

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
25th Legislative Day
Tuesday, March 27, 2001

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

Prayer by Honorable Thomas J. Kane of Saco.

National Anthem by Mountain Valley High School Band, Rumford.

Pledge of Allegiance.

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

The Journal of Thursday, March 22, 2001 was read and approved.

SENATE PAPERS

Bill "An Act to Prohibit the Misbranding of Genetically Engineered Food"

(S.P. 569) (L.D. 1733)

Came from the Senate, REFERRED to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY and ordered printed.

REFERRED to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY in concurrence.

Pursuant to Resolve

Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine

Report of the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine pursuant to Resolve 1999, chapter 82 asks leave to report that the accompanying Bill "An Act to Establish for an Additional Two Years the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine" (EMERGENCY)

(S.P. 568) (L.D. 1732)

Be REFERRED to the Committee on INLAND FISHERIES AND WILDLIFE and printed pursuant to Joint Rule 218.

Came from the Senate, Report READ and ACCEPTED and the Bill REFERRED to the Committee on INLAND FISHERIES AND WILDLIFE and ordered printed pursuant to Joint Rule 218.

Report was READ and ACCEPTED and the Bill REFERRED to the Committee on INLAND FISHERIES AND WILDLIFE in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 124)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON BANKING AND INSURANCE**

March 20, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 391 An Act to Expand the Mission of the Office of the Public Advocate

L.D. 415 An Act to Strengthen Health Maintenance Organization Insolvency Requirements

L.D. 594 An Act to Require Health Insurance Providers to Maintain Benefits During the Contract Term

L.D. 727 Resolve, to Establish a Task Force to Study the Progress in Implementing a Single Claims Processing System

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

Sincerely,

S/Sen. Lloyd P. LaFountain III

Senate Chair

S/Rep. Christopher P. O'Neil

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 125)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON BUSINESS AND ECONOMIC
DEVELOPMENT**

March 16, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 360 An Act to Require that Professors of Social Work Be Licensed at the Master Social Worker or the Clinical Social Worker Level

L.D. 432 An Act to Make Changes to the Board of Licensure in Medicine

L.D. 1291 An Act to Prohibit the Importation of Wreaths Made in Canada

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

Sincerely,

S/Sen. Kevin L. Shorey

Senate Chair

S/Rep. John G. Richardson

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 126)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON BUSINESS AND ECONOMIC
DEVELOPMENT**

March 20, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 458 An Act to Amend the Laws Governing the Board of Licensing of Auctioneers
L.D. 692 An Act Regarding Minimum Prices for Cigarettes

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

Sincerely,

S/Sen. Kevin L. Shorey
Senate Chair

S/Rep. John G. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 127)

**STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE**

March 13, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 93 An Act to Implement the Recommendations that Relate to Juvenile and Criminal Law of the Joint Study Committee to Study Bomb Threats in Maine Schools
L.D. 94 An Act to Implement the Minority Recommendations Relating to Criminal and Juvenile Law of the Joint Study Committee to Study Bomb Threats in Maine Schools
L.D. 649 An Act Concerning the Obligation of County Taxpayers to Pay for Medical Care for County Jail Inmates

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

Sincerely,

S/Sen. Michael J. McAlevey
Senate Chair

S/Rep. Edward J. Povich
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 128)

**STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE**

COMMITTEE ON CRIMINAL JUSTICE

March 20, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 941 An Act to Create a Uniform Standard for Disposal of Property Seized by Law Enforcement Agencies

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

Sincerely,

S/Sen. Michael J. McAlevey
Senate Chair

S/Rep. Edward J. Povich
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 129)

**STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

March 16, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 604 An Act to Improve Education Service for Children with Disabilities
L.D. 878 An Act to Extend Options for Obtaining a General Educational Diploma
L.D. 1134 An Act to Create Equity Among all Children in Need of Special Education or Supportive Services

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

Sincerely,

S/Sen. Betty Lou Mitchell
Senate Chair

S/Rep. Shirley K. Richard
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 130)

**STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

March 20, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 422 Resolve, to Require the Department of Education to Propose Guidelines for Students Who Have Been Convicted of Violent Crimes

L.D. 999 An Act to Provide First Responder Teams For Schools to Assist with Violent and Chronically Disruptive Students

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

Sincerely,

S/Sen. Betty Lou Mitchell
Senate Chair

S/Rep. Shirley K. Richard
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 131)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 20, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 34 An Act to Increase the Eligibility for the Elderly Low-cost Drug Program

L.D. 187 An Act to Provide Relief from Excessive Drug Costs for Maine Residents

L.D. 189 An Act to Expand the Elderly Low-cost Drug Program to Cover Over-the-counter Drugs

L.D. 465 Resolve, to Provide Medicaid Reimbursement for Service Dogs and Companion Animals

L.D. 887 An Act to Expand the Elderly Low-cost Drug Program

L.D. 920 Resolve, to Require Medicaid Reimbursement for Independent Living Services and Skills Training Provided to Nursing Facility Residents Returning to the Community

L.D. 1003 Resolve, to Increase the Reimbursement Rate for Certain Behavioral Specialists

L.D. 1094 Resolve, to Require Medicaid Reimbursement to Persons with Brain Injuries

L.D. 1107 Resolve, to Exclude Certain Income Earned by Personal Care Assistants from Eligibility Requirements for State Assistance

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

Sincerely,

S/Sen. Susan W. Longley
Senate Chair

S/Rep. Thomas J. Kane
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 132)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON JUDICIARY**

March 20, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 928 An Act to Reform the Selection of Probate Judges

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

Sincerely,

S/Sen. Anne M. Rand
Senate Chair

S/Rep. Charles C. LaVerdiere
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 133)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON LABOR**

March 16, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 1039 An Act to Change the Compensation of the Panel of Mediators

L.D. 1395 An Act to Improve Working Conditions for Migrant Workers

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

Sincerely,

S/Sen. Betheda G. Edmonds
Senate Chair

S/Rep. Zachary E. Matthews
House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 134)
STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON LABOR

March 20, 2001
Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333
Dear President Michaud and Speaker Saxl:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Labor has voted unanimously to report the following bill out "Ought Not to Pass":
L.D. 979 An Act to Require an Additional Labor Representative on the Board of Trustees of the Maine State Retirement System

We have also notified the sponsor and cosponsors of the Committee's action.
Sincerely,
S/Sen. Betheda G. Edmonds
Senate Chair
S/Rep. Zachary E. Matthews
House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 135)
STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON MARINE RESOURCES

March 20, 2001
Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333
Dear President Michaud and Speaker Saxl:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Marine Resources has voted unanimously to report the following bill out "Ought Not to Pass":
L.D. 1027 An Act to Set the Lobster License Sale Date
We have also notified the sponsor and cosponsors of the Committee's action.
Sincerely,
S/Sen. Kenneth F. Lemont
Senate Chair
S/Rep. David G. Lemoine
House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 136)
STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON NATURAL RESOURCES

March 20, 2001
Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333
Dear President Michaud and Speaker Saxl:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":
L.D. 821 An Act to Promote the Recycling of Household Batteries
L.D. 824 An Act to Provide Free Access to Any Great Pond Controlled by a Dam
L.D. 1031 An Act to Fund the Cleanup of Illegal Dumping Sites
We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.
Sincerely,
S/Sen. John L. Martin
Senate Chair
S/Rep. Scott W. Cowger
House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 137)
STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT

March 20, 2001
Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333
Dear President Michaud and Speaker Saxl:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bill out "Ought Not to Pass":
L.D. 319 An Act to Allow Municipalities to Advertise Legal Notices in Weekly Newspapers
We have also notified the sponsor and cosponsors of the Committee's action.
Sincerely,
S/Sen. Peggy A. Pendleton
Senate Chair
S/Rep. Martha A. Bagley
House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 138)
STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON TAXATION

March 20, 2001
Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 723 An Act to Establish a Flat Tax Rate for the
Maine Income Tax

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

Sincerely,

S/Sen. Kenneth T. Gagnon

Senate Chair

S/Rep. Bonnie Green

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 139)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

March 16, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 638 An Act Establishing Children's Identification
Cards

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

Sincerely,

S/Sen. Christine R. Savage

Senate Chair

S/Rep. Charles D. Fisher

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 140)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

March 23, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

L.D. 582 An Act to Prohibit the State from Competing
with Private Industry

L.D. 639 An Act to Require Notification to All Property
Owners in a Municipality of a Zoning Change
Made in That Municipality

L.D. 1131 An Act to Allow Municipalities to Advertise
Legal Notices in Weekly Newspapers

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

Sincerely,

S/Sen. Peggy A. Pendleton

Senate Chair

S/Rep. Martha A. Bagley

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 141)

STATE OF MAINE

March 1, 2001

Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to our authority under Title 10, Section 929-A, we have appointed Nancy Hensel, President of the University of Maine at Presque Isle, Lillian LeBlanc of Twin Cities Air Service, and Richard Batt, President/CEO of Franklin Memorial Hospital to the Maine Economic Growth Council. We have re-appointed Joyce Hedlund, Ed Dinan, Leroy Barry, and Diane Tilton.

Please let us know if you have any questions regarding these appointments.

Sincerely,

S/Angus S. King, Jr.

