.

NAY - Annis, Belanger, Berry DP, Bowles, Bruno, Buck, Collins, Crabtree, Cressey, Daigle, Davis, Duprey, Foster, Glynn, Gooley, Haskell, Heidrich, Honey, Jodrey, Kasprzak, Ledwin, Lovett, MacDougall, McKenney, Mendros, Morrison, Murphy T, Nass, Perkins, Pinkham, Rosen, Schneider, Shields, Snowe-Mello, Tobin D, Tobin J, Trahan, Treadwell, Waterhouse, Weston, Winsor.

ABSENT - Andrews, Chase, Matthews, Michael, Michaud, Twomey, Young.

Yes, 103; No, 41; Absent, 7; Excused, 0.

103 having voted in the affirmative and 41 voted in the negative, with 7 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Restrict the Use of Handheld Telephones while Driving"

(H.P. 98) (L.D. 102)

Signed:

Senators:

SAVAGE of Knox  
O'GARA of Cumberland  
GAGNON of Kennebec

Representatives:

FISHER of Brewer

WHEELER of Eliot  
WHEELER of Bridgewater  
COLLINS of Wells  
BUNKER of Kossuth Township  
McNEIL of Rockland  
MARLEY of Portland  
McKENNEY of Cumberland  
PARADIS of Frenchville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-38)** on same Bill.

Signed:

Representative:

BOUFFARD of Lewiston

**READ.**

Representative FISHER of Brewer moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Fisher.

Representative FISHER: Mr. Speaker, Men and Women of the House. The issue before us is a serious issue. It is a headline grabber. It certainly grabbed the attention of the lobbyists from both sides of the issue. I was reminded when the hearing began and I looked out across the crowd that line from the movie Casablanca, round up the usual suspects. This is a serious issue. I should also add that the noise of the lobbyist's clocks ticking was almost deafening. It was only drowned out by the cell phone of the good Representative from Cumberland that rang at a very inappropriate time.

This is a very serious issue. One, of course, of public safety and safety on the highway. The good sponsor of this bill and the sponsor of a similar bill are certainly correct in bringing this to our attention. As we heard the bill, and I don't always like to speak for my committee, I think we were all in agreement of the seriousness of this issue. When it came to our final considerations, the majority felt that this was an issue of personal responsibility and common sense and that we really can't legislate common sense. I think we all felt that there were tools already available to corral those who were driving improperly with their cell phones to their ears. If we are to look at cell phones and if we are to go after the cell phones, then perhaps we have to start thinking about Big Macs, newspapers, grooming devices, radios and, in my case, paying too much attention to what my wife is saying. I would encourage you to follow the 12 to 1 recommendation of the Transportation Committee. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Bouffard.

Representative BOUFFARD: Mr. Speaker, Men and Women of the House. Yes, I am the sponsor of this LD. It was to strictly limit the use of hand held telephones. No other devices, just hand held telephones while driving.

When I first introduced this legislation, two years ago, I thought it was a good idea to keep our roads and highways safe. We all have witnessed people who travel at high rates of speed and weave back and forth on the roads because of driver inattention. During the last public hearing on my previous bill, no one spoke in favor of the legislation, and only three people, who were from the telecommunications industry, spoke against it. They claimed the legislation was not needed, that education on the proper use of hand held phones would be sufficient. They also claimed that there was no evidence that use of hand held

phones were the cause of accidents. Well, time has marched on and low and behold the use of hand held phones while driving has increased, but the education on proper use has not. Every day, now, we hear stories of people being run off the road or worse. And now we have the statistics. In 1989, only 500,000 hand held phones were in use, but in 1998 the number had claimed to 63 million in use. In 1997, a report in the New England Journal of Medicine said that distraction caused by phone use in motor vehicles quadrupled the risk of a collision during a brief call, most of the time, calls are extensive, a rate equivalent to the impairment caused by legal intoxication.

As of July 2000, almost 90 million people subscribe to wireless telephone services and 85 percent use their phones while driving. The latest statistics in the October 19, 2000 edition of USA Today, said that there are more than 103,000,000 wireless phone users in the United States. Although no state has restricted cell phones in cars, eight municipalities and two counties now require drivers to use hands free cell phone devices while operating a motor vehicle. As many as 300 cities have considered restrictions, including Santa Monica, CA., Philadelphia, Cleveland and Chicago. Cities and municipalities in California, Illinois, Michigan, New Jersey, New York and Pennsylvania have all urged their state legislatures to address the issue to limit piecemeal local regulations.

