

# 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  
8th Legislative Day  
Friday, January 25, 2002

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

Prayer by Reverend Bruce A. Blakney, Washburn Pentecostal Church.

National Anthem by Leila Jane Percy, Popham Beach.

Pledge of Allegiance.

The Journal of Tuesday, January 22, 2002 was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.P. 1585)  
**UNIVERSITY OF SOUTHERN MAINE  
COLLEGE OF EDUCATION & HUMAN DEVELOPMENT  
CENTER FOR EDUCATIONAL POLICY  
APPLIED RESEARCH & EVALUATION  
119 BAILEY HALL  
GORHAM, MAINE**

January 15, 2002  
Honorable Michael V. Saxl  
Speaker of the House  
2 State House Station  
Augusta, ME 04333-0002

Dear Speaker Saxl:

The Maine State Legislature authorizes the Maine Education Policy Research Institute, University of Southern Maine office, to compile and publish a comprehensive description of public education in Maine each year. Appropriately, the recently completed book is entitled *The Condition of K-12 Public Education in Maine 2002*.

We would like to provide you and your staff with copies of the book for use in your daily deliberations. We hope you will find the information broad yet focused on the many aspects of K-12 public education.

Sincerely,  
S/David L. Silvernail  
Director  
S/A. Mavourneen Thompson  
Research Analyst

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

Sent for concurrence.

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The Following Communication: (H.C. 356)  
**STATE OF MAINE  
ONE HUNDRED AND TWENTIETH LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND  
FORESTRY**

January 17, 2002  
Honorable Richard A. Bennett, President of the Senate  
Honorable Michael V. Saxl, Speaker of the House  
120th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:  
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Agriculture, Conservation and Forestry has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1425 An Act to Establish a Fund for Marketing and Improvements in Agricultural Fairs  
L.D. 1534 An Act to Prohibit Grocery Stores From Charging Maine Farmers Access Fees, Slotting Fees and Rebates  
L.D. 1771 Resolve, to Establish the Maine Cattle Health Assurance Program

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

Sincerely,  
S/Sen. Richard Kneeland  
Senate Chair  
S/Rep. Linda Rogers McKee  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 357)  
**STATE OF MAINE  
ONE HUNDRED AND TWENTIETH LEGISLATURE  
COMMITTEE ON APPROPRIATIONS AND FINANCIAL  
AFFAIRS**

January 17, 2002  
Honorable Richard A. Bennett, President of the Senate  
Honorable Michael V. Saxl, Speaker of the House  
120th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

L.D. 456 Resolve, to Increase Access and Support Student Success at Maine's Technical Colleges  
L.D. 701 An Act to Build Parking Garages in Service Center Municipalities  
L.D. 725 An Act to Maintain Maine Quality Centers' Current Level of Services  
L.D. 1153 An Act to Increase Certain Civil Process Fees  
L.D. 1668 An Act to Expand Research and Development Facilities within the University of Maine System  
L.D. 1957 An Act to Allow the State to Maximize Funds for Meals for the Elderly in the State

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

Sincerely,  
S/Sen. Jill M. Goldthwait  
Senate Chair  
S/Rep. Randall L. Berry  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 358)  
**STATE OF MAINE  
ONE HUNDRED AND TWENTIETH LEGISLATURE  
COMMITTEE ON BUSINESS AND ECONOMIC  
DEVELOPMENT**

January 18, 2002  
Honorable Richard A. Bennett, President of the Senate  
Honorable Michael V. Saxl, Speaker of the House  
120th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Bennett 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 bill out "Ought Not to Pass":

L.D. 1262 An Act to Properly Apply Jurisdiction of Chimney Regulation

We have also notified the sponsor and cosponsors of the 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.**

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The Following Communication: (H.C. 359)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE  
COMMITTEE ON CRIMINAL JUSTICE**

January 18, 2002

Honorable Richard A. Bennett, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Bennett 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. 1492 An Act to Improve Treatment of Persons with Mental Illness in Maine's Jails and Prisons

L.D. 1620 An Act to Enact Mandatory Minimum Sentences for Firearms Offenses to Make the State Eligible for Firearms Sentencing Incentive Grants

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.**

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The Following Communication: (H.C. 360)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

January 18, 2002

Honorable Richard A. Bennett, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Bennett 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. 1089 An Act to Improve Taxpayer Equity in School Funding