Governor

S/Michael H. Michaud

President of the Senate

S/Michael V. Saxl

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 142)

STATE OF MAINE

HOUSE OF REPRESENTATIVES

SPEAKER'S OFFICE

AUGUSTA, MAINE 04333-0002

March 20, 2001

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Title 5, section 12004-I, subsection 61, I have appointed State Representative Benjamin F. Dudley of Portland to the Maine Advisory Committee on Mental Retardation.

Should you have questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Michael V. Saxl

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 143)

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

March 23, 2001

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

Dear Clerk MacFarland:

Pursuant to my authority under Title 5, Section 13070-L, I am pleased to appoint the following State Representatives to the Economic Development Incentive Commission:

Representative Sharon Libby Jones of Greenville
Representative Arthur F. Mayo III of Bath

If you have any questions about 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. 137)

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

March 22, 2001

The Honorable Michael V. Saxl
Speaker of the House
2 State House Station
Augusta, ME 04333

Dear Speaker Saxl:

In accordance with Joint Rule 506, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Joint Standing Committee on Judiciary, the nominations of Honorable Roland A. Cole of Wells, for reappointment as Maine Superior Court Justice; Honorable Paul A. Cote, Jr. of Auburn, for reappointment as Maine District Court Judge; Honorable Andre G. Janelle of Saco, for reappointment as Maine District Court Judge.

Upon the recommendation of the Joint Standing Committee on Utilities and Energy, the nomination of Stephen L. Diamond of Gardiner, for reappointment to the Public Utilities Commission.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

**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:

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act Regarding School Funding Based on Essential Programs and Services"

(H.P. 1284) (L.D. 1747)

Presented by Representative RICHARD of Madison.

Cosponsored by Senator MITCHELL of Penobscot and Representatives: BELANGER of Caribou, DESMOND of Mapleton, ESTES of Kittery, STEDMAN of Hartland, TESSIER of Fairfield, Senators: MILLS of Somerset, ROTUNDO of Androscoggin, SMALL of Sagadahoc.

Submitted by the Department of Education pursuant to Joint Rule 204.

JUDICIARY

Bill "An Act to Amend the Maine Commission on Domestic Abuse"

(H.P. 1287) (L.D. 1751)

Presented by Representative NORBERT of Portland.
(GOVERNOR'S BILL)

Cosponsored by Senator RAND of Cumberland and Representatives: BAGLEY of Machias, BRUNO of Raymond, COLWELL of Gardiner, MITCHELL of Vassalboro, SCHNEIDER of Durham, Senators: FERGUSON of Oxford, O'GARA of Cumberland, YOUNGBLOOD of Penobscot.

LABOR

Bill "An Act to Amend the Workers' Compensation Laws to Provide for a Rebuttable Presumption of Eligibility for Benefits for Hepatitis or Hepatic Disease for Firefighters and Emergency Medical Services Personnel"

(H.P. 1283) (L.D. 1746)

Presented by Representative DUPLESSIE of Westbrook.

LEGAL AND VETERANS AFFAIRS

Bill "An Act to Update the Department of Defense, Veterans and Emergency Management Laws"

(H.P. 1288) (L.D. 1752)

Presented by Representative TUTTLE of Sanford.

Cosponsored by Senator DOUGLASS of Androscoggin and Representative: CLARK of Millinocket.

Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.

Pursuant to Joint Order

**Joint Standing Committee on Business and Economic
Development**

Representative RICHARDSON for the **Joint Standing Committee on Business and Economic Development** pursuant to Joint Order (H.P. 1155) asks leave to report that the accompanying Resolve, to Establish a Commission to Review Internet Policy

(H.P. 1286) (L.D. 1749)

Be **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed pursuant to Joint Rule 218. Sent for concurrence.

Pursuant to Resolve

Commission to Study Economically and Socially Just Policies for Foreign Investments and Foreign Purchasing by the State

Representative BAGLEY for the **Commission to Study Economically and Socially Just Policies for Foreign Investments and Foreign Purchasing by the State** pursuant to Resolve 1999, chapter 135 asks leave to report that the accompanying Bill "An Act to Implement Recommendations of the Commission to Study Economically and Socially Just Policies for Foreign Investments and Foreign Purchasing by the State"

(H.P. 1285) (L.D. 1748)

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

ORDERS

On motion of Representative BAKER of Bangor, the following Joint Resolution: (H.P. 1138) (Cosponsored by Senator SAWYER of Penobscot and Representatives: ANNIS of Dover-Foxcroft, BLANCHETTE of Bangor, BROOKS of Winterport, KOFFMAN of Bar Harbor, NORBERT of Portland, TOBIN of Windham, Senators: CATHCART of Penobscot, MITCHELL of Penobscot)

JOINT RESOLUTION IN SUPPORT OF CREATING THE MAINE AIR MUSEUM

WHEREAS, from the early flights of civilian pilots and barnstormers at a farmland site known as Maplewood Park, to Godfrey Field, Dow Air Force Base and the Bangor International Airport, the Bangor area has a long and exciting history of military and civilian aviation; and

WHEREAS, it is appropriate that the Maine Aviation Historical Society has chosen the former Dow Air Force Base, a former strategic air command base, as the home to the Maine Air Museum; and

WHEREAS, when completed, the museum will tell the story of Maine's military aviation heritage including the Presque Isle Army Air Corps Base, the Houlton Army Air Corps Base, the Brunswick Naval Air Station, the Loring Air Force Base and the Dow Air Force Base, and of the scores of military planes that crashed in the State; and

WHEREAS, the museum will highlight Maine's civilian aviation history, depicting the dozens of public and private airports, grass strips, float planes and bush pilots; and

WHEREAS, game warden, state police and other governmental air operations will be displayed; and

WHEREAS, it is the goal of the Maine Aviation Historical Society to display the various aircraft and artifacts depicting the history of aviation in Maine for the education and enjoyment of Maine's students and residents and as a focal point where pilots,

historians and aviation enthusiasts of all ages can share their common interests; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature now assembled in the First Regular Session, offer our support in making Maine residents and students aware of the Maine Aviation Historical Society's efforts in establishing the Maine Air Museum; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Aviation Historical Society as a token of our esteem.

READ.

The **SPEAKER:** The Chair recognizes the Representative from Bangor, Representative Baker.

Representative **BAKER:** Mr. Speaker, Men and Women of the House. I rise today to speak to you about an exciting museum idea that is becoming a reality in Bangor, Maine, the Maine Air Museum. Under the leadership of Mr. Carl Fedequist of Surry and his dedicated committee called the Pilots, this museum is beginning to take shape.

The museum is designed to tell the story of Maine Aviation. It will be housed in a building on the former Dow Air Force Base and leased by the City of Bangor for the sum of \$1 a year. When completed it will honor the men and women, these aviation pioneers, both military and civilian, who took to the skies of Maine.

Twentieth Century Maine cannot be understood without figuring in the importance of aviation. Currently this important history is scattered across Maine in closets, cupboards, boxes and in backyards. There is a big crate in Canaan, Maine, holding the remains of some important aircraft. Without a concerted effort, these important relics are going to be lost. With them would go an understanding and appreciation of their significant place in Maine history. Not only the relics, but the stories are at risk of being lost. For example, a first flight with Amelia Earhart, a crash in the Himalayas, these artifacts and stories need to be displayed, not stored individually they mean little, but collectively, they are powerful. Aviation is part of Maine's history, part of its economic survival and part of its future. In the 1920s, Maine was the destination and takeoff point of numerous attempts to fly across the Atlantic Ocean. During World War II, Maine was the last place in the United States for many fighters and bomber pilots before heading out into the dangerous and often deadly skirmishes in the European theatre. During the Cold War, Maine airbases in Sanford, Bar Harbor, Trenton, Long Island, Portland, Lewiston, Auburn, Rockland, Owls Head and East Port, all of these were the first line of defense against the ever changing technological innovations of that period.

The Maine Aviation Historical Society only began 10 years ago. Currently, they have 100 members. This museum in Bangor will pick up where that other extraordinary aviation museum in Maine, the one at Owl's Head, where that leaves off, somewhere around the 1920s. I urge you to visit their display in the Hall of Flags. You will see Maine women who were **WACKS** during World War II, housed at the Dow Air Force Base and many other extraordinary photographs.

Today, I hope you will join me in expressing an appreciation to these dedicated citizens who have the noble goal of preserving Maine's aviation history for Maine citizens. Thank you.

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

Representative BROOKS: Mr. Speaker, Ladies and Gentlemen of the House. I rise today with a great deal of pleasure to support Representative Baker's resolve. As someone who grew up in the glide path of Dow Air Force Base, sometimes with the windows shaking and rattling when they would come in a little bit low, someone who went to work for the newspaper in Bangor and worked nearly 40 years in the glide path of that same airport. I am particularly pleased that we are going to be able to preserve some of this history. I worked at the *Bangor Daily News* with a woman named Nellie. Nellie was one of the very first lady reporters who was allowed to go on a refueling mission out of Bangor. She did a very extensive feature story that was two pages long in the newspaper.

There is an awful lot of long and precious history for the City of Bangor. As a reporter, I was there to help to cover some of the stories of when Dow Air Force Base no longer became Dow Air Force Base and became Bangor International Airport. I remember the old yellow bird logos and songs on the radio and on the television when Northeast Airlines first came there. I think that history definitely needs to be preserved. I am very proud to be a cosponsor of this bill. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Blanchette.