Here are a few statistics. Brooklyn, Ohio, the first city to band hand held phone use has said that though more than 300 citations have been given out since September 1999, there have been no repeat offenders. Hilltown, PA, became the second city to band cell phone use while driving when a 2-year-old died from crash injuries after the other car's driver admitted being distracted by talking on a cell phone. Conshohocken, PA, later became the third municipality. Lebanon, PA, and Marlboro, New Jersey also have such bans.

In Kansas, an 18-year-old girl was killed in 1997, when the driver of a car she was in reached for a fallen cell phone and ran her off the road. A newspaper account in June 2000 told of a high school honors student who was skating in a bicycle path who was struck and killed when a car veered off the road and came onto the parallel path when the driver was distracted by cell phone use.

More recently, a small news story in a Maine newspaper stated that a Naval Academy midshipman, whose car slammed into another vehicle, killing two occupants, while he fumbled with his cell phone. He was acquitted of manslaughter, but convicted of negligence. He could not be found guilty of vehicle manslaughter because it couldn't be proven he was going too fast. The trooper testified that he was going 68 mph when he hit the other car.

The point is that when I first introduced a similar bill back in the 119<sup>th</sup> Legislature, there were no statistics to prove that driving while using a cell phone was not a safe thing to do. Well now there has been documented proof that the activity of talking on a cell phone while driving is quite hazardous and that more attention should be given to the use of hand held devices while driving. Are we, in Maine, going to wait until a 2-year-old child is killed, or a promising high school student is struck, and if not killed, so seriously injured that he or she will never reach their full potential. I say let's act now and be the first state to pass this initiative so that once again, "As Maine goes, so goes the Nation" and make our highways and streets safer for all travelers.

There is one more thing that I would like to point out. During the recent political season, the *Portland Press Herald* carried an article dealing with a recent survey done by Strategic Marketing Services. The survey asked questions not only about candidates, but also of cell phone use. Fifty-five percent of the 400 Maine registered voters questioned said that there should be a law against talking on a cell phone while driving and that 46 percent of those same people said that they own a car phone or cell phone or both. There was also an article published in the 9/27/00 edition of the *Lewiston Sun Journal*, stating that Verizon, one of the nation's largest wireless company was breaking rank with the industry to support some government restrictions on cell phone use in motor vehicles. During the month of January, the *Bangor Daily News* reported that Unicef also supports restrictions in the interest of safety and convenience. It is no longer just your opinions or my opinions. This practice is not safe. We have NHTSA and Verizon agreeing with us.

A survey on cell phones was conducted during the 6 o'clock news broadcast, January 15 on Channel 8, WMTW. They asked their viewers, should we ban the use of hand held phones while someone is driving a motor vehicle? The results of the survey, reported on the 11 o'clock news was 59 percent said they should be banned and 39 percent said no and 2 percent didn't know.

To summarize where we are no, California, Florida and Massachusetts are the only three states that have imposed minor restrictions. However, 10 states, Oklahoma, Minnesota, Montana, Michigan, Pennsylvania, Tennessee, Maryland, Florida, California and Iowa collect data about cell phone involvement in vehicle crashes. Since 1995, 37 other states have proposed bills concerning cellular telephones in automobiles. During 2000, at least 27 states considered measures that targeted cellular phones and other technology in motor vehicles.

Proposed legislation in other states varies in severity from proposals that would ban all use of phones in vehicles, to hand free devices, improved data collection and some bills to make drivers more liable when car crashes occur while the driver is using a cell phone.

As I previously mentioned, 10 local jurisdictions have hand held phone restrictions. On a worldwide basis 20 countries now restrict or prohibit cell phones and other wireless technology in motor vehicles. Those countries include, Australia, England and Germany. The *Brunswick Times Record* published 11/2/99 said in the editorial column that I was on target with my bill, two years ago, considering that Germany, home to manufacturers of some of the world's fastest cars, and the country where motorists can drive as fast as they want on the autobahn, was banning drivers from using hand held phones on the road.

The say and I quote, "Using a cell phone while driving increases the likelihood of an accident." The German government recognized the danger along with 19 other countries and now some US local governments recognize the danger. Maybe the government of Maine should too, and then maybe, like our prescription drug bill, we could again say, "As Maine goes, so goes the nation." Let's not wait until someone gets killed before we act. Let's make our highways and city streets safer for everyone.

