

MAINE STATE LEGISLATURE

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

Volume II

First Regular Session

May 18, 2001 – June 22, 2001

Second Regular Session

January 2, 2002 – March 6, 2002

Pages 890-1770

ONE HUNDRED AND TWENTIETH LEGISLATURE
SECOND REGULAR SESSION
6th Legislative Day
Friday, January 18, 2002

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

Prayer by Father Gilbert Patenaude, Augusta (retired).

National Anthem by Kayla Hopkins, Manchester Middle School.

Pledge of Allegiance.

Doctor of the day, Phillip Tedrick, D.O., Readfield.

The Journal of Tuesday, January 15, 2002 was read and approved.

At this point, a message came from the Senate, borne by Senator Michaud of Penobscot of that Body, proposing a Joint Convention of both Branches to be held in the Hall of the House at 12:40 in the afternoon for the purpose of extending to John Wallach, President and Founder of Seeds of Peace, an invitation to attend the Joint Convention and to make such communication as pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 12:40 in the afternoon and the Speaker appointed Representative COLWELL of Gardiner to convey this message to the Senate.

SENATE PAPERS

Bill "An Act to Increase the Debt Limit of the Calais School District" (EMERGENCY)

(S.P. 744) (L.D. 2074)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 347)

STATE OF MAINE

120TH MAINE LEGISLATURE

January 8, 2002

John Wallach

370 Lexington Ave., Suite 1409

New York, New York 10017

Dear Mr. Wallach:

We are pleased to invite you to address a Joint Session of the 120th Maine Legislature on Friday, January 18, 2002 at 1:00 p.m. to deliver remarks regarding the Seeds of Peace project.

We look forward to seeing you then.

Sincerely,

S/Richard A. Bennett

President of the Senate

S/Michael V. Saxl

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 348)

SEEDS OF PEACE

370 LEXINGTON AVENUE

NEW YORK, NY 10017

January 15, 2002

The Honorable Michael Saxl

Speaker of the House

Maine House of Representatives

Two State House Station

Augusta, ME 04333

Dear Mr. Speaker:

It is my honor and privilege to accept your invitation to address a joint session of the Maine Legislature on Friday, January 18th. For ten years, Maine has been the home of the Seeds of Peace International Camp Program. In the past decade, almost 2,000 teenagers have graduated from the Seeds of Peace International Camp in Otisfield, which brings together teenagers from regions of conflict, including the Middle East, Pakistan, India, Cyprus, Greece, Turkey, Bosnia, Croatia, Serbia, Kosovo, and Macedonia. Through the creation of open dialogues, team building, group projects and activities, and conflict-resolution sessions, these "seeds of peace" begin the difficult process of developing the mutual trust, respect, and empathy needed to break the cycles of hatred and violence.

Maine has been an invaluable partner in the Seeds of Peace mission. The state's idyllic setting and the continual support of the community has created a very special bond between our young people and Maine. We have also extended our program to include Maine teenagers, as American ambassadors at the International Camp Program, and, through the Portland Project, which brings together Portland youth of diverse cultural backgrounds, including African-Americans and immigrants from Rwanda, Kampuchea (Cambodia) and Vietnam.

We forget that we have as much, perhaps more, in common than separates and divides us. That is why Seeds of Peace believes in coexistence and in the common humanity that unites us. Maine has helped Seeds of Peace to weave the fabric of tolerance and understanding so that the next generation will lead us away from fear and hatred. With its unique partnership with Seeds of Peace, the state of Maine is helping to nurture the young people who will be the leaders of tomorrow.

I thank you for your support and commitment to Seeds of Peace.

Sincerely,

S/John Wallach

President and Founder

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 349)

STATE OF MAINE

HOUSE OF REPRESENTATIVES

SPEAKER'S OFFICE

AUGUSTA, MAINE 04333-0002

January 15, 2002

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under P.L. 2001, Chapter 439, Part PPPP, I am pleased to appoint Zara Ahmed of Waterville, Alice Doughty of Sebago, and Molly Feeney of Knox as members representing secondary schools to the Legislative Youth Advisory Committee.

If you have any questions regarding these appointments, 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. 350)

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

January 9, 2002

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under 22 M.R.S.A., §2692, I am please to appoint Betsy Wooster of Waldoboro to the Prescription Drug Advisory Commission as a public member completing the term of John Marvin of Augusta, a term to expire June 25, 2003.