L.D. 1486 An Act to Create the Child Development Services Advisory Committee

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.**

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The Following Communication: (H.C. 361)

**STATE OF MAINE**

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

January 18, 2002

Honorable Richard A. Bennett, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Bennett 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. 863 Resolve, to Establish Crisis Assessment and Triage Centers for Children in the State

L.D. 898 An Act to Improve Public Health in the State

L.D. 1085 Resolve, to Improve Staffing in Health Care Settings

L.D. 1208 An Act to Plan for the Delivery of Developmental Disabilities and Autism Services

L.D. 1346 Resolve, to Establish a Commission to Study the Health Care Workforce Shortage

L.D. 1848 An Act to Prohibit the Separation of a Husband and Wife Placed in State-funded Nursing Facilities

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.**

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The Following Communication: (H.C. 362)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE  
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

January 18, 2002

Honorable Richard A. Bennett, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

L.D. 1532 An Act to Amend the Governmental Ethics Laws Administered by the Commission on Governmental Ethics and Election Practices

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

Sincerely,  
S/Sen. Neria R. Douglass  
Senate Chair  
S/Rep. John L. Tuttle, Jr.  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 363)

**STATE OF MAINE  
ONE HUNDRED AND TWENTIETH LEGISLATURE  
COMMITTEE ON UTILITIES AND ENERGY**

January 18, 2002  
Honorable Richard A. Bennett, President of the Senate  
Honorable Michael V. Saxl, Speaker of the House  
120th Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:  
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1139 An Act to Ensure Access to Energy Markets for Maine's Small Hydroelectric Facilities  
L.D. 1412 An Act Relating to the Transfer of Certain Privileges Bestowed by the Legislature upon Great Northern Paper, Inc. to Great Northern Energy, LLC  
L.D. 1837 An Act to Improve the Ability of the Public Utilities Commission to Enforce State Laws, Rules and Requirements  
L.D. 1985 An Act to Avoid Incompatible Employment of Water Utility Employees

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

Sincerely,  
S/Sen. Norman K. Ferguson, Jr.  
Senate Chair  
S/Rep. William R. Savage  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 354)

**STATE OF MAINE  
EDUCATION FUNDING  
REFORM COMMITTEE**

January 22, 2002  
Honorable Michael V. Saxl  
Speaker of the House  
2 State House Station  
Augusta, ME 04333-0002  
Dear Speaker Saxl:

On behalf of the Education Funding Reform Committee we are pleased to submit the report of the Committee pursuant to Public Laws 2001, chapter 439.

It was a pleasure to serve on the Committee. We believe that the proposal developed by the Committee will provide the focus for Legislative discussion of the important issues surrounding the

manner in which the state raises money to fund education. We look forward to working with the full Legislature as we continue consideration of the Committee's proposal.

Sincerely,  
S/Sen. Richard Kneeland  
Senate Chair.  
S/Rep. Bonnie Green  
House Chair

**READ and with accompanying papers ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 355)

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333  
THE BLUE RIBBON COMMISSION ON  
POSTSECONDARY EDUCATIONAL ATTAINMENT**

January 18, 2002  
The Honorable Richard A. Bennett, President  
Maine State Senate  
The Honorable Michael V. Saxl, Speaker  
Maine House of Representatives  
State House  
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:  
This letter is to inform you that The Blue Ribbon Commission on Postsecondary Educational Attainment has submitted the attached report including recommended legislation to the Joint Standing Committee on Education and Cultural Affairs of the 120th Maine Legislature, pursuant to Resolve 2001, chapter 66. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,  
S/Senator Mary R. Cathcart, Chair  
The Blue Ribbon Commission  
on Postsecondary Educational Attainment  
S/Representative Elizabeth Watson, Chair  
The Blue Ribbon Commission  
on Postsecondary Educational Attainment

**READ and with accompanying papers ORDERED PLACED ON FILE.**

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The Following Communication: (S.P. 752)

**STATE OF MAINE  
120TH MAINE LEGISLATURE**

January 22, 2002  
Hon. Peggy A. Pendleton  
Senate Chair, Joint Standing Committee on State and Local Government  
Hon. Martha A. Bagley  
House Chair, Joint Standing Committee on State and Local Government  
120th Legislature  
Augusta, ME 04333

Dear Senator Pendleton and Representative Bagley:  
Please be advised that Governor Angus S. King, Jr. has nominated Derek P. Langhauser of Cumberland Foreside for reappointment as a member of the Maine Governmental Facilities Authority.