A recent survey says 87 percent of adults believe using cell phones while driving impairs a person's ability to drive and more than 40 percent of those interviewed reported close calls or near misses. Japan banned the use of cell phones after studies found the number of traffic accidents related to cell phones increased

by 11 percent from 1997 to 1998. In the month after the law took effect, cell phone accidents fell by 75 percent.

Telecommunication industries say education is needed to ensure safe use of phones, but they use slogans such as "Use your cell phone safely while you drive" and "Safety is your most important call," but do telecommunication industries ever say, "Hand up and drive." The logic follows that if cell phone use while driving is dangerous, we would have the laws that tell us not to do so.

European nations, Australia and Japan, have done so and do enforce such laws. These nations did not wait until they had amassed statistics or injured victims before they took action. They recognized a problem exists and passed laws to protect their citizens.

Industry lobbyists argue that specific cell phone laws are not needed because every state has careless driving laws already on the books. The same arguments were presented by the liquor industry, there are enough drunk driving laws and reasonable people don't drink and drive, but enforcing tougher OUI laws, such as lowering legal limits for blood alcohol levels dramatically decreased the number of motor vehicle deaths and injuries caused by drunk drivers. Could the same thing happen if laws are passed restricting phone use while driving?

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Brooks.

Representative **BROOKS**: Mr. Speaker, Ladies and Gentlemen of the House. I will try to be very brief. During the testimony or the information from my friend, Representative Bouffard, he asked the question, are we going to have to wait until somebody gets killed or injured? Well, I am afraid so. I know what the difficulty is and I know leadership knows that I know what the difficulty is, but it is tempting to overturn an 11 to 1 or 12 to 1. I am tempted to stand and speak on this bill and ask you also to follow my light and vote against the Ought Not to Pass.

The committee that heard this bill, I owe an apology to. I will take this opportunity to say so. Following the committee's hearing on two bills, one was mine, which was defeated unanimously and then Representative Bouffard's, which got the vote that you see today. I made a comment to the press questioning the fortitude of the committee. Unfortunately even though I have lived in that media for a long time, I was somewhat misquoted. I had no intention whatsoever of questioning the individual members. I instead was questioning the approach that they took. That is to write a letter asking the Department of Public Safety to continue or to start monitoring accidents that were caused by cell phones, because while driver inattention is on the accident form, specifically, cell phone use is not. I am concerned about that. I am concerned that more of what we have experienced in recent years is going to happen.

Representative Bouffard told you an awful lot about accidents and qualms and clips that he has. I am not going to bore you with some of that duplication and tell you about that. I think it is safe to say that every single person in this House is aware of the fact that the proliferation of cell phones is huge. Almost everybody that I see on the highway seems to have that antenna on the back of their car. I see many of them who are driving with hand held devices. That is what I wanted to do in the other piece of legislation was to find a way to use these things that you would not use either or both or your hands. I have a cell phone in my car and I have an earplug device that has a microphone on the wire. I think that is much more appropriate than some of the

people that I see driving down the road with the device to their ear occupying their right or left hand.

During the public hearing a lot was made of the *New England Journal of Medicine's* report, which in its summary indicated that driver inattention was the problem in the cell phone use in and of itself was not a major problem. What people didn't quote in that public hearing and what I will say to you today is that that study goes on further to say that the analysis, which they themselves admit is somewhat crude, indicating that cell phone activity was associated with a relative risk of motor vehicle collisions in the area of 6 percent. Yet, the overall conclusion, which says that 94 percent of the accidents weren't caused necessarily by cell phone use, but by the inattention of the conversation. Well, I am not going to argue with that. I sure don't want to be in those 4 percent or 6 percent of those cars. I think that is what we are hearing about. I think that there are other states who are beginning to recognize that, as Representative Bouffard said.

When we had the public hearing, the room was full, as the chair of the committee told you. It was outnumbering significantly those of us who supported this legislation. Let me read you part of a note that came from one company, Radio Communications Management Incorporated in Falmouth. He took me to task because he was afraid that the legislation, either mine or Representative Bouffard's or both, would ban the use of radios and CBs and ham radio operators. When I explained at the public hearing that that was not the case, I got a letter from him the next day that said that a hands free cellular device was a necessary step in the right direction toward reducing driver inattention.