Representative BLANCHETTE: Mr. Speaker, Ladies and Gentlemen of the House. I rise to support this Joint Resolution to support creating the Maine Air Museum. I have been on the Bangor City Council for 10 years and had the pleasure of hearing the first proposal from the people to create the Maine Aviation Museum. Bangor has a rich history in aviation starting with one of the largest strategic air force bases, Dow Air Force Base, on the east coast. Our heritage continues. The heritage of our fish and game and wildlife throughout the State of Maine is too numerous to mention here, but a lot can be seen by going and visiting our museum. Bangor is in a cultural growth in the last 10 years. We have just opened one of the most advanced children's discovery museums on the east coast. We are in negotiations with the University of Maine to bring a \$6 million museum of art into downtown Bangor. We are now going to have an aviation museum. Joining with the good Representative Baker from Bangor, I invite you to stop down on the second floor to visit these people, to look through some of the books. Some of the people who reside in Bangor, resided and came from Maine who served in the WACK Air Corp. and the Army Air Corp. throughout Dow Air Force Base. Thank you Mr. Speaker.

ADOPTED.

Sent for concurrence.

Representative ETNIER of Harpswell assumed the Chair.
The House was called to order by the Speaker Pro Tem.

**REPORTS OF COMMITTEE
Change of Committee**

Representative BRYANT from the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Build Parking Garages in Service Center Municipalities"
(H.P. 546) (L.D. 701)

Reporting that it be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Sent for concurrence.

Divided Report

Majority Report of the Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-41)** on Bill "An Act to Extend Workers' Compensation Twenty-four-hour Pilot Projects" (EMERGENCY)

(H.P. 152) (L.D. 163)

Signed:

Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:

DUDLEY of Portland
CRESSEY of Baldwin
YOUNG of Limestone

MAYO of Bath

O'NEIL of Saco

SULLIVAN of Biddeford

MARRACHÉ of Waterville

GLYNN of South Portland

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

Signed:

Representatives:

SMITH of Van Buren

CANAVAN of Waterville

READ.

On motion of Representative O'NEIL of Saco, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-41)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, March 28, 2001.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Resolve, to Promote Ethnic Diversity and Maine's French Heritage

(H.P. 595) (L.D. 750)

Signed:

Senators:

MITCHELL of Penobscot
NUTTING of Androscoggin
ROTUNDO of Androscoggin

Representatives:

RICHARD of Madison
DESMOND of Mapleton
WATSON of Farmingdale

ESTES of Kittery

CUMMINGS of Portland

STEDMAN of Hartland

ANDREWS of York

WESTON of Montville

LEDWIN of Holden

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

Signed:

Representative:

SKOGLUND of St. George

READ.

Representative RICHARD of Madison moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Mendros.

Representative **MENDROS**: Mr. Speaker, Ladies and Gentlemen of the House. This bill is very important. I urge to defeat the pending motion. This bill is important for three reasons. First, the huge economic advantage of having our children be bilingual that our state will gain. Studies have been shown that the best time to teach foreign languages is at a younger age. The younger the age, the better it is to teach. Studies have also shown that children that are bilingual do better in all their other subjects. It is a huge advantage for our economic well being as a state. We are sandwiched between Quebec and New Brunswick. Quebec is a French speaking province and New Brunswick is a bilingual province. There are huge opportunities for growth there. We have huge opportunities for an international market. Kids in every other country in the world are bilingual. This bill is merely a pilot program to look at teaching French in communities who are predominately French to see how it works if you start at kindergarten rather than starting in high school when it is too late and it doesn't work. I urge you to defeat the pending motion.

I understand that it is tough budget time and there isn't money available. That is why I have been working very hard with other Franco American leaders from throughout the state, through the former Mayor of Lewiston, to find funding. He is working on a grant right now from either the province of Quebec or the government of France to pay for this program. It won't cost the state a thing. I ask you that if he is successful in getting this funding and we have killed the vehicle to make it happen, how ridiculous would that be? Pass this. It is not going to damage GPA. It is not going to damage the Part I Budget. It is going to go just like any of the other bills that we think are a good idea, to the Appropriations Table. If the funding comes in, it is great. If the funding comes in and we have killed the bill, we are going to look pretty ridiculous as a state. I urge you to give this a chance. Let us work to try to find funding. A no vote is a no vote to the French community. The budget issue is a non-issue. If it dies on the table because we can't afford it, I can accept that. Let's at least give it a chance. Give us a chance to get funding and see this pilot program and see the results that we can have. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Hartland, Representative Stedman.

Representative **STEDMAN**: Mr. Speaker, Ladies and Gentlemen of the House. This bill proposes to set up pilot projects, as the sponsor said, to immerse students in the French language and culture in certain communities around the state. It was felt by the overwhelming majority of the Education Committee that the plan would be covered by the implementation of the learning results when the modern languages component is finally finalized. We felt that the law dealing with learning results would take care of this issue. It was also difficult for some committee members to accept these pilot sites as the most

French saturated communities in Maine where the culture is already found. I know the sponsor and his supporters feel that those communities may be losing the French influence and they would like to see the French culture re-energized.

In concerning the learning results, many schools in the state, well over 100 schools, have already put in foreign languages in the grammar schools starting in grade K in many cases. This can become part of the education scene without another state law.

Finally, a use of a single foreign language, French, to promote cultural emersion might be inappropriate given the many cultures present in Maine. For that reason, I, and most of the committee members, voted in opposition to this bill. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Mendros.

Representative **MENDROS**: Mr. Speaker, Men and Women of the House. Two quick points, learning results has already made this a mandate, an unfunded mandate to the schools. This is a chance to fund part of it and see how it works. We are not creating a mandate. We are actually funding an unfunded mandate. The Department of Education gave a list of schools that currently do this, they took credit for it. Many of the schools on that list are private schools. They are public schools. It is not the state that is doing it. It is private schools that are doing it. Mr. Speaker, I would request that when the vote is taken, it is taken by the yeas and nays.

Representative **MENDROS** of Lewiston **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 PRO TEM: The Chair recognizes the Representative from Madison, Representative Richard.

Representative **RICHARD**: Mr. Speaker, Men and Women of the House. As has been previously stated, one of the reasons that we did not vote in favor of this resolve was there are 108 primary schools that are already teaching French. It has been said that a lot of those are private schools. Some of those are private schools, but there are many, many schools, I can't read all of these now, but if you want to know sometime, I have them here on my desk, which schools are already teaching French. There was another suggestion of something that we might be able to do and we are exploring that opportunity. It is felt that it is being covered and that was the major reason why the majority of people on the Education Committee did not vote for this resolve.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Arundel, Representative Daigle.

Representative **DAIGLE**: Thank you Mr. Speaker. I am not sure the correct protocol for this, but I question if there was actually one-fifth of the House willing to have a roll call on this matter.

The SPEAKER PRO TEM: The Chair would rule that there were one-fifth indicating they wanted a roll call on this matter.

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. 20

YEA - Andrews, Annis, Ash, Baker, Berry DP, Berry RL, Blanchette, Bliss, Bouffard, Bowles, Brannigan, Brooks, Bruno, Bryant, Buck, Bull, Bumps, Bunker, Canavan, Carr, Chase,

Chick, Chizmar, Clark, Clough, Collins, Colwell, Cote, Cowger, Crabtree, Cressey, Cummings, Daigle, Desmond, Dorr, Dudley, Duncan, Duplessie, Duprey, Estes, Etnier, Fisher, Foster, Fuller, Gagne, Gerzofsky, Glynn, Goodwin, Gooley, Green, Hall, Haskell, Hatch, Hawes, Heidrich, Honey, Hutton, Jacobs, Jodrey, Jones, Kane, Kasprzak, Koffman, Labrecque, Landry, LaVerdiere, Ledwin, Lemoine, Lessard, Lovett, Lundeen, MacDougall, Mailhot, Marley, Matthews, Mayo, McDonough, McGowan, McKee, McKenney, McLaughlin, McNeil, Mitchell, Morrison, Murphy E, Murphy T, Muse C, Muse K, Nass, Norbert, Norton, Nutting, O'Brien JA, O'Brien LL, O'Neil, Peavey, Perry, Pineau, Pinkham, Richard, Richardson, Rines, Rosen, Savage, Schneider, Sherman, Shields, Simpson, Smith, Snowe-Mello, Stanley, Stedman, Sullivan, Tarazewich, Thomas, Tobin D, Tobin J, Trahan, Treadwell, Usher, Waterhouse, Watson, Weston, Wheeler EM, Wheeler GJ, Winsor, Young, Mr. Speaker.

NAY - Belanger, Davis, Laverriere-Boucher, McGlocklin, Mendros, Michael, Michaud, Paradis, Perkins, Skoglund, Tracy, Tuttle, Twomey, Volenik.

ABSENT - Bagley, Dugay, Dunlap, Madore, Marrache, Patrick, Povich, Quint, Tessier.

Yes, 128; No, 14; Absent, 9; Excused, 0.

