

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
30th Legislative Day
Tuesday, April 3, 2001

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

Prayer by Pastor Larry Anderson, Advent Christian Church, Port Clyde.

National Anthem by Lake Region High School Band, Naples.
Pledge of Allegiance.

The Journal of Saturday, March 31, 2001 was read and approved.

SENATE PAPERS

The following Joint Order: (S.P. 586)

ORDERED, the House concurring, that the Joint Standing Committee on Natural Resources report out, to the Senate, a bill regarding the High-pollution Vehicle Retirement Pilot Program established pursuant to the Maine Revised Statutes, Title 10, chapter 14.

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

Bill "An Act to Enhance Governance of the Allagash Wilderness Waterway"

(S.P. 585) (L.D. 1761)

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.

The Following Communication: (H.P. 1296)

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

March 30, 2001

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333-0002

Dear Clerk MacFarland:

Pursuant to my authority under Joint Rule 354, I have appointed the following Representatives to the Joint Select Committee on Joint Rules:

Representative Christopher P. O'Neil of Saco, Committee Chair

Representative Charles C. LaVerdiere of Wilton

Representative William S. Norbert of Portland

Representative Janice E. Labrecque of Gorham

Representative David R. Madore of Augusta

Sincerely,

S/Michael V. Saxl

Speaker of the House

READ and **ORDERED PLACED ON FILE**.

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the following members of the Valley High School Boys Basketball Team, of Bingham: captains, Nick Pelotte, Jason Hartwell and Luke Hartwell; players, Charlie Rollins, Tony Hibbard, Nate Poulin, Chris Atwood, Johnny Marsh, Ryan Atwood, Jeremy Jones, Kirk Robinson, Brian Andre and Corey Hibbard; and coach, Dwight Littlefield; assistant coach, Luke Robinson; and managers, Allen Small, Charles Mathieu and Kevin Abraham, who have won the State Class D Basketball Championship for the 4th consecutive year. We send our congratulations to the team on this accomplishment;

(HLS 139)

Presented by Representative McGLOCKLIN of Embden.

Cosponsored by Senator MILLS of Somerset.

On **OBJECTION** of Representative McGLOCKLIN of Embden, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Embden, Representative McGlocklin.

Representative **MCGLOCKLIN**: Mr. Speaker, Men and Women of the House. It is with great pleasure that I rise this morning to congratulate Maine's Class D Boy's Basketball Champions, the Bingham Valley Cavaliers. This accomplishment marked their fourth in a row state championship as well as 84th consecutive win. These boys are not just good at the game they love, they are remarkable. So exceptional is their talent that they even caught the attention of the nationally renowned *Sports Illustrated Magazine*. Beyond their obvious athletic abilities, these young men and their coach, Dwight Littlefield truly exemplify what dedication and teamwork is all about. I believe that they can well serve as a lesson to us all. I am very proud of these young men and thankful that they were able to join us here today. Thank you.

PASSED and sent for concurrence.

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Representative RICHARD from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Authorize Release of Certain Information Pertaining to the Certification, Authorization and Approval of Educational Personnel" (EMERGENCY)

(H.P. 1295) (L.D. 1765)

Reporting **Ought to Pass** pursuant to Joint Order (H.P. 1143).

Report was **READ**.

On motion of Representative COLWELL of Gardiner, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-33)** on Bill "An Act to Reduce Noise Pollution"

(S.P. 153) (L.D. 497)

Signed:

Senators:

SAVAGE of Knox
O'GARA of Cumberland
GAGNON of Kennebec

Representatives:

MARLEY of Portland
McNEIL of Rockland
COLLINS of Wells
WHEELER of Eliot
WHEELER of Bridgewater
FISHER of Brewer
BOUFFARD of Lewiston
McKENNEY of Cumberland
BUNKER of Kossuth Township

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

Signed:

Representative:

PARADIS of Frenchville

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-33)**.

READ.

Representative FISHER of Brewer moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Frenchville, Representative Paradis.

Representative PARADIS: Mr. Speaker, Men and Women of the House. This is highly reminiscent of *Twelve Angry Men* standing alone. The reason I am opposing this is that I would like to see a comprehensive bill on noise pollution. If that had been included in such a bill, I would have joined the majority. We have many sources of noise pollution. There are some that are supported by very strong lobbyists. The laws are not enforced adequately. I think this is singling out one group, the young people, maybe it is the teacher in me. I don't like to see that, but somewhere along the line I hope there is a bill introduced that would call for a study of noise pollution and more stringent enforcement of the laws. Anybody who wishes to join me in the red column, I would appreciate it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Collins.