I don't stand here today and I didn't stand in the public hearing and say that 100 percent of the people who use cell phones ought to be banned from doing that. I didn't say that they are the ones contributing to all the accidents, absolutely not. What is the value of one child's life, one accident, one person seriously injured, I think we need to look at this. It has been brought to this body twice, once just simply summarily turned down and now the second time we are going to write a letter to public safety. The Department of Criminal Justice Rochester Institute of Technology did a study. The results indicated that talking more than a fairly long period of time resulted in a 5.9 fold increase risk in traffic accidents. There are numbers of other studies out there. Social and Preventative Medicine School of Medicine, Biological Medicine Services in Science and State University of New York at Buffalo, results indicated a significant increase in the rate of drivers on cell phones with inattention, unsafe speed, driving on the wrong side of the road, striking a fixed object, overturning their vehicles and on and on and on it goes.

At the public hearing I read and submitted to all members of the committee several media reports, just like Representative Bouffard. "Glenburn, SUV accident injures four, cell phone was in use just prior to the accident." Long Island, New York was referenced by the other Representative. There is a ban. I was outside a restaurant in Bangor and was interviewed by one of the TV stations at the time of the public hearing and after they turned their bright lights off a man approached me and asked what this was all about. I told him it was cell phones. He came from Long Island, New York. He said, "Oh God, I hope so." There was a major accident. A number of people were killed. There haven't been a whole lot more now because they have a law. If you want to use your cell phones, fine, if you want to call 911 or even call home and ask your wife if she needs bread for the evening

dinner meal, you have to pull over. I think that is what we are talking about. Not while the vehicle is in operation.

We had a lot of choices that we could have made with this bill. In Arizona, for example, there are a lot of exceptions to this, law enforcement officers, people who have professional drivers licenses, public transit personnel. There are a lot of reasons why you can use your cell phone, but the casual user, believe me, there are many, many more of them today, than there were the last time this bill was brought forth. I assure you, this is not the last time that the members of this body come back and in the next session you are going to see it again and again and again until we don't fragment the law. We do have some statewide concerns in laws that govern the use. Again, I am not favoring the ban of these types of devices. In this electronic age, we all want to be connected to home or computers or office or wherever. All that I am saying is this state needs to go on record. We need to do something. Maybe cell phones aren't the major contributor to accidents, but they are contributing to some. It is the result, I think, of inattention. How many times have you seen people driving down the road doing all kinds of things other than paying attention to driving, like reading newspapers, one of my favorite things. This is something we can do something about. We can ensure, even if it is only a little bit, another element of safety into that motor vehicle. I ask you to join Representative Bouffard and I in voting against this motion so that we can vote for the overwhelming motion of Ought to Pass. Thank you.

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Lessard.

Representative LESSARD: Mr. Speaker, Colleagues of the House. This is my first opportunity to speak before this great body. I bring to this House 42 years of law enforcement activity and many years with the Maine State Police, the last 18 years as the Chief of Police in Topsham. I can tell you that I have seen it all on the highway as a result of many things. Inattention by motorists is the thing that causes many, many accidents and fatalities. I would hate to think that in our driver education programs that we are telling our youngsters that this is a full-time job. You get behind the wheel and it is a full-time job. What about using the phone? If it is an emergency, yes, use the phone. The headquarters of police departments usually get calls from motorists that are in distress or emergencies. That is most appropriate. To use the phone while you are driving to make decisions for work, etc., is not responsible driving. Get off the road and do your work or do your thinking. It is bad enough and it is hazardous enough for an officer on a highway to be using a simple microphone that you don't have to dial. All you have to do is speak. High-speed chases will hopefully be curtailed with legislation and good policies in the police departments that are being formulated now and have been. I would urge you to think seriously about this. Let's make our highways safer by allowing our motorists and telling our motorists it is not acceptable. You do one thing, you drive this vehicle safely, not only for your families, but everybody on the highway. Thank you Mr. Speaker.