Should you have any 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. 345)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
COMMISSION TO STUDY EQUITY IN THE DISTRIBUTION OF
GAS TAX REVENUES ATTRIBUTABLE TO SNOWMOBILES,
ALL-TERRAIN VEHICLES AND WATERCRAFT**

January 10, 2002

The Honorable Richard A. Bennett, President

The Honorable Michael V. Saxl, Speaker

120th Maine Legislature

State House

Augusta, ME 04333

Dear President Bennett and Speaker Saxl:

Pursuant to Resolves 2001, chapter 68, the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft is pleased to submit its final report including recommended legislation to the 120th Maine Legislature. Copies of the report have been transmitted to the members of the Legislative Council, the Joint Standing Committee on Inland Fisheries and Wildlife, the Joint Standing Committee on Transportation, the Joint Standing Committee on Agriculture, the Joint Standing Committee on Taxation and the Joint Standing Committee on Marine Resources. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Sen. Marge L. Kilkelly, Co-Chair

S/Rep. Joseph E. Clark, Co-Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 346)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
COMMITTEE TO STUDY ISSUES CONCERNING CHANGES
TO THE**

TRADITIONAL USES OF MAINE FORESTS AND LANDS

January 15, 2002

The Honorable Richard A. Bennett, President

The Honorable Michael V. Saxl, Speaker

120th Maine Legislature

State House

Augusta, ME 04333

Dear President Bennett and Speaker Saxl:

Pursuant to Joint Order, HP 1391, as amended by HP 1393, the Committee to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands is pleased to submit its final report including recommended legislation to the 120th Maine Legislature. Copies of the report have been transmitted to the members of the Legislative Council and to the Joint Standing Committee on Agriculture, Conservation and Forestry. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Sen. Paul T. Davis, Sr., Co-Chair

S/Rep. Sharon Libby Jones, Co-Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 748)

**JOINT RESOLUTION HONORING
JOHN WALLACH AND SEEDS OF PEACE**

WHEREAS, in a 1993 meeting with representatives from Israel, Egypt and Palestine, John Wallach, an award-winning journalist, proposed the creation of a program allowing teenagers from regions of conflict an opportunity to break the cycle of violence and attend a summer camp in the United States together to learn about conflict resolution and the art of peacemaking; and

WHEREAS, this vision led to the creation of a nonprofit, nonpolitical organization called Seeds of Peace; and

WHEREAS, Seeds of Peace International Camp is set in the bucolic setting of Otisfield, Maine, where participants live together in cabins, share meals and converse with teenagers "from the other side" for the first time; and

WHEREAS, these youngsters canoe, swim and play sports together; find creative expression through music, drama and other fine arts; and enter the threshold of the information age in state-of-the-art computer classes; and

WHEREAS, the annual number of participants has increased from 50 to almost 500, and regional representation has increased from 3 Middle Eastern nations to include Israel, the Palestinian Authority, Jordan, Egypt, Morocco, Tunisia, Qatar and Yemen, and now also includes delegations of Greek and Turkish Cypriots, first-generation United States immigrants from Portland, Maine and participants from Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, Yugoslavia, Romania, India and Pakistan; and

WHEREAS, its proven impact and success as an effective model for resolving conflict worldwide have earned Seeds of Peace international recognition, including a UNESCO Peace Prize from the United Nations and the 2002 International First Freedom Award from the Council for America's First Freedom; and

WHEREAS, its founder, John Wallach, was awarded the Legion of Honor of the Hashemite Kingdom of Jordan by His Late

Majesty King Hussein and has received honorary doctorates from Middlebury College and the University of Southern Maine; and

WHEREAS, the people of Maine are privileged and honored to have the Seeds of Peace International Camp located within its borders, and numerous Maine businesses and educational institutions have played an important role in the success of Seeds of Peace; and

WHEREAS, Seeds of Peace is celebrating its 10th anniversary in 2002, having helped over 2,000 young people from 20 nations learn the fine art of peacemaking; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature, now assembled in the Second Regular Session, honor the vision of John Wallach and applaud the efforts of Seeds of Peace; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States of America, George W. Bush, Secretary of State Colin Powell and the Secretary-General of the United Nations, Kofi Annan, as well as to John Wallach and the Seeds of Peace organization on behalf of the people of Maine as a token of their esteem and their gratitude.

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

The following Joint Order: (S.P. 747)

ORDERED, the House concurring, that when the House stands Adjourned it does so until Tuesday, January 22, 2002, at 4:00 in the afternoon and the Senate Adjourns until Tuesday, January 22, 2002, at 5:00 in the afternoon.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

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

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2002 and June 30, 2003" (EMERGENCY)

(H.P. 1574) (L.D. 2080)

Sponsored by Representative BERRY of Livermore. (GOVERNOR'S BILL)

Cosponsored by Senator GOLDTHWAIT of Hancock.