Representative COLLINS: Mr. Speaker, Ladies and Gentlemen of the House. I seldom rise to speak to you, but this morning I feel obligated to speak to you. I think we have all heard the cars with the deep base on the radios. They are noise polluters. You wonder sometimes how the operator of that vehicle can hear emergency sirens coming up behind him to move out of the way. You question where the motive is to interfere with our constituents when they are trying to sleep at night during the summer months. I have had a vehicle come by my house and it seems as though I could hear it a quarter of a mile before it even got to my house with this deep base tone to

the radio. I have constituents on a number of occasions say to me, Ron, there ought to be a law. This is a nuisance. I was reluctant to even present legislation, but fortunately a member of the other body did. I am a member of the Transportation Committee and we supported this, not unanimously, however, a majority supported this legislation. I ask that you would also. Thank you.

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

Representative FISHER: Mr. Speaker, Men and Women of the House. I saw *Twelve Angry Men* also and as my good friend from Aroostook, he was right like Henry Fonda. This bill is considerably narrower than the gentleman from Aroostook would like it to be. It specifically aims itself at the boom box heavy base songs emanating from vehicles today. It gives us a tool to kind of tone things down in the neighborhoods. The Representative from Wells mentioned our former colleague who is down at the other end of the building now, the good Senator from York. He did a great presentation. We are going to name him an honorary choirboy for his rendition of the noises that come from cars. If you see him in the halls, I would ask to request to hear him do his song again.

The Chair ordered a division on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

A vote of the House was taken. 80 voted in favor of the same and 32 against, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-33)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, April 4, 2001.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-77)** on Bill "An Act to Allow Washington County to Elect Its Own District Attorney"

(H.P. 354) (L.D. 444)

Signed:

Senators:

PENDLETON of Cumberland
ROTUNDO of Androscoggin

Representatives:

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

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

Signed:

Senator:

YOUNGBLOOD of Penobscot

Representatives:

NORBERT of Portland
KASPRZAK of Newport

READ.

On motion of Representative McDONOUGH of Portland, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

**CONSENT CALENDAR
First Day**

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

(H.P. 93) (L.D. 97) Bill "An Act to Provide Funding for the Beals Island Regional Shellfish Hatchery" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass**

(H.P. 174) (L.D. 185) Bill "An Act to Improve Employment and Postsecondary Education Outcomes for Youth with Disabilities Exiting Maine's High Schools" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass**

(H.P. 300) (L.D. 378) Bill "An Act to Allow Individuals with Disability Registration Plates or Placards to Park Where There is a Parking Meter Without a Charge" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-83)**

(H.P. 310) (L.D. 388) Bill "An Act to Amend Disclosure Reporting Requirements" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-90)**

(H.P. 322) (L.D. 412) Bill "An Act to Amend the Maine Consumer Credit Code" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-80)**

(H.P. 323) (L.D. 413) Bill "An Act to Amend the Definition of 'Health Insurance'" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-81)**

(H.P. 353) (L.D. 443) Bill "An Act to Amend the Laws Governing Placards for Handicapped Motor Vehicle Operators" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-84)**

(H.P. 396) (L.D. 517) Bill "An Act to Establish the Identification Card of a Maine Indian Tribe as an Acceptable Form of Identification" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-85)**

(H.P. 397) (L.D. 518) Bill "An Act to Promote Affordable Housing for the Elderly" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-89)**

(H.P. 480) (L.D. 620) Bill "An Act to Amend the Charter of the Gray Water District" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-86)**

(H.P. 654) (L.D. 854) Bill "An Act to Amend the Maine Insurance Code to Adopt Statutory Insurance Accounting Principles" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-79)**

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. 32) (L.D. 130) Bill "An Act to Amend the Law Pertaining to the Maine Community Policing Institute Surcharge Fund" (C. "A" S-21)

(S.P. 167) (L.D. 586) Bill "An Act to Clarify the Testing Process for the Licensing of Guides" (C. "A" S-24)

(S.P. 202) (L.D. 767) Bill "An Act to Facilitate Passenger Rail Transportation by Limiting Liability" (C. "A" S-23)