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

Representative MURPHY: Mr. Speaker, Men and Women of the House. I happen to understand what happens to 11 to 1 or 12 to 1 reports. I also have a great deal of trepidation getting up when two of my seatmates serve on the Transportation Committee. I have no statistics to bring you, just the experience of 75,000 miles on Maine roads over the last two years. Also, it

is my observation as an old summertime drivers education teacher. Our mission when we turn that ignition key is for you and your passengers to get from here to there as safely as possible. Your responsibility is not to kill or maim others that are on the road. I have yet to hear someone say that cell phones have not made our roads more dangerous. I have not heard that in the debate today. We are all defensive drivers. From May to October in Kennebunk, when you come to stop light or you come to a stop sign, you wait, you look at the license plate coming and if it is a Massachusetts Plate, you wait 10 or 15 seconds. They are going to go through it. Lately it has gotten more complicated. You wait for a New Hampshire plate because so many of them from Massachusetts went to New Hampshire to find tax sanctuary. Now, it is even more complicated because you have to wait to see if the hand is cupped to the ear. If there is a hand cupped to the ear, you learn very quickly, don't you budge an inch because they are blasting through. They haven't got a clue.

Almost everyday on I-95 coming up, I watch the cars weave from the high-speed lane to the break down lane and back and forth and back and forth. They have that phone to their ear. Many will argue that productivity in the workplace has increased because people are using their phones on a mobile office. Our cars are not offices. They are not our workplace. Our sole focus should be our safe driving mission.

I decided to support the good Representative from Lewiston and his very lonely position for two reasons. In the last month I have seen a variety of high tech reports with new products and new services coming out for that cell phone. You will be able to send and receive e-mail. You can now check your stock portfolio. You can actually check the news headlines. The distractions are going to become more numerous and they are going to become more prolonged. It was really brought home to me last week in Kennebunk at a stoplight with another vehicle coming the other direction and there is just a local practice that you yield to the vehicles that are turning as a courtesy. A guy came up in a pickup truck. He must not have had the money because we were talking earlier about vehicles, he must not have had the money for the power steering option. As he came into that intersection and he needed to turn, he had a cigarette in one hand and a cell phone in the other. It was like as if it were a deer caught in the headlights. All of a sudden he is across traffic. He needs to find another hand and he didn't know whether to put the cigarette in the ear or throw the cell phone down. He panicked. He did not have a clue what was going on. Maybe we don't want to admit it, but we have citizens in our state, drivers in our state, that suffer from a disease called cell phoneitis. Because of that disease, they put us at risk. Those red lights and those red stop signs are running, that color red, you have an opportunity even though we are not going to turn this report around, if you vote red today, you can say that running those stop signs or running those lights, that distraction is enough.

The SPEAKER: The Chair recognizes the Representative from Bridgewater, Representative Wheeler.

Representative WHEELER: Mr. Speaker, Men and Women of the House. I stand here today not wanting to go against my good friend, Representative Bouffard, but using a little common sense. Being an ex-police officer for many years, I don't know how many years, I haven't counted them up yet. I don't think that we can legislate good common sense. There is no evidence that I know of in any form in the State of Maine that tells us that accidents were caused by people driving using a cell phone. I

am sure that if we search hard enough, we can find them. What about all the other things that distract drivers such as turning your radio on. I know a lady that was turning her radio on and hit a truck head on. It almost killed her, but it didn't. What are we going to do, put legislation in to stop people from turning their radio on? How about eating? There was a survey done by Leafland Associates, out of Fort Lee, New Jersey, that said that 62 percent of the people driving in cars said that turning the radio on was a distraction to them. Eating was 57 percent. Turning your head around to speak to somebody else was 56 percent. Reading was 32 percent. Talking on the cell phone was 29 percent. There is a bunch of other things on this survey that I won't go through. One of them was a real grouch. I would ask you to use a little common sense and let the driver, through training by the cell phone companies and driver education course, take care of this. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Wheeler.

Representative WHEELER: Mr. Speaker, Men and Women of the House. Just to add to what my good friend and seatmate and my good name share just said, when are we going to stop regulating common sense here in Augusta? If you would look at this bill and if it was to pass, you would be taking the cell phones out of every law enforcement's vehicle. That would be endangering the safety of all of our constituents. Just go home and ask an officer in your town and ask him how useful that phone is in his car or her car. The State Police especially when there are abandoned vehicles on the highway or broken down vehicles and they need assistance. Cell phones are very, very important to public safety. I urge you to vote with the majority of the committee, Ought Not to Pass. Thank you.

The SPEAKER: The Chair recognizes the Representative from Farmingdale, Representative Watson.