Subsequently, Representative COLWELL of Gardiner reported that he had delivered the message with which he was charged.

Bill "An Act to Clarify the Law Enforcement Authority of Capitol Security Personnel" (EMERGENCY)

(H.P. 1573) (L.D. 2079)

Sponsored by Speaker SAXL of Portland.

Cosponsored by President BENNETT of Oxford.

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

Committee on **CRIMINAL JUSTICE** suggested.

Representative SCHNEIDER of Durham **OBJECTED** to suspending the rules in order to give the Bill its **FIRST READING WITHOUT REFERENCE** to a committee.

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

Pursuant to Joint Study Order

Joint Study Committee to Study Growth Management
Representative KOFFMAN from the **Joint Study Committee to Study Growth Management** pursuant to Joint Order 2001, H.P. 1330 asks leave to report that the accompanying Bill "An Act to Amend the Subdivision Review Criteria for Traffic"

(H.P. 1576) (L.D. 2082)

Be **REFERRED** to the Committee on **NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED**.

On motion of Representative COWGER of Hallowell, the Bill was **REFERRED** to the Committee on **TRANSPORTATION**, ordered printed and sent for concurrence.

Pursuant to Resolve

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

Representative CLARK for the **Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft** pursuant to Resolve 2001, chapter 68 asks leave to report that the accompanying Bill "An Act to Implement the Unanimous and the Majority Recommendations of the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft"

(H.P. 1575) (L.D. 2081)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Resolve

Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry

Representative GAGNE for the **Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry** pursuant to Resolve 1999, chapter 124 asks leave to report that the accompanying Bill "An Act to Require Logging Contractors to Notify Landowners and Employees of the Cancellation of Workers' Compensation Insurance Coverage"

(H.P. 1572) (L.D. 2077)

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

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

Sent for concurrence.

Pursuant to Resolve

**Commission to Study the Implementation of a Unified
Emergency Response for Emergency Releases and Spills of
Toxic or Hazardous Materials**

Representative DUPLESSIE for the **Commission to Study the Implementation of a Unified Emergency Response for Emergency Releases and Spills of Toxic or Hazardous Materials** pursuant to Resolve 2001, chapter 65, section 7 asks leave to report that the accompanying Bill "An Act Regarding Workers' Compensation and Liability Immunity Coverage for Emergency Management Forces"

(H.P. 1578) (L.D. 2084)

Be **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED**.

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

**Pursuant to Statute
Revisor of Statutes**

Representative LaVERDIERE for the **Revisor of Statutes** pursuant to Maine Revised Statutes, Title 1, section 94 asks leave to report that the accompanying Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

(H.P. 1577) (L.D. 2083)

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

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

Sent for concurrence.

Pursuant to Statute

Department of Environmental Protection

Representative COWGER for the **Department of Environmental Protection** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Amendments to Chapter 305, Permit by Rule Standard and Chapter 310, Wetland Protection Regarding Cutting and Removal of Vegetation, Major Substantive Rules of the Department of Environmental Protection (EMERGENCY)

(H.P. 1571) (L.D. 2076)

Be **REFERRED** to the Committee on **NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

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

Sent for concurrence.

ORDERS

On motion of Representative FULLER of Manchester, the following House Order: (H.O. 37)

ORDERED, that Representative Patricia A. Blanchette of Bangor be excused Tuesday, January 8th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Joseph E. Clark of Millinocket be excused Friday, January 11th for legislative business.

AND BE IT FURTHER ORDERED, that Representative Matthew Dunlap of Old Town be excused Friday, January 11th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Bonnie Green of Monmouth be excused Tuesday, January 15th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Janice E. Labrecque of Gorham be excused Friday, January 4th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Glenys P. Lovett of Scarborough be excused Wednesday, January 2nd and Friday, January 4th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative David R. Madore of Augusta be excused Tuesday, January 8th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Arthur F. Mayo III of Bath be excused Friday, January 11th for legislative business.

AND BE IT FURTHER ORDERED, that Representative Julie Ann O'Brien of Augusta be excused Wednesday, January 2nd and Friday, January 4th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Shirley K. Richard of Madison be excused Tuesday, January 15th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Tom J. Winsor of Norway be excused Tuesday, January 8th for personal reasons.

READ and **PASSED**.