128 having voted in the affirmative and 14 voted in the negative, with 9 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. 39) (L.D. 207) Resolve, Authorizing the Commissioner of Administrative and Financial Services to Purchase Land in Charleston, Maine Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-18)**

(S.P. 56) (L.D. 220) Bill "An Act to Establish a Light Trailer Transporter Plate and License" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-17)**

(S.P. 149) (L.D. 493) Bill "An Act to Require the Department of Transportation to Coordinate with Municipalities Regarding Landscaping and Planting" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-16)**

(H.P. 293) (L.D. 371) Bill "An Act to Encourage Smoke-free Hospitals in Maine" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 632) (L.D. 832) Bill "An Act to Clarify Mutual Aid Agreements Between Law Enforcement Agencies" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(H.P. 29) (L.D. 29) Bill "An Act to Implement the Recommendations of the Task Force to Reduce the Burden of Home Heating Costs on Low-income Households" (EMERGENCY) Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-48)**

(H.P. 228) (L.D. 265) Bill "An Act to Protect Animals and Ensure the Public Has Notice Regarding Veterinary Fees and Care" Committee on **AGRICULTURE, CONSERVATION AND**

FORESTRY reporting **Ought to Pass as Amended by Committee Amendment "A" (H-46)**

(H.P. 339) (L.D. 429) Bill "An Act to Change the Name of the Bureau of Banking in Order to Accurately Reflect the Scope and Variety of Entities Regulated by the Bureau" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-50)**

(H.P. 757) (L.D. 976) Bill "An Act Concerning Workers' Compensation Examinations" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-51)**

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. 41) (L.D. 209) Bill "An Act to Increase the Amount Transferred through State-municipal Revenue Sharing" (C. "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" (C. "A" S-14)

(S.P. 76) (L.D. 296) Bill "An Act to Specify the Permissible Hours for Sale of Liquor By Wholesale Licensees" (C. "A" S-12)

(S.P. 82) (L.D. 302) Bill "An Act to Designate the Ryefield Bridge an Historic Bridge" (C. "A" S-9)

(S.P. 90) (L.D. 317) Bill "An Act to Clarify the Maine Turnpike Authority's Power Regarding Confidentiality of Information" (C. "A" S-10)

(S.P. 107) (L.D. 333) Bill "An Act to Allow the Maine Turnpike Authority to Construct Communications Facilities" (C. "A" S-11)

(S.P. 128) (L.D. 404) Bill "An Act to Promote Equity Among Health Care Clinics" (C. "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)

(H.P. 641) (L.D. 841) Bill "An Act to Endow the Maintenance of Maine Civil War Monuments at Gettysburg"

(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) (C. "A" H-40)

(H.P. 297) (L.D. 375) Bill "An Act to Ensure Parity in the Sale of Securities by Maine Financial Institutions" (C. "A" H-43)

(H.P. 341) (L.D. 431) Bill "An Act to Amend the Credit for Reinsurance Provisions of the Maine Insurance Code" (C. "A" H-44)

(H.P. 449) (L.D. 570) Bill "An Act to Remove Redundant Written Authorization Requirements" (C. "A" H-42)

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

BILLS IN THE SECOND READING

Senate

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

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

Was reported by the Committee on Bills in the Second Reading and READ the second time.

On motion of Representative KASPRZAK of Newport, was SET ASIDE.

The same Representative PRESENTED House Amendment "A" (H-52) which was READ by the Clerk.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Newport, Representative Kasprzak.

Representative KASPRZAK: Mr. Speaker, Men and Women of the House. I would ask that you would consider accepting this amendment, House Amendment (H-52) because it will solve all the problems that people have been arguing against in this bill. The bill LD 500 says that the Town of Frye Island, a newly established town in the last session, will not be allowed to leave the SAD that is connected to it at this point at any time, every, never, throughout all eternity. I don't happen to think that that is a fair way to treat one town differently from all other towns in the state. My amendment would simply say that they cannot leave the SAD that they are connected to at this point until they are accepted and attached to another SAD. I would appreciate your support on this amendment. Further, I would request a roll call. Thank you.

The same Representative REQUESTED a roll call on her motion to ADOPT House Amendment "A" (H-52).

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Standish, Representative Hawes.

Representative HAWES: Mr. Speaker, Men and Women of the House. Representative Kasprzak is offering an amendment on LD 500 to allow Frye Island to change school districts. While on the surface this may sound fine, like many issues, the devil is in the details. I urge the passage of LD 500 without any amendments and here is why. Frye Island signed an agreement with the Town of Standish pledging to remain a part of the Standish school entity if the residents of Standish would vote in favor of Frye Island becoming a separate town. I oppose this amendment because I believe it is important to Frye Island to come to the Legislature for approval of their educational plan.

If you are interested in why clarification of the original legislation is necessary, I have here the OPLA record as to the mistakes that were made two and a half years ago when on the last day of the session, although the committee had referred this bill allowing the separation, Ought Not to Pass out of committee, in the last day of the legislative session it was voted through and Frye Island was allowed to become a separate town. If you look back at the record of the House, it was very clear that on that last day, everyone was saying that Frye Island had made the agreement in writing to remain a part of the educational entity and that wasn't going to be an issue. Now two and a half years later, Frye Island has pursued withdrawal from the school district. Personally, I can tell you how upset I am to have to go against some of my constituents. In addition to having been someone who when we voted in town on this secession of Frye Island, myself, I encourage other people of my town to go ahead and vote to allow Frye Island to secede because they said it was

about freedom and not about money. They were going to stay with the school district and we all in good faith voted to allow Frye Island to secede.

LD 500 allows Frye Island to come to the Legislature with a plan for their educational system. It is not forever. Basically what LD 500 does is it says if you want to withdraw, you have to come back to the Legislature with a plan. At this point there have been a number of plans that Frye Island have offered ranging from we will do something except provide summer school for our residents to join on with Raymond or another town, but basically nothing has been firmed up. LD 500 basically says it is not forever. You need to come back to the Legislature to withdraw. LD 500 simply memorializes the agreement made between the two towns in writing, which I also have a copy of. I urge my fellow lawmakers to defeat this amendment and to vote in favor of LD 500. I thank you for your consideration.

Representative NORBERT of Portland moved that House Amendment "A" (H-52) be INDEFINITELY POSTPONED.

The same Representative REQUESTED a roll call on his motion to INDEFINITELY POSTPONE House Amendment "A" (H-52).

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Cape Elizabeth, Representative McLaughlin.

Representative MCLAUGHLIN: Mr. Speaker, Men and Women of the House. I sit on the State and Local Government Committee. I have heard the discussion on LD 500. We don't have in my body the institutional memory, but we do have access to institutional memory. We have the Legislative Record and we have the archives, both of which have been made available to me.

I basically see LD 500, as it was stated in its summary, it is a bill that clarifies that the Town of Frye Island must remain in SAD 6 following its separation from the Town of Standish unless the Legislature decides otherwise. The Legislative Record shows that this basically was a legislative oops. You have all had a oops in your life. This was a legislative oops in the hectic days in the end of a session. The agreement between the Town of Frye Island the Town of Standish was signed in a memoriam of understanding in April 1997. The legislative discussion that took place in May 1997 shows that the legislators were very well aware of that memoriam of understanding that Frye Island would remain a part of the Standish education entity. This is a matter of integrity. It is the integrity of an agreement. You give your word. You give your written word and you hold to that written word unless you come back through the process to change it. I encourage you to support the Majority recommendations on this bill and let the parties involved recapture the integrity of that memoriam of understanding. Thank you Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Newport, Representative Kasprzak.

Representative KASPRZAK: Mr. Speaker, Men and Women of the House. The good Representative from Standish stated earlier that maybe the devil is in the detail. I think that the devil has revealed its ugly head in this detail that no other town in the State of Maine is required to come to us, the Legislature, to leave their school district. Everyone else goes through a process with the Department of Education. I think that it is only fair that this town not be discriminated against and that they be allowed to go through the same process as every other town in

the State of Maine. If you agree with me, I hope that you will vote against the pending motion of Indefinite Postponement. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Buxton, Representative Savage.

Representative SAVAGE: Mr. Speaker, Men and Women of the House. There are a lot of details in this situation, but I think the general principle that we are dealing with here is whether or not an enclave of property that has no permanent year round resident with a child in a school district can back itself away from the school district that it is residing in and not pay the taxes. If anybody in this body has a part of their town that could fall into that category, I think they ought to be thinking about voting to Indefinitely Postpone. I sincerely ask you to do that. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Mr. Speaker, Ladies and Gentlemen of the House. I did not serve on State and Local in the 119th Legislature, but I am serving on it presently. I sat there and listened to the testimony on this bill. I came to the conclusion in my mind that the Town of Standish and Frye Island made an agreement back home, where it should have been made, between the town and the island that if the town would vote to let them go and become a town of their own, that they would remain in the SAD 6 school district. To me, that is the agreement that I believe the people of Frye Island should keep. Being a municipal official, I know what can happen if a town should decide to leave a school district. I think it is unfair to the people of Standish and the other towns in SAD 6 that they can make an agreement and then two years later come up here and want to break it. It has been said that no other town has been treated this way. Well, if any other town makes an agreement with a town to separate, they will be treated the same way as far as I am concerned and, in my opinion, should be treated. To me, that is not an argument in this debate at all. We have no other town that I know of in this state that has made that agreement. I don't believe that the Legislature should overturn an agreement between an island and a town that was made back home. I urge you to vote Indefinite Postponement on this amendment. Thank you.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-52). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 21

YEA - Andrews, Ash, Baker, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Clough, Collins, Colwell, Cote, Cowger, Cummings, Dorr, Dudley, Dunlap, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Goodwin, Green, Hall, Haskell, Hatch, Hawes, Honey, Hutton, Jacobs, Jodrey, Jones, Kane, Koffman, Labrecque, Landry, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lundeen, Mailhot, Marley, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McKenney, McLaughlin, McNeil, Michaud, Mitchell, Morrison, Murphy E, Muse C, Norbert, Norton, O'Brien JA, O'Brien LL, Paradis, Patrick, Perry, Pineau, Quint, Richard, Richardson, Rines, Savage, Sherman, Simpson, Skoglund, Smith, Stanley, Sullivan, Tarazewich, Thomas, Tobin D, Tuttle, Twomey, Usher, Volenik, Watson, Weston, Wheeler GJ, Young, Mr. Speaker.