Representative WATSON: Mr. Speaker, Men and Women of the House. I did receive a phone call last evening from a dispatcher here in the greater Augusta area that works for the State Police barracks. He was concerned about this legislation. I hadn't read the bill and knew it was a divided report. I wasn't aware of how divided it was. I asked the dispatcher whether or not this legislation would curtail in any way his being a CB operator and a cell phone user who told me has the latest technology himself in his car and in his truck where he does not use a hand held phone. He said that it isn't going to limit him from doing that. It was only in reference to cell phones, hand held. He had a concern that he wanted to express about mandating public safety and I had heard common sense alluded to previously. In fact, we do mandate public safety and common sense in this body, on occasion. I am sure all of you are aware of the great debates that took place around the use of seat belts and how through documented incidences we realized that seat belts did save lives. I guess nationally and I tried to express this to my constituent, who is a dispatcher, that I have a great concern about cell phone users that I have witnessed, certainly, not just here in this state, but in other states. I learned how to drive in Boston, so I can drive anywhere in the world and be extremely defensive. I also in 1985 went through defensive driving as part of my employment at UPS to be a package car driver for that company. Although I haven't surveyed my UPS driver lately as to whether or not they are allowed to be distracted by taking either one of their hands off the wheel while they are driving a lethal weapon, I am pretty sure that it is probably discouraged, as is smoking cigarettes in their vans

because of the use of a hand to the mouth. We were required to keep both hands on the wheel at all times unless due to the necessity of driving to shift. I am going to support the Minority Report this morning. I think that this is a step that is in the right direction. If people do not use common sense, again, we have a lot of young drivers on the road that obviously use the phone, not for emergency calls to their parents or to others that they are going to be late in arrival so people won't worry, but, in fact, use their vehicles as a moving phone booth. I guess this certainly if it were passed, would discourage that use by young, already sometimes, inattentive drivers, especially if they have passengers with them. You will see me support the Minority Report this afternoon. I hope that others will follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Bouffard.

Representative BOUFFARD: Mr. Speaker, Men and Women of the House. In answer to Representative Gary Wheeler's comments, if you look at the bill closely, because at first I was just putting in the bill clean as a whistle, but I was convinced afterwards that it was important to exclude public safety and emergency people from the issue. It is an amended version that does permit law enforcement people and emergency people to use their hand held phones while they are driving. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative DUPREY: Mr. Speaker, Men and Women of the House. I will be real quick on this. A couple of weeks ago I rode with the State Police in the Hampden area. While I was riding along, I was curious to a trooper's perspective on this issue. I asked him if he was for or against cell phones being banned? He said, "Absolutely, I am against being them banned." I said, "Why?" He said, "Every time there is a car pulled over, we have to stop to find out if there is a problem." A couple weeks ago I was listening on the radio and Representative Weston was calling into a radio talk show and while she pulled over, obviously because it was safer to do so, but a policeman stopped to ask her if there was a problem. Every time they have to stop, they are taking time away from somebody who really might need them. I urge you to consider that. Also, with the hands free thing, I use the hands free in my car, but I tell you, I think I am more dangerous with hands free because I have to take my eyes off the road to look at my hands free whereas before I was able to keep the phone up and look at the road while looking at that. The other day I actually saw myself swerving while I was going for my hands free. It made me start to think a little bit more of that. I urge you to support the Ought Not to Pass report.

Representative TRACY of Rome REQUESTED a roll call on the motion to ACCEPT the Majority Ought Not to Pass Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Fisher.

Representative FISHER: Mr. Speaker, Men and Women of the House. Perhaps we can close this off now with a little conclusion. We have heard the comments of my good friend from Winterport and my good friend from Lewiston. When they appeared in front of the committee, they were equally as passionate. When the committee listened to them, they listened to them in a very serious fashion. We all agreed that the distraction element in driving today is something that we should



all be concerned with. We should all try to alert our friends and neighbors. Perhaps the media needs to do a better job, perhaps the cell phone industry needs to do a better job, but it certainly is an important issue. It is very difficult to be on a committee, as you all know, and take a respected committee member's legislation and vote against it. The Transportation Committee after serious consideration decided that this was not the time. Hearing both of our friends talk about responsibility and common sense. It is very important. I believe if I heard right, both of them also mentioned that the police do have an ability to stop somebody who is driving irresponsibly. The tools are there. We have also asked the police to do a little better job of reporting so that we will know with a little more certainty whether or not the cell phone has become a significant factor in automobile accidents.