CONSENT CALENDAR

First Day

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

(H.P. 1216) (L.D. 1657) Bill "An Act to Improve Emergency Medical Services by Expanding the Pool of Qualified Emergency Medical Services Personnel" Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass**

(H.P. 1400) (L.D. 1839) Resolve, Authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to Lease a Certain Parcel of Land to the Federal Aviation Administration Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 1408) (L.D. 1846) Bill "An Act to Ensure Victim Safety" Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass**

(H.P. 1459) (L.D. 1956) Bill "An Act to Clarify Rule-making Authority for the Office of the State Fire Marshal" Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass**

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

ENACTORS

Acts

An Act to Give the Maine Technical College System Limited Revenue Bonding Authority

(H.P. 1362) (L.D. 1819)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative WATERHOUSE of Bridgton, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 465

YEA - Baker, Belanger, Berry DP, Berry RL, Bouffard, Brannigan, Brooks, Bruno, Bryant, Bull, Bumps, Bunker, Canavan, Carr, Chick, Chizmar, Clark, Collins, Colwell, Cote, Cowger, Crabtree, Cummings, Daigle, Davis, Desmond, Dorr, Dudley, Duncan, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Green, Hatch, Hawes, Honey, Hutton, Jacobs, Jones, Kane, Koffman, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lovett, Lundeen, Madore, Mailhot, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McLaughlin, McNeil, Mendros, Michaud, Mitchell, Murphy E, Norbert, Norton, O'Brien JA, O'Neil, Paradis, Patrick, Peavey, Perkins, Pineau, Povich, Quint, Richardson, Rines, Rosen, Savage, Simpson, Smith, Stanley, Sullivan, Tarazewich, Thomas, Tobin D, Tobin J, Tuttle, Twomey, Usher, Volenik, Watson, Weston, Wheeler EM, Wheeler GJ, Young, Mr. Speaker.

NAY - Andrews, Annis, Bowles, Buck, Chase, Clough, Cressey, Duprey, Foster, Glynn, Goodwin, Gooley, Haskell, Heidrich, Jodrey, Kasprzak, Labrecque, MacDougall, McKenney, Morrison, Murphy T, Nass, Nutting, Pinkham, Schneider, Sherman, Shields, Snowe-Mello, Stedman, Trahan, Treadwell, Waterhouse.

ABSENT - Ash, Bagley, Blanchette, Bliss, Dugay, Hall, Landry, Marley, Marrache, Michael, Muse C, Muse K, O'Brien LL, Perry, Richard, Skoglund, Tessier, Tracy, Winsor.

Yes, 100; No, 32; Absent, 19; Excused, 0.

100 having voted in the affirmative and 32 voted in the negative, with 19 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

SENATE PAPERS

Bill "An Act Relating to the Transfer to GNE, LLC of Certain Privileges Bestowed by the Legislature upon Great Northern Paper, Inc."

(S.P. 751) (L.D. 2085)

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

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

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

At this point, the Senate came and a Joint Convention was formed.

IN CONVENTION

The President of the Senate, the Honorable Richard A. Bennett, in the Chair.

The Convention was called to order by the Chair.

On motion of President Pro Tem Michaud of Penobscot, it was

ORDERED, that a message be sent to Governor Angus S. King, Jr. and Chief Justice of the Maine Supreme Judicial Court, Leigh Ingalls Saufley, inviting them to attend the Joint Convention of the two branches of the Legislature now assembled in the Hall of the House for the purpose of extending to John Wallach, founder and President of Seeds of Peace, an invitation to attend the convention and make such communications as pleases him.

The Order was Read and Passed.

The Chair will appoint the following:

- The Sen. from Cumberland, Senator Pendleton
- The Sen. from Penobscot, Senator Youngblood
- The Sen. from Androscoggin, Senator Rotundo
- The Rep. from Portland, Representative McDonough
- The Rep. from Skowhegan, Representative Hatch
- The Rep. from Topsham, Representative Lessard
- The Rep. from Cape Elizabeth, Representative McLaughlin
- The Rep. from Newport, Representative Kasprzak
- The Rep. from Berwick, Representative Murphy
- The Rep. from Levant, Representative Chase
- The Rep. from Milford, Representative Haskell
- The Rep. from Baldwin, Representative Cressey, Jr.

Subsequently, Senator Pendleton of Cumberland, for the Committee, reported that the Committee had delivered the message with which it was charged and were pleased to report that the Honorable Angus S. King, Jr., Governor of the State of Maine, and the Honorable Leigh Ingalls Saufley, Chief Justice of the Maine Supreme Judicial Court, will attend forthwith.

The Chair is pleased to welcome the Honorable Angus S. King, Jr., Governor of the State of Maine accompanied by the Honorable Leigh Ingalls Saufley, Chief Justice of the Maine Supreme Judicial Court.

On motion of Senator Ferguson of Oxford, it was ORDERED, that a message be sent to John Wallach, founder and President of Seeds of Peace, inviting him to attend the Joint Convention of the two branches of the Legislature now assembled in the Hall of the House for the purpose of extending to him an invitation to attend the convention and make such communication as pleases him.