(H.P. 47) (L.D. 56) Bill "An Act to Provide the Right to a Jury Trial in Civil Actions for Civil Rights Violations" (C. "A" H-73)

(H.P. 151) (L.D. 162) Bill "An Act to Change the Criteria for Intervenor Status" (C. "A" H-74)

(H.P. 158) (L.D. 169) Bill "An Act to Ensure the Continuing Beauty and Accessibility of Capitol Park" (C. "A" H-76)

(H.P. 312) (L.D. 390) Bill "An Act to Require Telephone Utility Participation in Enhanced 9-1-1" (C. "A" H-78)

(H.P. 813) (L.D. 1068) Bill "An Act to Clarify the Laws Relating to Corporate and Other Entities" (C. "A" H-75)

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 AS AMENDED** and sent for concurrence.

**ENACTORS
Emergency Measure**

An Act to Extend and Amend the Requirement for Giving Prior Notice of Acquisitions of Solid Waste Businesses

(S.P. 33) (L.D. 131)

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. 129 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Ensure Parity in the Sale of Securities by Maine Financial Institutions

(H.P. 297) (L.D. 375)

(C. "A" H-43)

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. 126 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

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

(H.P. 497) (L.D. 637)

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. 128 voted in favor of the same

and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

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
(H.P. 6) (L.D. 6)
(C. "A" H-40)

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. 129 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

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

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

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

An Act to Establish a Cold Case Homicide Squad
(S.P. 570) (L.D. 1743)

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Saturday, March 31, 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 (7) **Ought to Pass as Amended by Committee Amendment "A" (H-47)** – Minority (5) **Ought Not to Pass** – Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Limit Smoking by Foster Parents" (EMERGENCY)

(H.P. 305) (L.D. 383)

TABLED – March 28, 2001 (Till Later Today) by Representative KANE of Saco.

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

On motion of Representative KANE of Saco, the Bill and all accompanying papers were **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES** and sent for concurrence.

Resolve, to Require the Building of a Full Boat Launch on the Northern End of Cobbosseecontee Lake

(H.P. 179) (L.D. 190)

(C. "A" H-26)

TABLED – March 28, 2001 (Till Later Today) by Representative COLWELL of Gardiner.

PENDING – **FINAL PASSAGE**.

Subsequently, the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

SENATE REPORT – **Ought to Pass as Amended by Committee Amendment "A" (S-19)** – Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Amend the Harness Racing Laws to Provide for Staggered Terms

(S.P. 265) (L.D. 912)

- In Senate, Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-19)**.

TABLED – March 29, 2001 (Till Later Today) by Representative TUTTLE of Sanford.

PENDING – **ADOPTION OF COMMITTEE AMENDMENT "A" (S-19)**.

Subsequently, **Committee Amendment "A" (S-19)** was **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-19)** in concurrence.

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

SENATE DIVIDED REPORT – Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (S-22)** – Minority (4) **Ought Not to Pass** – Committee on **JUDICIARY** on Bill "An Act to Improve Allowances for Jury Duty"

(S.P. 57) (L.D. 221)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-22)**.

TABLED – March 30, 2001 (Till Later Today) by Representative BULL of Freeport.

PENDING – Motion of same Representative 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" (S-22)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, April 4, 2001.

An Act to Allow the Maine Turnpike Authority to Construct Communications Facilities

(S.P. 107) (L.D. 333)

(C. "A" S-11)

TABLED – March 30, 2001 (Till Later Today) by Representative COLWELL of Gardiner.

PENDING – **PASSAGE TO BE ENACTED.**

Subsequently, the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

Bill "An Act to Prohibit Certain Conduct Relating to Elephants"

(H.P. 488) (L.D. 628)

TABLED – March 30, 2001 by Representative STEDMAN of Hartland.

PENDING – **PASSAGE TO BE ENGROSSED.**

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

Representative **STEDMAN**: Mr. Speaker, Ladies and Gentlemen of the House. I couldn't let this bill go without making some comments. I thought it was something we were treating like private and special laws where we all put our signals on one side and then immediately change it upon calling for the final vote. It didn't happen. The lights stayed where they were. I guess the vote was a serious one taken the first time. I would suggest that we could use the same logic to solve another serious problem in the State of Maine and that is domestic abuse and battered women. If we keep all women out of the state, we would remove the victims and solve the problem. It would appear to me that we have reached a point where the victim is being removed solves a problem. This is a suggestion for dealing with the issue in another realm. The whole image that was created on the little videos that we all got was very well staged, but I suggest that video did not represent what goes on here in the State of Maine when elephants are brought in for shows. I would urge that you would change your vote and vote Ought Not to Pass on this particular bill. Thank you.