NAY - Annis, Belanger, Berry DP, Bowles, Bruno, Buck, Carr, Chase, Crabtree, Cressey, Daigle, Davis, Desmond, Duncan,

Duprey, Foster, Glynn, Gooley, Heidrich, Kasprzak, Lovett, MacDougall, Madore, Mendros, Michael, Murphy T, Muse K, Nass, Nutting, O'Neil, Peavey, Perkins, Pinkham, Rosen, Schneider, Shields, Snowe-Mello, Stedman, Tobin J, Tracy, Trahan, Treadwell, Waterhouse, Winsor.

ABSENT - Bagley, Berry RL, Bumps, Dugay, Duplessie, Marrache, Povich, Tessier, Wheeler EM.

Yes, 98; No, 44; Absent, 9; Excused, 0.

98 having voted in the affirmative and 44 voted in the negative, with 9 being absent, and accordingly House Amendment "A" (H-52) was INDEFINITELY POSTPONED.

Representative KASPRZAK of Newport REQUESTED a roll call on **PASSAGE TO BE ENGROSSED**.

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

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Passage to be Engrossed. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 22

YEA - Andrews, Ash, Baker, Berry RL, Blanchette, Bliss, Bouffard, Bowles, Brannigan, Brooks, Bruno, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Clough, Collins, Colwell, Cote, Cowger, Cummings, Daigle, Dorr, Dudley, Dunlap, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Goodwin, Green, Hall, Haskell, Hatch, Hawes, Honey, Hutton, Jacobs, Jodrey, Jones, Kane, Koffman, Labrecque, Landry, LaVerdiere, Lemoine, Lessard, Lundeen, Mailhot, Marley, Marrache, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McKenney, McLaughlin, McNeil, Michaud, Mitchell, Morrison, Murphy E, Murphy T, Muse C, Norbert, Norton, O'Brien JA, O'Brien LL, O'Neil, Paradis, Patrick, Perkins, Perry, Pineau, Quint, Richard, Richardson, Rines, Rosen, Savage, Sherman, Simpson, Skoglund, Smith, Stanley, Sullivan, Tarazewich, Tessier, Thomas, Tobin D, Tuttle, Twomey, Usher, Volenik, Watson, Weston, Winsor, Young, Mr. Speaker.

NAY - Annis, Belanger, Berry DP, Buck, Carr, Chase, Crabtree, Cressey, Davis, Desmond, Duncan, Duprey, Foster, Glynn, Gooley, Heidrich, Kasprzak, Ledwin, Lovett, MacDougall, Madore, Mendros, Michael, Muse K, Nass, Nutting, Peavey, Pinkham, Schneider, Shields, Snowe-Mello, Stedman, Tobin J, Tracy, Trahan, Treadwell, Waterhouse.

ABSENT - Bagley, Bumps, Dugay, Duplessie, Laverriere-Boucher, Povich, Wheeler EM, Wheeler GJ.

Yes, 106; No, 37; Absent, 8; Excused, 0.

106 having voted in the affirmative and 37 voted in the negative, with 8 being absent, and accordingly the Senate Paper was **PASSED TO BE ENGROSSED** in concurrence.

ENACTORS

Emergency Measure

An Act to Amend the Charter of the South Berwick Sewer District

(H.P. 24) (L.D. 24)

(C. "A" H-9)

Reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 119 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate. **ORDERED SENT FORTHWITH**.

Emergency Measure

An Act to Establish the Dairy Industry Fund

(H.P. 1022) (L.D. 1371)
(C. "A" H-39)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 116 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

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

Emergency Measure

Resolve, to Extend the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft

(H.P. 28) (L.D. 28)
(C. "A" H-21)

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Hartland, Representative Stedman.

Representative **STEDMAN**: Mr. Speaker, May I pose a question through the Chair?

The **SPEAKER PRO TEM**: The Representative may pose his question.

Representative **STEDMAN**: Mr. Speaker, Men and Women of the House. Could I find out what the amendment does? We don't have a copy of the amendment in our files.

The **SPEAKER PRO TEM**: The Representative from Hartland, Representative Stedman has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative **DUNLAP**: Mr. Speaker, Men and Women of the House. To answer the Representative's questions, the amendment provides us with the emergency preamble on the legislation.

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of the same and 6 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

Resolve, to Implement the Saco Bay Regional Beach Management Plan

(H.P. 186) (L.D. 197)
(C. "A" H-24)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 125 voted in favor of the same

and 2 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

Acts

An Act to Clarify the Division Line Between the Towns of Deer Isle and Stonington

(S.P. 10) (L.D. 2)
(C. "A" S-2)

An Act to Increase the State Earned Income Tax Credit from 5% to 10% of the Federal Earned Income Credit

(H.P. 17) (L.D. 17)
(C. "A" H-13)

An Act to Implement the Recommendations of the Commission on Child Abuse

(H.P. 27) (L.D. 27)

An Act to Increase the Fine for Allowing a Dog to Roam at Large

(S.P. 22) (L.D. 38)
(C. "A" S-3)

An Act to Allow Funeral Escort Vehicles in a Funeral Procession to be Equipped with Flashing Yellow Lights

(H.P. 37) (L.D. 46)
(C. "A" H-10)

An Act to List the Manufacturer's Suggested Retail Price on the Certificate of Title

(H.P. 65) (L.D. 74)
(C. "A" H-14)

An Act to Remove the Weight Limit Restrictions on Vanity Registration Plates

(H.P. 109) (L.D. 113)
(C. "A" H-15)

An Act to Revise the Hampden Water District Charter

(H.P. 118) (L.D. 122)
(C. "A" H-8)

An Act to Specify That Possession of Sexually Explicit Materials by Way of the Internet is Criminal

(H.P. 121) (L.D. 125)
(C. "A" H-17)

An Act to Amend the Animal Trespass Laws

(H.P. 128) (L.D. 139)

An Act Providing for the Revocation of a Driver's License Upon Conviction for Certain Crimes

(H.P. 165) (L.D. 176)

An Act to Clarify Insurance Coverage for Victims of Domestic Violence

(S.P. 49) (L.D. 217)
(C. "A" S-5)

An Act to Clarify the Duties of the Maine Developmental Disabilities Council

(H.P. 250) (L.D. 286)

An Act to Add Prior Conviction for Burglary of a Motor Vehicle to Enhancement of Theft Penalties and to Include Burglary of a Motor Vehicle in the Presumption Provision for Theft

(H.P. 240) (L.D. 292)
(C. "A" H-16)

An Act to Enhance Collectibility of the Penalty for Failure to File the Municipal Valuation Tax Return

(S.P. 99) (L.D. 325)
(C. "A" S-6)

An Act to Facilitate State Park Campsite Reservations Through the Internet

(S.P. 118) (L.D. 394)

An Act to Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority

(H.P. 345) (L.D. 435)
(C. "A" H-22)

An Act to Clarify the Substance Abuse Law

(S.P. 139) (L.D. 462)

An Act to Establish the State's Recycling and Waste Reduction Goals

(S.P. 160) (L.D. 504)

An Act Concerning Disability Registration Plates and Placards

(H.P. 563) (L.D. 718)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Resolves

Resolve, to Create a Greenhouse Gas Registry

(H.P. 78) (L.D. 87)
(C. "A" H-23)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, March 22, 2001, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT – Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-18)** – Minority (5) **Ought Not to Pass** – Committee on **BANKING AND INSURANCE** on Bill "An Act Regarding Civil Actions Involving Insurance Coverage"

(H.P. 40) (L.D. 49)

TABLED – March 15, 2001 (Till Later Today) by Representative COLWELL of Gardiner.

PENDING – Motion of Representative O'NEIL of Saco to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. Committee Amendment "A" (H-18) was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, March 28, 2001.

SENATE DIVIDED REPORT – Majority (9) **Ought to Pass** – Minority (4) **Ought Not to Pass** – Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Prohibit the Sale of Liquor by Retail Licensees for Less than the Actual Price Paid"

(S.P. 125) (L.D. 401)

- In Senate, Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

TABLED – March 21, 2001 (Till Later Today) by Representative TUTTLE of Sanford.

PENDING – Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS** Report.

Subsequently, the Majority **Ought to Pass** Report was **ACCEPTED**.

On motion of Representative DAVIS of Falmouth, the House **RECONSIDERED** its action whereby the Majority **Ought to Pass** Report was **ACCEPTED**.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

The **SPEAKER PRO TEM**: A roll call has been ordered. The pending question before the House is acceptance of the Majority **Ought to Pass** Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 23

YEA - Annis, Ash, Belanger, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Buck, Bull, Bumps, Bunker, Canavan, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Goodwin, Green, Hall, Haskell, Hatch, Hawes, Hutton, Jacobs, Jodrey, Jones, Kane, Koffman, Labrecque, Landry, LaVerdiere, Ledwin, Lemoine, Lessard, Mailhot, Marley, Marrache, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McLaughlin, McNeil, Michael, Michaud, Murphy E, Muse C, Muse K, Norbert, Norton, Nutting, O'Brien LL, O'Neil, Paradis, Patrick, Peavey, Perry, Pineau, Quint, Richard, Richardson, Rines, Savage, Simpson, Smith, Sullivan, Tarazewich, Tessier, Thomas, Tobin D, Tuttle, Twomey, Usher, Volenik, Watson, Weston, Winsor, Young, Mr. Speaker.