The Order was Read and Passed.

The Chair will appoint the following:

- The Sen. from Oxford, Senator Ferguson
- The Rep. from Livermore, Representative Berry
- The Rep. from Dixfield, Representative Bryant
- The Rep. from Buckfield, Representative Gagne
- The Rep. from Oxford, Representative Heidrich
- The Rep. from Bethel, Representative Jodrey
- The Rep. from Fryeburg, Representative Muse
- The Rep. from Rumford, Representative Patrick
- The Rep. from Bridgton, Representative Waterhouse
- The Rep. from Norway, Representative Winsor
- The Rep. from Monmouth, Representative Green

Subsequently, Senator Ferguson of Oxford, for the Committee, reported that the Committee had delivered the message with which it was charged and were pleased to report that John Wallach of Seeds of Peace will attend forthwith.

The Chair recognized in the House Gallery, Janet Wallach, John's wife and renowned author; Tim Wilson, Vice President of Seeds of Peace; Merle Nelson of Falmouth, President of the Maine Friends of Seeds of Peace and former member of the

House during the 109TH through 112TH Legislatures; Seeds of Peace graduates, parents, staff, counselors and friends; Eleanor Heidrich, wife of Representative Ted Heidrich and a local leader for Seeds of Peace together with her husband, Representative Heidrich.

The Chair is pleased to welcome John Wallach, founder and President of Seeds of Peace. The Chair is also pleased to recognize that today is Mr. Wallach's Birthday.

The **CHAIR**: Today we are honored to be in Joint Convention to hear the thoughts of a remarkable man – a private citizen driven to public good – an international man who breaks bread with princes and pop stars but whose real work is with children in rustic cabins in western Maine – a man who does not shrink from most elusive quest in the history of civil society: the quest for peace.

John Wallach is Founder and President of Seeds of Peace and an award-winning author and journalist. He founded *Seeds of Peace* in March 1993. *Seeds of Peace* has been featured in *The New York Times*, *USA Today*, *The Washington Post*, *Time Magazine*, *The Christian Science Monitor*, *The Wall Street Journal*, *People Magazine* and on ABC, CBS & NBC network programs, including *Nightline* with Ted Koppel, *60 Minutes* with Morley Safer, *Sunday Morning*, *The Today Show*, *Good Morning America* and on CNN, PBS and NPR.

From 1997 to 1998, Mr. Wallach was a Senior Fellow at the United States Institute of Peace (USIP) that recently published his book *The Enemy Has A Face: The Seeds of Peace Experience*. He is a teaching fellow of the Woodrow Wilson National Foundation. His awards include honorary doctorate degrees from Middlebury College and the University of Southern Maine; his selection as Washingtonian of the Year by *Washingtonian Magazine*; a UNESCO Peace Prize awarded in November 2000 and the prestigious Legion of Honor presented by His Late Majesty King Hussein of Jordan.

Mr. Wallach is co-author with his wife, Janet, of three books. The Wallachs have two sons: David and Michael.

John Wallach is here to share with us his experience and his mission in founding and operating Seeds of Peace – an organization created to bring together the children of countries torn apart by war and ethnic hatreds. Since 1993, Seeds of Peace has brought together hundreds of teenagers from all over the world, including many from Maine, to summer camp in Otisfield, Maine – to swim, canoe, play sports – all the things kids typically do at summer camp – but with other youth who they were taught to know as their enemies. But there is much more in Otisfield than campfires and canoes. There are conflict resolution sessions mediated by professionals who help these young people face their deepest fears and hatreds – together. These youth then go back to their homelands with the hope of being seeds of peace in soils of war.

Since September 11, the world is closer, smaller. We cannot ignore distant animosities and seething hatreds. Americans are following more closely events around the world – wondering, fearing, will these far-flung conflicts again be visited upon our shores? For many years now, through Seeds of Peace, our state of Maine has quietly been contributing to peacemaking throughout the world. It is a long-term project. But it is a worthy endeavor.

A few weeks before his death, Franklin Delano Roosevelt said, "Peace can endure only so long as humanity really insists upon it, and is willing to work for it and sacrifice for it." John

Wallach has insisted upon it. He works tirelessly for it, and he continues to sacrifice immensely for it. John, may you and Seeds of Peace endure.

We welcome you, John, to the State House, and we thank you for choosing Maine as your place of peace. Please join me in welcoming John Wallach.

The Chair is pleased to present to you Mr. John Wallach, founder and President of Seeds of Peace.