Pursuant to Title 4, M.R.S.A., §1602, this nomination will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Sincerely,  
S/Richard A. Bennett

President of the Senate  
S/Michael V. Saxl  
Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

**READ** and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

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**ORDERS**

On motion of Representative LEMOINE of Old Orchard Beach, the following Joint Order: (H.P. 1584)

ORDERED, the Senate concurring, that the Joint Standing Committee on Marine Resources report out, to the House, a bill regarding the Great Salt Bay Marine Shellfish Reserve.

**READ** and **PASSED**.

Sent for concurrence.

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On motion of Representative FULLER of Manchester, the following House Order: (H.O. 38)

ORDERED, that Representative Martha A. Bagley of Machias be excused Friday, January 18th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Walter R. Gooley of Farmington be excused Tuesday, January 22nd for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas J. Kane of Saco be excused Friday, January 11th for legislative business.

AND BE IT FURTHER ORDERED, that Representative David G. Lemoine of Old Orchard Beach be excused Friday, January 11th for legislative business.

AND BE IT FURTHER ORDERED, that Representative David R. Madore of Augusta be excused Tuesday, January 15th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Lillian LaFontaine O'Brien of Lewiston be excused Friday, January 18th for personal reasons and Tuesday, January 22nd for health reasons.

AND BE IT FURTHER ORDERED, that Representative Shirley K. Richard of Madison be excused Friday, January 18th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Deborah L. Simpson of Auburn be excused Tuesday, January 8th, Friday, January 11th, and Tuesday, January 15th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Tom J. Winsor of Norway be excused Friday, January 18th for health reasons.

**READ** and **PASSED**.

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**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Provide Emergency Funds to the University of Maine System for the Increased Cost of Health Insurance" (EMERGENCY)

(S.P. 698) (L.D. 1900)

Signed:

Senators:

GOLDTHWAIT of Hancock  
MILLS of Somerset

Representatives:

BERRY of Livermore  
MAILHOT of Lewiston  
TESSIER of Fairfield  
BRANNIGAN of Portland  
ETNIER of Harpswell  
JONES of Greenville  
NASS of Acton  
WINSOR of Norway  
BELANGER of Caribou  
ROSEN of Bucksport

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

Signed:

Senator:

CATHCART of Penobscot

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

**READ**.

On motion of Representative ETNIER of Harpswell, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

---

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

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Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Provide funding for the Advisory Commission on Women Veterans"

(H.P. 1532) (L.D. 2035)

Signed:

Senators:

GOLDTHWAIT of Hancock  
MILLS of Somerset

Representatives:

BERRY of Livermore  
BRANNIGAN of Portland  
ETNIER of Harpswell  
NASS of Acton  
WINSOR of Norway  
BELANGER of Caribou  
ROSEN of Bucksport

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

Signed:

Senator:

CATHCART of Penobscot

Representatives:

MAILHOT of Lewiston  
TESSIER of Fairfield  
JONES of Greenville

**READ**.

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

Majority Report of the Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass** on Bill "An Act to Adopt a New Interstate Compact Regarding Adults Who are on Probation or Parole"

(H.P. 827) (L.D. 1081)

Signed:

Senators:

McALEVEY of York  
O'GARA of Cumberland  
DAVIS of Piscataquis

Representatives:

POVICH of Ellsworth  
BLANCHETTE of Bangor  
TOBIN of Dexter  
PEAVEY of Woolwich  
SNOWE-MELLO of Poland

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

Signed:

Representatives:

O'BRIEN of Lewiston  
QUINT of Portland  
GERZOSKY of Brunswick  
MITCHELL of Vassalboro  
WHEELER of Bridgewater

**READ.**

Representative POVICH of Ellsworth moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass** Report and later today assigned.

#### CONSENT CALENDAR

##### First Day

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

(H.P. 1425) (L.D. 1866) Resolve, to Allow the Courts to Utilize the Maine Governmental Facilities Authority to Issue a Bond of \$2,500,000 to Finish the Repairs at the Lewiston District Court Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-760)**

On motion of Representative WATERHOUSE of Bridgton, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ**.

The same Representative **REQUESTED** a roll call on **ACCEPTANCE** of the Unanimous Committee Report.

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 acceptance of the Unanimous Committee Report. All those in favor will vote yes, those opposed will vote no.