NAY - Andrews, Berry DP, Bowles, Bruno, Carr, Chase, Clough, Collins, Crabtree, Cressey, Daigle, Davis, Duncan, Duprey, Foster, Glynn, Gooley, Heidrich, Honey, Kasprzak, Lovett, MacDougall, Madore, McKenney, Mendros, Mitchell, Morrison, Murphy T, Nass, O'Brien JA, Perkins, Pinkham, Povich, Rosen, Schneider, Sherman, Shields, Snowe-Mello, Stanley, Stedman, Tobin J, Tracy, Trahan, Treadwell, Waterhouse, Wheeler EM, Wheeler GJ.

ABSENT - Bagley, Baker, Dugay, Laverriere-Boucher, Lundeen, Skoglund.

Yes, 98; No, 47; Absent, 6; Excused, 0.

98 having voted in the affirmative and 47 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

On motion of Representative TUTTLE of Sanford, the rules were suspended for the purpose of giving this Bill its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

HOUSE DIVIDED REPORT – Majority (7) **Ought to Pass** – Minority (5) **Ought Not to Pass** – Committee on **LABOR** on Bill "An Act to Ban Permanent Replacement Workers in a Labor Dispute"

(H.P. 74) (L.D. 83)

TABLED – March 8, 2001 (Till Later Today) by Representative SMITH of Van Buren.

PENDING – Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS** Report.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Carmel, Representative Treadwell.

Representative **TREADWELL**: Mr. Speaker, Ladies and Gentlemen of the House. LD 83 has been ruled in many occasions to be unconstitutional. It has been enacted by other states into law and it has never survived a challenge. During the hearings in the Labor Committee, I asked a couple of the people who are proponents of the bill, how many other states had such a law on their books? The answer, as far as I can tell, is that no other state has a law such as this on their books.

The National Labor Relations Act in Section 7 and 8 preempts this law. Therefore, it is unconstitutional because the US Constitution in Article 4 gives the supremacy clause of the Constitution says that no state can enact a law that is repugnant, I guess is the right word, to any federal law or act that is on the books. Therefore, I would urge that you not accept the motion on the floor and that you go on to vote against this and accept the Minority Report.

I would like to just read from an opinion, actually, that was handed down by the Maine Supreme Judicial Court on June 28, 1989. In their opinion they said that the right of an employer to continue operations in face of a strike by hiring replacement workers is a weapon of economic pressure that Congress left unregulated by the National Labor Relations Board or by the states. What we are doing here is attempting to regulate that process, which is wrong. It has been ruled to be wrong on several occasions.

Again, I urge you to vote against the pending motion. I request a roll call.

Representative **TREADWELL** of Carmel **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Dixfield, Representative Bryant.

Representative **BRYANT**: Mr. Speaker, Ladies and Gentlemen of the House. You often hear that we are a nation of laws and that we are ruled by the rule of law. But the fact is, as we saw so clearly in the last election in Florida, that we are often ruled by a handful of hand picked people. There was no clearer picture for me about what the rule of law really meant, when the President of the United States was taking the oath of office and being sworn in by the Chief Justice that had just appointed him.

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

Representative **BRUNO**: Point of order. I would like to wish that the Representative does not inflame in his remarks to the body.

The **SPEAKER PRO TEM**: The Chair would remind the good Representative from Dixfield to please keep your comments to the bill before us. Thank you. The Representative may proceed.

Representative **BRYANT**: Thank you Mr. Speaker. The bill addresses two decisions that a handful of hand picked people made that I feel we need to keep working on until we get the whole issue straight.

The first decision was made in mid 1930s where the law is that the workers cannot be fired for going on strike. A handful of hand picked people decided that they would allow companies to

permanently replace workers and said that this wasn't the same thing as firing the worker, but in reality we all know that it is. The second part of this bill is where the handful of hand picked people decided that they would give scabs more rights than the average worker. They decided that if they hired a scab, that you couldn't fire them. Only in America does a scab have more rights under the law than the working people do.

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

Representative **BRUNO**: Point of order. I ask that the Speaker not inflame the body with his remarks. I think he is using some derogatory terms in his presentation to the body.

The **SPEAKER PRO TEM**: The Chair would request that the good Representative from Dixfield, Representative Bryant, please refrain from the use of the word, scab, and please use replacement workers. It is not an appropriate language, the Speaker feels, for the House to use such a term in reference to replacement workers. The Representative may proceed.

Representative **BRYANT**: Thank you Mr. Speaker. Even though all other workers of this nation have no protection under the law, a handful of hand picked people decided that replacement workers in America would have just cause for discharge. That is the decision that was ruled. All other workers can be discharged at will for no cause and strikers can be permanently replaced, but not replacement workers. I believe it is important to let corporations know that it is not socially responsible or acceptable to hire replacement workers and decimate our communities and to have a quick race to the bottom for our working people in our nation.

I believe that is important to this debate to try to understand the signals that we give to businesses in this state and companies does have an impact on how the companies act.

We have to ask ourselves this question, why should a multibillion dollar national corporation like IP believe for a minute that they could morally shut down two mills in the state and put 300 families out in the snow bank in the middle of the winter with no justification that this had to be done in order to save the company.

I'll tell you what gave them the idea that they could put these families out in the cold. We did, because they know that the Maine Legislature will not protect its workers and they know that the Maine Legislature will use taxpayer's money to come in and try to put a Band-Aid on the situation.

So, I say, let's not be ruled by a handful of people that have been hand picked. Let us be a nation of laws, laws that protect the people of this nation, not only corporations, but the people of this nation. Thank you Mr. Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from North Berwick, Representative MacDougall.

Representative **MACDOUGALL**: Mr. Speaker, Ladies and Gentlemen of the House. This particular issue has come up the three times I have been up, the three terms. It is ongoing. Try to remember that the National Labor Relations Act has been in place for 60 years. That is a long time. It has stood the test of time. It was created to strike a balance between management and labor in an effort to further both sides' interests. It is kind of a protection for both so that dialog can take place in a meaningful and proper manner.

There is a policy area here that that act also addresses that never gets discussed. It is a very important component. That balance allows a lawful manner in which the customers of the various companies are still able to be served. Customers have

to be served. If it is a paper mill, paper still needs to be delivered to the printers, whatever the product of service is. When they created this act, it was also an attempt so that their customers wouldn't be left out in the cold as well. They are the ones that pay the bills. They are the ones for which the business exists. That is a horrible message if we were to adopt this proposal to send out into the community at large. We are in a global economy more and more. If we are going to compete, which means have high wages and benefits and the things that we all want for our Maine people, this would be a major detriment to accomplish that.

You have to ask yourself the question, does this help the State of Maine to adopt this proposal to be the one state out of 50 to say that ultimately we are going to put something in jeopardy that will put that balance that has been place for 60 years out of joint. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Jay, Representative Pineau.

Representative PINEAU: Mr. Speaker, Ladies and Gentlemen of the House. I was replaced in 1987 by replacement workers. Actually we were in negotiations when the company brought the replacement workers to the plant prior to us walking out of the plant on the morning of June 16, 1987. Since the strike we have had a lot of years since 1987 to actually look at this. This particular item has been before the House in various forms.

I want to explain a little bit of the history of why we went through what we went through in the '80s and why we are at where we are now. I will make it as brief as a possibly can. In 1983, the Phelps Dodge strike of Arizona was studied by Rutgers University on how corporations can deal with their workers to get rid of the unions. This study was taught to Warton School at the University of Pennsylvania. This Warton School is 100 of the top corporations in this country. The strike in Jay was a classic example of taking from the strike the Arizona copper mine strikes.

An interesting thing on the strike in Jay, one of the strikers from the Phelps Dodge strike is now a replacement worker in Jay feeling that he had no other opportunity than float around and when he had a chance to take somebody else's job, he would.

Another component by not allowing the workers this leverage in negotiations, in Jay, right now, in the State of Maine, sits one of the most notorious contracting firms in the country, B & K out of Atlanta. This company, unlike our local companies, doesn't negotiate on a local level. It signs corporate contracts on a corporate level and one of the terms of their contracts is they will entirely replace your workforce, both you production workers and your maintenance workers. Up until now, from 1987 to this point, this company has not branched out of Jay. International Paper Company has mills in Auburn, Lisbon and now has a mill in Bucksport and had two plants in Passadumkeag and Costigan where this company could branch out. Prior to the strike in 1987, non-union contractors did not work in the Jay plant because of the contract. After the strike in 1987, some of our local non-union contractors finally had an opportunity to come to work in the Jay plant. The company used this to run another wedge between workers in the area and the workers came into the plant. After the wedge was driven and the Jay strikers were defeated, these local contractors no longer get hardly any work at all in the Jay plant. B & K, this notorious contractor, gets all the contracts because they are hand and hand with the company.