Mr. **WALLACH**: What a great honor for me. The only thing I need and my wife is not too handy because she is up in the gallery is a tissue, but I think I will make it through. Governor King, Chief Justice Saufley, President Bennett, Speaker Saxl, Merle Nelson, who is the Chairman of Friends of Seeds of Peace here in Maine, Tim Wilson, our Vice President and Director of the Camp, Peggy Golden and other members of the Seeds of Peace Board who are here and most importantly, those green shirts that you see behind you on those teenagers. They are the seeds of the future. Many of them are from Maine. I thank you and I welcome you. You will have heard some of these words perhaps before. I am particularly honored to be given the opportunity that has been extended before to Ed Muskie who was a dear friend of Maine, to George Mitchell, to the Premier of Quebec, to Margaret Chase Smith, to so many distinguished Americans. I am humbled by this opportunity to speak to you about something that is very dear to my heart.

I always tell our kids to speak from the heart, don't simply make eye contact, make heart contact. So allow me to act a little emotional with you today.

First of all, I believe that Maine is God's country. I tell all the youngsters at Seeds of Peace that what they see when they look out over Lake Pleasant and at the beautiful fields that surround them is the world before billboards and walkmans and cell phones, the world as it was when it was created by God. Maine is the home of Seeds of Peace, and will always be the home of Seeds of Peace, because it allows all of us to get "back to basics." At Seeds of Peace, it is vitally important for basic human emotions to surface so we can make peace, real peace, in the real world.

Seeds of Peace is not a place where you plant a tree (although we've planted a few), sing a song (although we sing the Seeds anthem) and call it peace. Peace takes hard work. It means rolling up your sleeves, getting your hands dirty and confronting some of the emotions you didn't even know you had in you. I think of the Indian girl who emerged from a "coexistence" session and, astonished at her own discovery, said to a friend, "I didn't know I had such hate."

Seeds of Peace is a de-tox program for the hatreds that all of us possess. It is these hatreds that fuel misunderstanding and that often culminate in violence and terrorism. I got the idea for Seeds of Peace after the first terrorist attack on the World Trade Center. It occurred to me that if the aim of terrorists is to instill fear, and to paralyze the majority, we must have a response – one that does the opposite, that does not instill fear – but that inspires hope.

My belief was that if we can share some of the basic human emotions that separate and divide us, perhaps we can break the cycles of violence. So there is a lot of raw emotion at Seeds of Peace, almost as if we are indeed going back to the universe before creation and starting all over again. I remember walking into a coexistence session and seeing everyone crying. Real wet tears rolling down their cheeks I looked at the small room of Arabs and Israelis and felt like I had walked into a funeral.

But then I realized that there was something uplifting about the scene. These young adversaries, the offspring of mothers and fathers who were sworn to kill each other, were unafraid to display the most noble human emotion of all - the courage to appear weak, indeed to cry in front of your enemy. What could be more cleansing to the soul?

In fact, since I brought up God, allow me to tell you about some other miracles. Small ones, but important ones. I think of the young Palestinian boy who had only known death and destruction. He lived in a refugee camp in Gaza. His father had been shot by Israeli troops and no one in his family had ever traveled outside of the war zone. When he woke up after a tiring 25-hour flight, and ran onto the field for the morning lineup, he turned to my son, a counselor, and said in all seriousness, "Have I died and gone to heaven?" In his mind, this was what heaven should look like.

I think of the young Israeli who couldn't get over the fact that he was showering nude and brushing his teeth in front of a Palestinian who, if they were home, might take the opportunity to knife him. I think of the Palestinian who was right in front of the goal certain that he could score if only his Israeli teammate would pass him the ball. But he was just as sure that the Israeli wouldn't pass to him because he knew that the goalie on the opposing team was his teammate's best friend. Lo and behold, the Israeli passed the ball to him. He scored and it was the most unforgettable moment that this young man had during camp.

I think of Rita, an Israeli from Afula who boldly proclaimed to her counselor that she did not believe Palestinians had a right to any land. You could see it in her eyes - when the first Palestinian walked through the cabin door on the first night of camp, she glared at her and said, "Girl, come over here. What is your name?" The very soft-spoken Palestinian girl replied, "Ola." Rita said, "We'll call you Kelly."

Over the course of the summer, one of the male Palestinian campers lost a cousin, who had been shot by an Israeli soldier. Rita came to me sobbing, the counselor recalled, saying, "Eva, it's not just some Palestinian who died anymore. It's Mashour's cousin!" She was shocked at her own grief, that she could be so upset at a Palestinian dying. By the end of the three-week session, Rita had changed. She now saw Palestinians as human beings and supported their rights, as humans, to an identity and to land, indeed a state of their own.