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

Representative **MUSE**: Mr. Speaker, Men and Women of the House. I am pretty amazed at what I just heard. I would like to think that that was just a comical remark. We had a lengthy debate on this issue. I don't want to drag it on any longer. I would like to remind just about everybody in this room how good you felt when we passed this bill and we all walked out of here.

Mr. Speaker, very briefly, I would like to introduce the membership to a woman named Carol Buckley who I will introduce by way of just mentioning her and what she does. Carol Buckley has stated firmly that the circus industry lies. They have lied to you. She says that because she was a part of that industry for more than 12 years. She was a member of the circus for 12 years as an elephant trainer. A bond developed between her and her own elephant and she left the circus because she knew that what she was doing was wrong. She left

the circus and she put her elephant into a zoo where it stayed for another two years. She finally decided that this wasn't quite right either. Carol Buckley then negotiated with International Paper for a tract of land in Tennessee. International Paper gave her 3,000 acres where she has opened an elephant sanctuary, which now houses seven elephants. She is prepared to house as many as 15 and many more. The elephants are confined in an 800 acre area. The additional 2,300 acres is a buffer zone for them. Unlike Ringling, she opens her facility to the public, not by allowing you to go inside, but through the use of cameras that are available on the internet, 24 hours a day so that you can go in and see what these animals are doing. They are never changed. The barn that is available to them is available to them to come and go as they please. The floor is heated. There is an automated system to remove the urine and feces so they don't have to stand in it chained by all four legs overnight, as is the case with Ringling Brothers who insisted on flying up here with their private jet to lobby against this bill. Unlike any other part of the circus, whether it is Ringling or anyone, who have told us this is an education for our children. We need this to educate the children. Carol Buckley, in her elephant sanctuary, it is available for any of you to look at, it is at www.elephants.com. You can see the elephants. You can watch them, but she has an educational component. I downloaded two of her lesson plans and I obviously wasn't about to pass them out. Over a semester, one is almost a years worth of study for grades four through eight that she uses to teach children with interactive television through the internet. She has taught over 45,000 children in Tennessee. The lesson plan covers history, math, geography and science, all geared around elephants. Ladies and gentlemen, when was the last time or when was the first time that you went to a circus and they gave you so much as a card or you saw a sign that said this animal comes from this part of the world. This is what they like. This is what they don't like. They teach nothing. There are facilities that do. They support this bill. Ladies and gentlemen, I would hope that you keep your vote right where it was. We can send this bill down to the other body and let's move on. Mr. Speaker, I would ask for the yeas and nays. Thank you.

Representative **MUSE** of South Portland **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: The Chair recognizes the Representative from Brewer, Representative Fisher.

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

The SPEAKER: The Representative may pose his question.

Representative **FISHER**: Mr. Speaker, Men and Women of the House. Is this the same International Paper Company that just put 300 of its workers out to pasture too?

The SPEAKER: The Representative from Brewer, Representative Fisher has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Farmington, Representative Gooley.

Representative **GOOLEY**: Mr. Speaker, Ladies and Gentlemen of the House. I am not sure, but it seems to be as Maine goes, so goes the nation. We have heard that over the years, I guess. I would hope that Representative Muse would work to further his goals on a national level in the protection of elephants and other wild species throughout the world.

The SPEAKER: The Chair recognizes the Representative from Gray, Representative Foster.

Representative FOSTER: Mr. Speaker, Ladies and Gentlemen of the House. I think so often it happens in this institution we are trying to treat the symptoms and as a result of this, we will deny the people of Maine and not solve the problem. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative McNeil.

Representative MCNEIL: Mr. Speaker, Ladies and Gentlemen of the House. If any of you watched TV the other night on one of the animal education shows, there was a program that told about this sanctuary on TV. I think if many of you had watched it, you would continue to vote for Representative Muse's bill. It is a very sad thing that happens to a very large animal when we as human beings think that we should tie them up and put them on display for us to see. I hope you will think very seriously about this bill. I don't think it is fair for us to put these animals on display for our entertainment and take the value of their life away. If you had seen the things on this program and heard the things that had happened to these animals and the lifelong suffering that they have gone through as a result of what is happening to them in the circus, I think you would think twice about voting against this bill. Thank you.