The other thing to remember is International Paper Company, like a lot of our corporations, are not local companies. They are not Maine based companies. They are not even United States based companies. If you want to talk about a level playing field, do we want our workers in Maine to have the kind of wages and benefits that they have in China or that they have in South America or right across the border in Canada? These companies are in all these areas. To give the workers the opportunity to have that level playing field, we need this kind of an act. I strongly urge you to support this legislation. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative SMITH: Mr. Speaker, Ladies and Gentlemen of the House. I rise to address you on this issue, which is most important. The right of an employee to strike is protected by federal law. It is a federal law known as the National Labor Relations Act. This law explicitly prohibits the employer from firing employees who participate in an economic strike. The law has been made unclear by subsequent court decisions, however. LD 83 provides for replacement workers and that they may not be retained in preference to the employees who have gone on strike. What is clear to me, in this case, is the use of so-called permanent replacements as an excuse to get rid of striking workers by denying them their jobs is wrong. It is destructive to the workers. It is destructive to their families. It is destructive to their communities. We have seen this happen in this state and we still feel the pain from it. I urge you, my fellow members of this House, to vote in favor of this law and clearly express what is and should be the policy of the state. We will not allow our people to be crushed, such as what happened before. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Carmel, Representative Treadwell.

Representative TREADWELL: Mr. Speaker, Ladies and Gentlemen of the House. I agree that this is a very emotional issue. It is unfortunate what happened in Jay, but we have to keep in mind that the National Labor Relations Act does address this question and the courts have ruled that it is unconstitutional to pass such a law. I think we would be making a big mistake by doing so.

What I see will happen is you are going to see the unionized workers in some of these plants around the State of Maine are going to be given a false sense of security that they are protected by the law. Actually what we will be doing is playing a horrible hoax on those workers. The first time that it is challenged the State of Maine is going to incur some very hefty legal costs. They could be compelled by the courts to pay the legal costs of the companies challenging this law. We could be getting ourselves into a very bad situation by passing this. I would, again, urge you to vote against the pending motion.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Livermore, Representative Berry.

Representative BERRY: Mr. Speaker, Men and Women of the House. I want to speak from my personal experience. I was Treasurer of Local 14 at International Paper in 1987 when we went on strike. This is very personal to me. I didn't intend to speak on this issue today. I have spoken on it before, but I haven't spoken on it to the 120th Maine Legislature. I find it very difficult to speak. When International Paper took the actions that they took, they ripped apart a community. I want to tell you that what inflamed me this morning is when we try to restrict what

one might say on this floor. I will tell you, a scab is a scab is a scab.

The **SPEAKER PRO TEM**: The Chair will remind the Representative from Livermore that the word is not appropriate in this chamber. We do not use words that are derogatory to any member of the public inside or outside this building in any of our floor debate.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Winslow, Representative Matthews.

Representative **MATTHEWS**: Mr. Speaker, Men and Women of the House. We do debate issues sometimes that seem to come back time and time again. In the history of America, there are many battles that were waged many, many years before successfully becoming law and changing the lives of Americans. That is the history that we have. We don't give up. I am reminded of the issue of the minimum wage not too, too long ago, about a week ago when the green light on the second floor turned on. This Governor decided to support the lowest paid workers in the State of Maine with an increase.

The **SPEAKER**: The Representative will not refer to the actions of the second floor and will please refer to the Governor as the Chief Executive. The Representative may continue.

Representative **MATTHEWS**: Thank you Mr. Speaker. This issue is extremely important to the people that we represent in this state. What happened in Jay was wrong. I would remind this body that it was a political green light given by the President at that time, President Ronald Reagan, when he replaced the air traffic controllers. That was the green light to business and industry that you can go ahead and replace your workforce when there is a strike. No longer do we have the opportunity in America now to discuss and debate and at the end in the resolution of a strike for the workers to go back to work because now we have, as pointed out by the good Representative from Jay, Representative Pineau, we have companies that will replace your workforce. It seems to me, ladies and gentlemen, I am not an attorney for the good Representative from Carmel, but it seems to me that the constitutional argument is dealt with in this legislation. That is that a business will have the opportunity to continue working with temporary workers. At the conclusion of the strike, the workers that were on strike go back in the mill to their jobs. Men and women from Maine will go back to their jobs, not men and women from Georgia, Alabama, Mississippi and Texas.

Ladies and gentlemen, as a member of the Labor Committee, I heard from those people. We had an individual who came to the committee, and the good Representative from Carmel will remember him, and said to him, yes, I responded to an advertisement from Mississippi from B & K, they wanted me to come to Jay, Maine. It is a nice place to work. It is a good work environment. Things were wonderful. You will be there for a short period of time. Ladies and gentlemen, he came here and he found out that the workers of the plant at International Paper in Jay were taken out of their jobs by that company. He decided after listening to the workers and the strikers, became a member of the union and left that facility. That is the current situation. Workers in Maine are not being protected. We fight and we strive in this body and this is what we are here for in this House of Representatives to stand up for those that are being disenfranchised. That is what we are here for. The law that stands is wrong and it needs to be changed. It starts sometime at the local level or the state level with a law to challenge the existing federal law to take it to court. That is what we are here

for. I am proud to stand for this bill today. I am proud to stand with the speakers that have supported this bill today. We will be back time and time again until the law is changed.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Bowdoinham, Representative Hutton.

Representative **HUTTON**: Mr. Speaker, Ladies and Gentlemen of the House. As we have heard from the personal experiences of several of our honorable colleagues, Maine knows first hand from the IP strike in Jay how the use of permanent replacement workers can tear apart our communities. These tears do not end when the strike is over. They continue for generations. It is not just the workers who are affected. Families are pitted against families. Permanent replacement workers are shunned in the community and usually have no support group to help them. The workers, the families and the replacement workers all become victims in the struggle. We have before us a bill that can stop the practice of using permanent replacement workers. We can show the citizens of Maine that we support their right to negotiate a contract and return to their jobs and provide stability for our Maine communities. I urge you to support this bill please.

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

Representative **COLWELL**: Mr. Speaker, Men and Women of the House. Many of you know I am somewhat of a student of history. I am currently reading a wonderful biography of the first President of this nation, George Washington, *Indispensable Man*. In 1776, our patriotic forefathers and mothers collectively organized to fight tyranny and to form a more perfect union. At that time, they accepted that if they failed in their effort to do that that they could lose not only their jobs, their homes, their families, but also their lives. We won that battle for liberty. Evidentially working families still have a long ways to go to secure in the right to collectively organize. Technically we do offer them that right under the law, but what a hollow, hollow offering that is if those workers know that if they act on their right that they are going to lose their homes, their jobs and in many cases, their families.

Emotions are high here today. I guess the point has been made and probably correctly so that some of my colleagues on this side have used the wrong word. I guess I have to contend with, what is the right word for someone who steals your job, your home, your family? What is that word? I guess for me perhaps the word wasn't harsh enough. We fought a revolution for the right to pursue happiness in this country. We fought a revolution to end tyranny and to allow people to come together and build a greater tomorrow and a greater future for all. I like to think of the words of a very famous American philosopher, Woody Guthrie. Among other things, besides saying this land is your land and this land is my land, he said, "As a roam and ramble, I met lots of funny men. Some will rob you with a six gun and some will rob you with a fountain pen." I am begging this chamber to stop robbing the working men and women of this state with a fountain pen. Let's pass this legislation and let the judicial system sort it out from there. Thank you Mr. Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Kossuth Township, Representative Bunker.

Representative **BUNKER**: Mr. Speaker, Men and Women of the House. I try not to rise too often from my seat, but this is something important to Maine, our people and our backyards. Let me put a different point of view on this. From a business point of view, if you all look out in your backyards in the

businesses that you have in your backyard, we have a lot of wonderful industries and people running those different organizations in our backyard. For those wonderful folks, of for any reason there was a unionized labor economic strike here, 99 percent of our folks would do the right thing and send our folks back to work. We saw it just recently. How many of you folks got Verizon workers in your backyard. They came from away, didn't they folks? The big bad guys from away came in and bought out our local mom-and-pop Bell Atlantic. What do they do immediately? Immediately they force something down the worker's throat and try to get concessions. They tried to economize on a national level and suddenly what happened? We had a strike. It was an economic strike, folks, but at the end of that economic strike Verizon did the right thing and sent those workers back to work. Think about your backyard now with all the mills shifting around and Irving coming into the state and SAPPi coming from away. Just think about all those businesses and large employers in your backyard that came from away. They are no longer the 100 year old business and corporations that were the foundation of the State of Maine. These are folks from away that have only one responsibility and that is to their stockholders and the bottom line. We no longer have that ability to sit back on our laurels and think that everybody that is going to come into this state are going to be our best friend and the kind of people you and I are in this body and the people we represent.

That is what is really frustrating to me about this bill. This bill basically is a good bill for all of those businesses that do the right thing in the State of Maine, because what it basically does, in all good deference to my colleague from Carmel, that one piece of language is completely different than the prior strikebreakers bill. What this allows is our good corporate businesses in negotiating folks to be legally able to say to that replacement worker that they brought in from Tennessee or Alabama or whatever to say, thank you for coming and keeping my mill running. We paid you an enormous amount of money to do that and I know it was difficult, but you have no ongoing contract of employment with this facility. That first goes to, as the federal law states, to the striking workers in a non-economic kind of strike. It is very clear from a federal level that we want our workers to go back to work. It is only in the individual economic strike situation where both people are bargaining in good faith, is a company like IP allowed to bring in replacement workers from away and say toodolou to the people that live, eat, drink, sleep and pay their taxes and vote in the State of Maine.