##### ROLL CALL NO. 466

**YEA** - Andrews, Annis, Ash, Bagley, Baker, Belanger, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bruno, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Crabtree, Cummings, Davis, Desmond, Dorr, Dudley, Dugay, Duncan, Dunlap, Duplessie, Estes, Etnier, Fisher, Foster, Fuller, Gagne, Gerzofsky, Gooley, Green, Hall, Hatch, Heidrich, Honey, Hutton, Jacobs, Koffman, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Madore, Mailhot, Marley, Marrache, Matthews, McDonough, McGlocklin,

McGowan, McKee, McLaughlin, McNeil, Michael, Michaud, Mitchell, Murphy E, Muse C, Nass, Norbert, Norton, Nutting, O'Brien JA, O'Brien LL, Paradis, Patrick, Peavey, Pineau, Povich, Quint, Richard, Richardson, Rines, Rosen, Savage, Schneider, Sherman, Shields, Simpson, Skoglund, Smith, Snowe-Mello, Stanley, Sullivan, Tarazewich, Thomas, Tobin D, Tobin J, Tracy, Trahan, Tuttle, Twomey, Usher, Volenik, Watson, Weston, Wheeler GJ, Winsor, Young, Mr. Speaker.

**NAY** - Berry DP, Bowles, Buck, Carr, Clough, Collins, Cressey, Duprey, Glynn, Goodwin, Haskell, Jodrey, Kasprzak, Labrecque, Lovett, MacDougall, McKenney, Morrison, Murphy T, Muse K, Perkins, Pinkham, Stedman, Waterhouse, Wheeler EM.

**ABSENT** - Bumps, Chase, Daigle, Hawes, Jones, Kane, Landry, Lundeen, Mayo, Mendros, O'Neil, Perry, Tessier, Treadwell.

Yes, 112; No, 25; Absent, 14; Excused, 0.

112 having voted in the affirmative and 25 voted in the negative, with 14 being absent, and accordingly the Committee Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-760)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-760)** and sent for concurrence.

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

#### CONSENT CALENDAR

##### Second Day

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

(S.P. 704) (L.D. 1906) Bill "An Act to Amend the Charter of the Corinna Sewer District" (**EMERGENCY**)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was **PASSED TO BE ENGROSSED** in concurrence.

#### BILLS IN THE SECOND READING

##### House

Bill "An Act to Allow Sharing of Information to Facilitate Interstate Cooperation Between Toll Agencies"

(H.P. 1402) (L.D. 1841)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the House Paper was **PASSED TO BE ENGROSSED** and sent for concurrence.

#### UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, January 22, 2002, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Resolve, to Reduce Paperwork for Maine Businesses

(H.P. 1543) (L.D. 2044)

- In House, **REFERRED** to the Committee on **TAXATION** and the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on January 2, 2002.

- In Senate, **REFERRED** to the Committee on **TAXATION** in **NON-CONCURRENCE**.

TABLED - January 15, 2002 (Till Later Today) by Representative NORBERT of Portland.

PENDING - **FURTHER CONSIDERATION**.

The House voted to **RECEDE AND CONCUR**.

---

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 State Prisons"

(H.P. 1583) (L.D. 2088)

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested)

TABLED - January 22, 2002 (Till Later Today) by Representative COLWELL of Gardiner.

PENDING - **REFERENCE**.

On motion of Representative ETNIER of Harpswell, the Bill was **REFERRED** to the Committee on **CRIMINAL JUSTICE**, ordered printed and sent for concurrence.

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Bill "An Act Regarding Workers' Compensation and Liability Immunity Coverage for Emergency Management Forces"

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

- In House, House **RECONSIDERED REFERENCE** to the Committee on **LEGAL AND VETERANS AFFAIRS**.

TABLED - January 22, 2002 (Till Later Today) by Representative TUTTLE of Sanford.

PENDING - **REFERENCE**.

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

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

#### **SENATE PAPERS**

The following Joint Order: (S.P. 754)

ORDERED, the House concurring, that when the House stands Adjourned it does so until Tuesday, January 29, 2002, at 9:30 in the morning and the Senate Adjourns until Tuesday, January 29, 2002, at 10:00 in the morning.

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

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

---

Bill "An Act to Provide for the 2002 and 2003 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)

(S.P. 755) (L.D. 2091)

Came from the Senate, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.

**REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in concurrence.

---

Bill "An Act to Clarify the Law Governing Unlawful Solicitation to Benefit Law Enforcement Agencies"

(S.P. 753) (L.D. 2090)

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

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

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

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The **SPEAKER**: The Chair recognizes the Representative from Farmington, Representative Gooley who wishes to address the House on the record.

Representative **GOOLEY**: Mr. Speaker, Men and Women of the House. I would like to have the record show that I was excused for personal reasons rather than health reasons on January 22.

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#### **REPORTS OF COMMITTEE**

##### **Divided Report**

Majority Report of the Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-404)** on 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)

Signed:

Senators:

FERGUSON of Oxford

CARPENTER of York

TREAT of Kennebec

Representatives:

HALL of Bristol

SAVAGE of Buxton

DUNCAN of Presque Isle

McGLOCKLIN of Embden

BERRY of Belmont

CRABTREE of Hope

RINES of Wiscasset

PERKINS of Penobscot

BLISS of South Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-405)** on same Bill.

Signed:

Representative:

GOODWIN of Pembroke

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-404)**.

**READ**.

On motion of Representative SAVAGE of Buxton, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

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

Representative **SAVAGE**: Mr. Speaker, Men and Women of the House. This is a bill that makes some changes to the charter that is granted to Great Northern Paper Company. That charter was granted for them to run the hydroelectric system that they currently operate for the benefit of the paper mill. The owners of the paper mill have deemed it in the business's best interest to sell that asset to a company that manages those sorts of assets and take the money from the sale and reinvest it into the mill for the refurbishment of certain assets, paper machines and other parts of the papermaking process. The union leaders, for the



most part, with the exception of one or two, that is what we think needs to be done in order for the mill, the Great Northern Paper Mill in Millinocket and East Millinocket, to be viable into the future. I am asking you to support the Majority Report as amended and vote Ought to Pass so that this sale can go forward. I may speak more at length after hearing comments. Thanks.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-404)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-404)** in concurrence.

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

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass** - Minority (5) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE** on Bill "An Act to Adopt a New Interstate Compact Regarding Adults Who are on Probation or Parole"

(H.P. 827) (L.D. 1081)

Which was **TABLED** by Representative **POVICH** of Ellsworth pending his motion to **ACCEPT** the Majority **Ought to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from Vassalboro, Representative **Mitchell**.

Representative **MITCHELL**: Mr. Speaker, Men and Women of the House. I would actually urge you to not support the Majority Ought to Pass Report. I have no problem with the intent of this bill, but I have a problem with the process. What this bill essentially does is it commits the State of Maine to an interstate compact on probation and parole. The problem I have is that that commission on which we would have one vote out of how ever many states are on. That commission has the ability to pass rules and laws that supercede Maine law. I just don't think that is a good process to go about making law. The commission would also have the ability to impose penalties on the state, to fine the state. I would urge you to vote against it simply because of the process issue it raises of creating a commission on which we have a small say that has the ability to supercede State of Maine law. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Ellsworth, Representative **Povich**.

Representative **POVICH**: Mr. Speaker, Men and Women of the House. I have great respect for the Representative from Vassalboro. I too share concerns of a national compact organization superceding the laws of Maine. That gives me some discomfort as well. What gives me greater comfort though is the fact that this is a compact whose purpose is to provide the framework for the promotion of public safety and to protect the rights of victims through the controlled regulation of the interstate movement of offenders in the community, to provide for the effective tracking supervision and rehabilitation of these offenders by the sending and receiving states and to equitably distribute the cost benefits and obligations of the compact among the compacting states.

This is the United States. I think it was painfully brought home to us last September that we need to be together for our common defense, common comfort and for the public safety. This means that we need to talk to one another, all states. We do that now, but it is not so easy. We are operating under 1937 rules. There aren't any rules yet for this compact. They are going to be written. The choice is whether Maine is on that

charter commission to write the rules or later on, I believe it is just a matter of time that we will join the compact and we wouldn't have had a say in those rules. Those are rules that supercede the rules of the State of Maine, could. I would say I have a problem with that, absolutely. The solution to that is if I don't like the rules of this game, I am going to quit and leave the compact. It is very easy to do. As easy as it is to sign up, it is easy enough to get the heck out of it.

You have to balance the issue and the issue is public safety. We need to know who is coming to the State of Maine, what they have done and we owe it to the people of the State of Maine to join this compact. Thank you very much.