Lastly, as my friend, the good Representative from Lewiston said, ideas can be revisited. If it comes back again and if we have evidence that this has become a major problem, next time around we can take a different approach to it. Thank you so very much.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 19**

YEA - Andrews, Annis, Ash, Bagley, Belanger, Berry DP, Berry RL, Bliss, Bowles, Brannigan, Bruno, Bryant, Buck, Bull, Bumps, Bunker, Canavan, Carr, Chick, Clark, Clough, Collins, Colwell, Cowger, Crabtree, Cressey, Cummings, Daigle, Davis, Dorr, Dudley, Dugay, Duncan, Dunlap, Duplessie, Duprey, Etnier, Fisher, Foster, Fuller, Gagne, Glynn, Goodwin, Hall, Hatch, Hawes, Heidrich, Honey, Hutton, Jones, Kane, Kasprzak, Koffman, Landry, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lovett, Lundeen, MacDougall, Marley, McGlocklin, McGowan, McKee, McKenney, McLaughlin, McNeil, Mendros, Michael, Mitchell, Morrison, Muse K, Nass, Norton, Nutting, O'Brien JA, Paradis, Patrick, Peavey, Perry, Pinkham, Povich, Richard, Rosen, Savage, Schneider, Sherman, Simpson, Skoglund, Smith, Snowe-Mello, Stanley, Stedman, Tarazewich, Tessier, Thomas, Tobin D, Tobin J, Tracy, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Wheeler GJ, Winsor, Mr. Speaker.

NAY - Baker, Blanchette, Bouffard, Brooks, Chizmar, Cote, Desmond, Estes, Gerzofsky, Gooley, Green, Haskell, Jacobs, Jodrey, Labrecque, Lessard, Mailhot, Matthews, Mayo, McDonough, Murphy E, Murphy T, Muse C, Norbert, O'Brien LL, Pineau, Quint, Richardson, Rines, Shields, Sullivan, Tuttle, Usher, Volenik, Watson.

ABSENT - Chase, Madore, Marrache, Michaud, O'Neil, Perkins, Twomey, Young.

Yes, 108; No, 35; Absent, 8; Excused, 0.

108 having voted in the affirmative and 35 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

**CONSENT CALENDAR  
First Day**

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

(S.P. 41) (L.D. 209) Bill "An Act to Increase the Amount Transferred through State-municipal Revenue Sharing" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-13)**

(S.P. 67) (L.D. 263) Bill "An Act to Authorize the Maine Land Use Regulation Commission to Receive Real Estate Transfer Tax Forms for Municipalities in its Jurisdiction" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-14)**

(S.P. 76) (L.D. 296) Bill "An Act to Specify the Permissible Hours for Sale of Liquor By Wholesale Licensees" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-12)**

(S.P. 82) (L.D. 302) Bill "An Act to Designate the Ryefield Bridge an Historic Bridge" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-9)**

(S.P. 90) (L.D. 317) Bill "An Act to Clarify the Maine Turnpike Authority's Power Regarding Confidentiality of Information" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-10)**

(S.P. 107) (L.D. 333) Bill "An Act to Allow the Maine Turnpike Authority to Construct Communications Facilities" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-11)**

(S.P. 128) (L.D. 404) Bill "An Act to Promote Equity Among Health Care Clinics" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-15)**

(H.P. 497) (L.D. 637) Bill "An Act to Amend the Charter of the Portland Water District to Conform to Changes in the Municipal Election Date for the City of Portland" (EMERGENCY) Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass**

(H.P. 641) (L.D. 841) Bill "An Act to Endow the Maintenance of Maine Civil War Monuments at Gettysburg" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass**

(H.P. 6) (L.D. 6) Resolve, Regarding Legislative Review of Chapter (unassigned): Rules Providing for the Licensing of Child Placing Agencies With and Without Adoption Programs, Addition of Home Certification Process, a Major Substantive Rule of the Department of Human Services, Community Services Center (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-40)**

(H.P. 297) (L.D. 375) Bill "An Act to Ensure Parity in the Sale of Securities by Maine Financial Institutions" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-43)**

(H.P. 341) (L.D. 431) Bill "An Act to Amend the Credit for Reinsurance Provisions of the Maine Insurance Code" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-44)**

(H.P. 449) (L.D. 570) Bill "An Act to Remove Redundant Written Authorization Requirements" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-42)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

**CONSENT CALENDAR**

**Second Day**

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

(S.P. 61) (L.D. 225) Bill "An Act to Enable Small Wineries to do Business in Maine"

(S.P. 87) (L.D. 314) Bill "An Act to Require Notice to Telephone Customers in Maine Prior to Price Increases" (C. "A" S-7)

(S.P. 89) (L.D. 316) Bill "An Act to Authorize Representation by the Public Advocate of Consumer Interests on Regional Decision-making Bodies" (C. "A" S-8)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED AS AMENDED** in concurrence.