I think if you are going vote here today, ladies and gentlemen, I would much rather that you do it from the perspective of who am I voting for on this bill? If you are voting for the people of the State of Maine, you will vote to enact this. If you are voting for people from away, then you are going to vote Ought Not to Pass. I want you to know one thing, IP, because of what they did in 1987 and what they are doing upstate right now with two of those mills, refusing to sell it to people that want to work in the State of Maine, is the reason this bill is coming forward. IP is the DeCoster of the working man and I ask you to support this bill. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from North Berwick, Representative MacDougall.

Representative MACDOUGALL: Mr. Speaker, Ladies and Gentlemen of the House. Again, the National Labor Act that we are talking about and the balance that is built in, those who go out on strike, it isn't a decision that is done to them. There are decisions that have been made and there have been

negotiations that have gone on. If a company, whether it is from away or home grown or whatever it is, has to find replacement workers to deliver product to the market place and the skills are of such a nature that one of two things, either they are not available in the state so they have to go outside the state to attract qualified workers to produce the product. There is no enticement if they can only be here for a week, two weeks or a month. Part of that balance is that this job would be a replacement so that those out-of-state workers would have a reason to uproot their families to come to this glorious state, if that was the situation. The other thing is if there were qualified workers right around the area, it would be increasingly difficult, maybe, for people in the community to take that job because everyone does know one another. It would create a hardship that way and not a healing type of a thing. Going out on strike is not something that is done to someone. A decision is made from the union side and the business side and this act is geared and balanced to prevent those strikes and keep them from happening as little as possible. Also, when a strike does occur, I don't believe there is anything preventing the union worker from going to work, other than he would have to resign from the union. Thank you.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative O'Brien.

Representative O'BRIEN: Mr. Speaker, Men and Women of the House. We are debating this today because it is a law, but we are also assuming that when the Jay Mill was in contract negotiations that there would be a fairness to it. What has been known since that strike is that there was not fairness to the bargaining. Six months before the date to bargain with the labor union, the management was advertising out of state for workers to come from Georgia, Mississippi, Tennessee and Alabama. They also were constructing a fence around the area. They brought in trailers. This is all previous to the date that, in fact, they could affect pushing out the workers in the plant. When we say this is a law, yes, it is a law. Is it a fair law if management is going to be setting up these obstacles to fair bargaining? It is not fair. It is not right. It was what was done. They were able to house the out-of-state replacement workers. I won't use that bad word. For the regular workers that were pushed out of the plant, they were set up to run a 24 hour, seven day a week operation with the food people, the recreation people, the trailer people, the additional clothing and it was all set up for the out-of-state workers.

Remember, they were not interested in bringing these workers into the area with the idea of integrating them into the regular labor force. They did not advertise in the State of Maine for replacement workers who may or may not have been qualified. That is not the position they took. They took a totally adversarial position and had no intention of bargaining fairly. They did not bargain fairly. For the people who after there was an agreement signed who thought that they live in the area and they have the skills that the replacement workers would be gone and, in fact, they would get their jobs back, it was never intended to happen. Management did win. They won a lot and they settled the replacement workers no so much in the same area

where the previously employed people lived, but in a surrounding 20 and 30 mile area so that they would not feel the personal repercussions of having taken the legitimate jobs of the legitimate workers. When we say this is a law, yes, it is a law. Is it a fair law? It is not a fair law. It has not been put into place in a fair way. Truly, if we represent the people of Maine who are the good workers, let's remember what this is trying to do. It is trying to assist the people that, in fact, we represent. Either we represent the people who are workers in the State of Maine or we represent something and somebody else. Take good look at this law.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Patrick.

Representative PATRICK: Mr. Speaker, Men and Women of the House. I have heard several times about the balance of the law and not wanting to tip the scales one way or the other. Well, this didn't happen just to Jay. In 1989, after the successful devastation of PATCO, in the spring of 1989, all of the conglomerate multi-billion dollar corporations got together in Atlanta, Georgia and said that this law that we have is not a balanced law. We hold the upper edge on labor of the workforce of the United States of America. We, as papermakers, are going to do away with all of our workforces, if need be, to bring the union to its knees. It was at that time in 1989 in the spring in Atlanta, Georgia, that the good CEO of the company that I used to work for, who no longer is in the Rumford area, said that we would be the first. We took the first strike where they tried to replace our workers in the State of Maine. He said he would be first. I lived through the process of getting all of our people back to work. IP then stepped forward and we learned from the mistakes of Boise Cascade in Rumford, we are not going to have a strike and replace them piecemeal. We are going to go the whole heart of it. I believe that we have got to get this country's laws in balance where workers, whether they be union or non-union, have an opportunity to have a fair fight. As the good Representative said, I am willing to take the opportunity and will support this legislation because I believe that this will possibly pass constitutional muster and I am in support of this bill. I am sick and tired of people saying that there is a balance. There isn't a balance and everyone in America knows it because we wouldn't be here time and time again. Thank you very much.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 24

YEA - Annis, Ash, Baker, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Bull, Bunker, Canavan, Carr, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Cummings, Davis, Desmond, Dorr, Dudley, Dugay, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Goodwin, Green, Hall, Haskell, Hatch, Hawes, Hutton, Jacobs, Jones, Kane, Koffman, Landry, LaVerdiere, Lemoine, Lessard, Lundeen, Madore, Mailhot, Marley, Marrache, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McLaughlin, Mendros, Michael, Michaud, Mitchell, Morrison, Muse C, Norbert, Norton, O'Brien LL, O'Neil, Paradis, Patrick, Peavey, Perkins, Perry, Pineau, Povich, Quint, Richard, Richardson, Rines, Rosen, Savage, Sherman, Simpson, Skoglund, Smith, Stanley, Sullivan, Tarazewich, Tessier, Thomas, Tracy, Tuttle, Twomey, Usher, Volenik, Watson, Wheeler GJ, Mr. Speaker.

NAY - Belanger, Berry DP, Bowles, Bruno, Buck, Bumps, Chase, Clough, Collins, Crabtree, Cressey, Daigle, Duncan, Duprey, Foster, Glynn, Gooley, Heidrich, Honey, Jodrey, Kasprzak, Labrecque, Ledwin, MacDougall, McKenney, McNeil, Murphy E, Murphy T, Muse K, Nass, Nutting, O'Brien JA, Pinkham, Schneider, Shields, Snowe-Mello, Stedman, Tobin D, Tobin J, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Winsor, Young.

ABSENT - Andrews, Bagley, Laverriere-Boucher, Lovett.
Yes, 101; No, 46; Absent, 4; Excused, 0.

101 having voted in the affirmative and 46 voted in the negative, with 4 being absent, and accordingly the Majority Ought to Pass Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, March 28, 2001.

HOUSE DIVIDED REPORT - Majority (8) Ought Not to Pass - Minority (4) Ought to Pass - Committee on LABOR on Bill "An Act to Expand Parental Control of a Minor Child"

(H.P. 507) (L.D. 647)

TABLED - March 21, 2001 (Till Later Today) by Representative BUNKER of Kossuth Township.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

The SPEAKER: The Chair recognizes the Representative from North Berwick, Representative MacDougall.

Representative MACDOUGALL: Mr. Speaker, Ladies and Gentlemen of the House. My point of rising this morning is to explain this bill and then ask that you just quietly let it be hammered into oblivion. I had a constituent who had teenage children who worked with her at her place of employment down at the seacoast in the Wells/Ogunquit area. Current labor law prevented these children from working in certain situations based on the type of employment it was and based on their age and so forth. It made it very inconvenient for her and for the children. Some of you who were here last session recalled that there was a bill that was debated on this very floor that would allow someone who made the honor roll to work an additional few hours a week beyond the current. Of course, if they fell off the honor roll, then they would lose their privilege. It seemed like a great bill, in my view, in terms of if it was tied with consequences and if you did a good job, then you had the opportunity to work a few more hours. However, given the swell that I heard in the House that day, it is very clear that the labor laws are not going to be changed very easily. The approach I took was, in this particular bill, was to allow the Department of Labor, if the bill were to be successful, to give an exemption in certain instances that would allow, in this case, my constituent and her daughter, a two month exemption with certain parameters. I was trying to go about it in that way. What we ran up against was federal law. It is not as easily worked as I had hoped. The purpose of the bill, I think was good. I rise to take a few moments to share this with the body in case you have constituents yourself concerning their children and the number of hours they can work. Perhaps working together in the future, we can come up with something that might address those things. I thank you and I would just ask that the bill would go off into the night. Thank you.

Subsequently, the Majority Ought Not to Pass Report was **ACCEPTED** and sent for concurrence.

LEGISLATIVE RECORD - HOUSE, March 27, 2001

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

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)

- In House, **READ** and **PASSED** on March 8, 2001.

- In Senate, **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

TABLED – March 22, 2001 (Till Later Today) by Representative McKEE of Wayne.

PENDING – FURTHER CONSIDERATION.

Subsequently, the House voted to **RECEDE AND CONCUR**.

JOINT ORDER – Relative to requiring the Joint Standing Committee on Business and Economic Development to report out a bill regarding the funding of biomedical research.

(S.P. 562)

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

TABLED – March 22, 2001 (Till Later Today) by Representative COLWELL of Gardiner.

PENDING – PASSAGE in concurrence.

On motion of Representative RICHARDSON of Brunswick, the Joint Order and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

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

On motion of Representative DUNLAP of Old Town, the House adjourned at 11:47 a.m., until 9:00 a.m., Wednesday, March 28, 2001.