The SPEAKER: 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. 39

YEA - Andrews, Ash, Berry RL, Bowles, Brooks, Bull, Bumps, Bunker, Canavan, Chizmar, Colwell, Cote, Cowger, Crabtree, Cummings, Davis, Desmond, Dorr, Dudley, Duplessie, Estes, Etnier, Fuller, Gagne, Gerzofsky, Glynn, Green, Hall, Haskell, Hatch, Hutton, Jacobs, Jones, Kane, Koffman, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, MacDougall, Madore, Marley, Marrache, McGlocklin, McKee, McKenney, McLaughlin, McNeil, Mitchell, Murphy E, Murphy T, Muse C, Muse K, Norbert, Norton, O'Brien JA, O'Brien LL, O'Neil, Paradis, Patrick, Pineau, Povich, Richard, Richardson, Rines, Simpson, Skoglund, Snowe-Mello, Sullivan, Tarazewich, Tessier, Thomas, Trahan, Tuttle, Twomey, Volenik, Waterhouse, Watson, Mr. Speaker.

NAY - Annis, Belanger, Berry DP, Blanchette, Bouffard, Brannigan, Bruno, Bryant, Carr, Chase, Chick, Clark, Clough, Collins, Cressey, Daigle, Dugay, Duncan, Dunlap, Duprey, Fisher, Foster, Goodwin, Gooley, Hawes, Heidrich, Honey, Jodrey, Kasprzak, Labrecque, Landry, Lessard, Lovett, Lundeen, Mailhot, Mayo, McDonough, McGowan, Mendros, Morrison, Nass, Nutting, Perkins, Pinkham, Rosen, Savage, Schneider, Sherman, Shields, Smith, Stanley, Stedman, Tobin D, Tobin J, Tracy, Treadwell, Usher, Weston, Wheeler EM, Wheeler GJ, Winsor, Young.

ABSENT - Bagley, Baker, Bliss, Buck, Matthews, Michael, Michaud, Peavey, Perry, Quint.

Yes, 79; No, 62; Excused, 10.

79 having voted in the affirmative and 62 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

Bill "An Act to Create the Crime of Aggravated Endangering the Welfare of a Child"

(S.P. 588) (L.D. 1764)

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

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

Bill "An Act to Transfer Funds from the Department of Labor for a Full-time Hearing Officer for the Workers' Compensation Board"

(S.P. 587) (L.D. 1763)

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

REFERRED to the Committee on **LABOR** in concurrence.

The following Joint Resolution: (S.P. 590)

**JOINT RESOLUTION MEMORIALIZING THE
PRESIDENT OF THE UNITED STATES AND THE
CONGRESS OF THE UNITED STATES TO SUPPORT PAY
EQUITY**

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

WHEREAS, the average American woman who works full time earns approximately 74¢ for each dollar that an average man earns working full time, and the average woman working full time in Maine earns approximately 73¢ for each dollar that an average man working full time in Maine earns; and

WHEREAS, the significant pay gap between men and women performing jobs of comparable skill, effort and responsibility, even when wages are adjusted for levels of education, contributes to the disproportionately high poverty rate among women and children in the State and across the Nation; and

WHEREAS, Congress has found that the gender-based wage gap depresses living standards for American women and their families, harms their health and efficiency, prevents the maximum utilization of available labor resources and tends to cause labor disputes, thereby burdening, affecting and obstructing commerce and creating unfair methods of competition; and

WHEREAS, justice requires that women be paid fairly for the value of their work; and

WHEREAS, the average wage gap between men and women has continued for decades without significant improvement, notwithstanding federal and state laws that prohibit discrimination in compensation for equal work on the basis of sex, including the federal Fair Labor Standards Act of 1938, Title VII of the federal Civil Rights Act of 1964 and the Maine Revised Statutes, Title 26, section 628; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the Congress of the United States strengthen efforts to ensure that women are paid fairly for their work; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the United States Senate, to the Speaker of the

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

LEGISLATIVE RECORD - HOUSE, April 3, 2001

United States House of Representatives and to each Member of
the Maine Congressional Delegation.

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

READ and **ADOPTED** in concurrence.

On motion of Representative DAVIS of Falmouth, the House
adjourned at 10:39 a.m., until 9:00 a.m., Wednesday, April 4,
2001.