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**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE REPORT – Refer to the Committee on **CRIMINAL JUSTICE** pursuant to Maine Revised Statutes, Title 17-A, section 1354, subsection 2 – **Criminal Law Advisory Commission** on Bill "An Act to Broaden the Crime of Abuse of a Corpse"

(H.P. 1135) (L.D. 1521)

TABLED – March 8, 2001 (Till Later Today) by Representative POVICH of Ellsworth.

PENDING – **ACCEPTANCE OF REPORT.**

Subsequently, the Unanimous Committee Report was **ACCEPTED.**

The Bill was **REFERRED** to the Committee on **CRIMINAL JUSTICE**, ordered printed and sent for concurrence.

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JOINT RESOLUTION ENCOURAGING PUBLIC SCHOOLS TO TEACH A FIREARMS AND HUNTER SAFETY COURSE

(S.P. 496)

- In Senate, **READ** and **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE.**

TABLED – March 15, 2001 (Till Later Today) by Representative DUNLAP of Old Town.

PENDING – **REFERENCE** in concurrence.

On motion of Representative DUNLAP of Old Town, the Joint Resolution was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE** and sent for concurrence.

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HOUSE REPORT – **Ought to Pass as Amended by Committee Amendment "A" (H-20)** – Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Expand the Lifetime Hunting License"

(H.P. 60) (L.D. 69)

TABLED – March 15, 2001 (Till Later Today) by Representative DUNLAP of Old Town.

PENDING – **ACCEPTANCE OF COMMITTEE REPORT.**

Subsequently, the Unanimous Committee Report was **ACCEPTED.**

The Bill was **READ ONCE.** **Committee Amendment "A" (H-20)** was **READ** by the Clerk and **ADOPTED.**

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

Representative DUNLAP of Old Town **PRESENTED House Amendment "A" (H-45)**, which was **READ** by the Clerk.

The **SPEAKER:** The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative **DUNLAP:** Mr. Speaker, Men and Women of the House. This amendment was presented this way because when we thought we had completed our work on the bill, we discovered we had a couple more issue we had to address. I present this amendment with the consent of the committee after having presented them with the issue. What this amendment does is it makes available retroactive to January 1<sup>st</sup> of this year a lifetime archery license sequence identical to the lifetime rifle hunting license in order to accommodate the wishes of our constituents who would like to engage in this program now. I would be happy to answer any questions that my colleagues may have. That is the essence of what the amendment does. Thank you very much.

**House Amendment "A" (H-45) was ADOPTED.**

The Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-20)** and **House Amendment "A" (H-45)** and sent for concurrence.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

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JOINT ORDER – Relative to Joint Standing Committee on Education and Cultural Affairs reporting out a bill

(S.P. 532)

- In Senate, **READ** and **PASSED.**

TABLED – March 20, 2001 (Till Later Today) by Representative RICHARD of Madison.

PENDING – **PASSAGE** in concurrence.

Subsequently, the Joint Order was **PASSED** in concurrence.

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Bill "An Act to Provide for State Monitoring and Management of Conservation Easements"

(H.P. 1252) (L.D. 1700)

(Committee on **JUDICIARY** suggested)

TABLED – March 20, 2001 (Till Later Today) by Representative LaVERDIERE of Wilton.

PENDING – **REFERENCE.**

On motion of Representative LaVERDIERE of Wilton, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES**, ordered printed and sent for concurrence.



The following item was taken up out of order by unanimous consent:

**SENATE PAPERS**

The following Joint Order: (S.P. 571)

ORDERED, the House concurring, that when the House stands Adjourned it does so until Tuesday, March 27, 2001, at 9:00 in the morning and the Senate Adjourns until Tuesday, March 27, 2001, at 10:00 in the morning.

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

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

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On motion of Representative USHER of Westbrook, the House adjourned at 12:23 p.m., until 9:00 a.m., Tuesday, March 27, 2001 pursuant to the Joint Order (S.P. 571).