I'm often asked what is the mission of Seeds of Peace? It really is very simple. Everything that one side has, the other side deserves. Indeed all those things we demand for ourselves - namely human, political and civil rights - we have an obligation to seek for our adversaries. If that simple principle was implemented in other parts of the world, there would be a lot less tension and warfare than there is today.

I remember when I asked Bushra, a Palestinian girl, what was her most memorable moment during the summer? She said simply, "playing soccer on the same team with Israelis." Just think about it. She simply wanted to be regarded as an equal to her sworn enemy, the Israelis. In her own mind, that is what gave her self-respect and importance.

So Seeds of Peace ultimately is about humanizing the enemy. I remember what Terry Anderson, the AP reporter who was a hostage in Lebanon, told me in 1993 after he spoke to the very first group of Seeds. He said, "If you achieve nothing else, John, at least the enemy will have a face".

That's what we are trying to do - reverse the deliberate dehumanization that governments practice in order to perpetuate conduct. Think of the Israeli soldier or, for that matter, any soldier. You can hardly tell them apart because they are all in the

same uniform. The last place you look is at their face. Think of the Palestinian terrorist. He wears a black-and-white kaffiyeh around his head to hide his face.

We are trying to re-introduce humanity, to rid these youngsters at a crucial age of their prejudices and stereotypes. I remember Mona, an Israeli Arab. The first day of camp she sat in the Big Hall and surveyed all of the campers. "We were trying to guess who was Arab and who was Jewish," her counselor recalled. "You can just tell who the Jews are," she said with evident disgust. "You can tell by the way they dress, they way they act. They're just different."

After a couple of more guessing rounds, I turned to her and said, "Mona, do you think I am Jewish?" She studied me for a bit and quietly said, "No." Mona and I became extremely close that summer. The last night of camp she slept wrapped around my arm. When it came time to say good-bye, she said, "I cannot leave my sister." My sister. It is so powerful for both of us, an Arab and a Jew, to share that relationship.

We share a lot of pain at Seeds of Peace. But there is a method to the madness. When you spend most of the day having fun, canoeing, playing soccer, learning how to swim or to navigate an intimidating ropes course for the first time in your life, and you eat your meals (if they can be described as such) and sleep with the people you have been told are your enemy, you gradually accept them. They no longer are the "enemy," but friends on the same soccer or frisbee team.

That sets the stage for the coexistence sessions. Having relaxed and accepted the other side, you are unafraid of unburdening yourself of your fears and anxieties. We have had our crises at Seeds of Peace. In the very first summer, the Israelis, Palestinians and Egyptians were asked to draw pictures of an imaginary friend from the other side. One of the Arabs drew a picture of a stereotype of a Jew, with long sideburns, a crooked nose and a hooked chin. In the margins he drew symbols from his subconscious. One of them was a peace sign. Another was a swastika.

When one of the Israeli boys picked up the picture, he started to cry. "You don't know what this means to me," he said. "We lost six million people in the Holocaust. My grandmother and grandfather were gassed." The Palestinian youngster replied, "Those are crocodile tears. You didn't even know your grandparents because you weren't even born. And there weren't six million killed. There were only twenty thousand and the Jews deserved it. They brought it on themselves."

By this time much of the rest of the Israeli delegation was in tears. Then the Palestinian boy added, "If you want to cry, cry for me. My father was killed by your soldiers." There in a nutshell was the pain that each of them wanted the other to recognize. The Israeli boy who provoked the angry exchange developed a fever and was put in the infirmary. The leaders of the Palestinian delegation wanted to know the location of the nearest international airport. At that moment, I was more grateful than ever that we were in the Maine woods. I asked them to be patient.

Meanwhile my older son David, a counselor, found a copy of a book by Elie Wiesel, a Holocaust survivor, called "The Night." He gave it to the Palestinian boy to read during rest hour. When he went back into his bunk an hour later, tears had formed in his eyes. As rest hour ended, the Palestinian emerged from his bunk. At the same time, Elad, the Israeli, came out of the infirmary. The Palestinian strode over to him and gave him a high five. As coincidence (or those inclined to believe in divine providence) would have it, the young Israeli was Elad Wiesel, a cousin of the author of "The Night."

What is happening here in Maine, from the middle of June until the end of August, and throughout the year at our center in Jerusalem, is something that transcends traditional forms of peacemaking. We are showing the world that if you care enough, if you have enough dedicated counselors and facilitators and you are willing to spend the money, you can make peace. You can give the next generation the tools to be better prepared to end conflict.

There is nowhere else in the world where this is happening our success has attracted many new nations to Seeds of Peace. This summer India and Pakistan, and probably Afghanistan, will be among the 22 nations with delegations at Seeds of Peace. The Congress of the United States, Republicans and Democrats alike, have unanimously approved for the second year a budget allotment for Seeds' overseas programs - in Jerusalem, in Cyprus, in Bosnia and in India and Pakistan. Nor have we forgotten our debt to our own kids. Thanks to Tim Wilson and Merle Nelson, we will have several dozen youngsters, including recent immigrants, from the Portland area representing the United States.

Let me conclude with a plea to recognize Maine for its unique role in peacemaking. I suggested to Governor King last summer that you call Maine "The Peace State." You certainly have the credentials. Ed Muskie, the Secretary of State, Samantha Smith and her courageous mission to Moscow at the height of the Cold War. America's preeminent peacemaker George Mitchell who has helped resolve one conflict in Northern Ireland and drawn the roadmap for resolving the crisis in the Middle East and Seeds of Peace where the next generation from a dozen different regions of conflict are learning, in UN Secretary-General Kofi Annan's words, "the art of making peace."

I suggest Maine be "The Peace State" for economic reasons as well. Why shouldn't the rest of the American people and the rest of the world, for that matter, recognize the contributions of this special place on the map?

I am aware that few people have been permitted to speak from this podium. Thank you for the honor. And please come visit us next summer so you can see for yourself what I call "the miracle in the Maine woods."

The **SPEAKER**: On behalf of the Maine Legislature, the Maine House and the Maine Senate, may I join in honoring you and the Seeds of Peace. Blessed are the peacemakers. Thank you so much for your dedication, not just to the people of Maine, but to the children of the world. Thank you so much.

The **CHAIR**: Since it is your birthday, Mr. Wallach, a little something for you to remember us by.

Mr. **WALLACH**: I am very glad that my birthday doesn't occur during camp in the summer because as the kids will tell you that after they sing Happy Birthday to you, they make you do skip around the room. Thank God, don't sing it. I don't have to skip around this chamber. Thank you all, again, very, very much.

Mr. John Wallach withdrew amid the applause of the Convention, the audience rising.

The purpose for which this Convention was assembled having been accomplished, the Chair declared the same dissolved.

The Senate then retired to its Chamber amid the applause of the House, the audience rising.

(After the Joint Convention)

The House was called to order by the Speaker.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, January 15, 2002, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act to Implement the Recommendations of the Committee to Study the Needs of Persons with Mental Illness who are Incarcerated Relating to Diversion from Jails and Prisons"

(H.P. 1562) (L.D. 2065)

(Committee on **CRIMINAL JUSTICE** suggested)

TABLED - January 11, 2002 (Till Later Today) by Representative POVICH of Ellsworth.

PENDING - REFERENCE.

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

Bill "An Act to Protect Victims of Domestic Violence, Sexual Assault and Stalking"

(H.P. 1515) (L.D. 2019)

- In House, Unanimous **REFER** to the Committee on **JUDICIARY** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED**.

TABLED - January 11, 2002 (Till Later Today) by Representative COLWELL of Gardiner.

PENDING - REFERENCE.

Subsequently, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

Bill "An Act Regarding Criminal History Record Checks"

(H.P. 1486) (L.D. 1989)

- In House, Unanimous **REFER** to the Committee on **CRIMINAL JUSTICE** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED**.

TABLED - January 11, 2002 (Till Later Today) by Representative BAGLEY of Machias.

PENDING - REFERENCE.

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

Bill "An Act to Implement the Recommendations of the Committee to Study the Needs of Persons with Mental Illness Who are Incarcerated Relating to Treatment and Aftercare Planning in County Jails"

(H.P. 1569) (L.D. 2075)

(Committee on **CRIMINAL JUSTICE** suggested)

TABLED - January 15, 2002 (Till Later Today) by Representative POVICH of Ellsworth.

PENDING - REFERENCE.

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

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Bill "An Act to Clarify the Law Enforcement Authority of Capitol Security Personnel" (EMERGENCY)

(H.P. 1573) (L.D. 2079)

Which was **TABLED** by Representative COLWELL of Gardiner pending **REFERENCE**.

Representative SCHNEIDER of Durham **WITHDREW** his objection to suspending the rules in order to give the Bill its **FIRST READING WITHOUT REFERENCE** to a committee.

Subsequently, under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

Under further 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** and sent for concurrence.

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

On motion of Representative CHASE of Levant, the House adjourned at 2:00 p.m., until 4:00 p.m., Tuesday, January 22, 2002, pursuant to the Joint Order (S.P. 747).