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

Representative **O'BRIEN**: Mr. Speaker, Ladies and Gentlemen of the House. I would ask that you also support the Majority Ought to Pass Report on this bill. This is a carryover, obviously, from last year. This bill has been four years now in the making. I think it is a very, very important move. It is very necessary that we join it.

Let me tell you a little bit about what this involves. As has been stated, the interstate compact was first established in 1937 and within the last four years there has been a renewed effort to update badly needed compact. Right now we estimate four million people are on parole or probation and it is also estimated that one-quarter of a million of these parolees or those on probation are crossing state lines. The problem is there is no method right now, no uniform method, of following and tracking and even knowing if indeed they are crossing state lines. This really, to me, is a major problem. We have had several instances in this state where there have been criminals, some sexually violent predators and some of their offenses weren't necessarily of the sexual offender type, but violent criminals who have found themselves in our state and have committed a crime. The community was a gasp because this person had been on probation in another state. They crossed the line and they obviously didn't tell their probation officer and they found themselves here committing other crimes.

Right now there is a lack of knowledge of who moves when. There is a lack of agreement among the states what supervision means. There are different supervisions and contact standards and this would uniform that. There is a lack of capability to notify the victims, the communities and the law enforcement of the movement of offenders.

We just checked within the past hour as to how many states have adopted this. The magic number is 35 states. Once 35 states have enacted this compact, then it will become the official compact. Those first 35, from my understanding of this volume, will have a say in what the rules and what the laws are. If indeed we are of those first 35, we will have that one vote. Each state will have one vote no matter what size. As I said, 25 have enacted it and currently 16 others are considering it, with Maine being one. In my view, that brings it home all the more that we need to enact it at this point. Thank you for your consideration.

The **SPEAKER**: The Chair recognizes the Representative from Wilton, Representative **LaVerdiere**.

Representative **LAVERDIERE**: Mr. Speaker, Men and Women of the House. I don't want to keep people any later than we need to on a beautiful Friday afternoon, but I do want to join with my colleague, the good Representative from Vassalboro, Representative **Mitchell**, in opposing this bill. I want to tell you why. Frankly, I don't have to tell you why. I am going to read to you from the information put out by our own Office of Policy and Legal Analysis on a bill analysis involved in this bill. I want you to be aware of several things that it does. First, this bill would grant

rulemaking authority to a commission. The State of Maine would have only one vote. Those rules would have the full force of law in the State of Maine. What that means is that your authority to be able to make law with regard to these issues would be usurped by this commission. The commission has the authority to access all compacting states' fees to cover their costs. It prohibits any state from amending the compact. It allows the commission to impose penalties on any state that defaults on any performance of any obligation under the contract. Most importantly, it provides that any state law that is in conflict with this compact is superceded automatically by the actions of this compact and by the actions of that commission. In effect, the State of Maine would totally give up its right to make law with regard to individuals on probation, either in this state from another state or our probationers going elsewhere. The fact of the matter is that it is from a policy standpoint, a bad thing for us to be doing.

Do we have a problem with probationers and not knowing who is crossing state line and so forth? Yes, we do. Is there a solution for that? I would hope that in this room and in this building we would be able to come up with a solution that would be satisfactory. I am just opposing this bill because I don't think that this particular solution is the appropriate solution for that problem. It is dangerous legislation. If we go down this road too far and we start having lots and lots of compacts and lots and lots of commissions, I suppose it would shorten our sessions considerably because we wouldn't have very much to do here. It would all be done with only one vote on our part by a commission that resides somewhere else in our nation. 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 would like to thank Representative O'Brien from introducing this bill. It was my bill two years ago. The only reason I didn't bring it back last year was because I was little bit consumed with a larger bill that I have.

We have heard a couple of speakers stand up and say what this bill essentially does and what this bill does is this and so on. Let me go right to the very bottom line of what this bill does do. What it does is create accountability for our Department of Corrections and for our Probation Department. When this bill was heard in public hearing, when they are asked how people are in the State of Maine, right now, on probation from other states? There answer was, don't know. There is no accountability at this point in time. This is nothing new. We already belong to an interstate compact dealing with adult probation violators now. Unfortunately, it was written in 1937. It is a paragraph long. It was written at a time when hobos were riding on the rail to get to and from states. It was written at a time when we didn't have the problems in society that we have today. Surely you can understand it was written at a time when you couldn't get from California to Maine in a matter of hours.

I find it frightening when we have the heads of our Probation Department standing up and telling us they don't know how many people are in the State of Maine on probation from other states. I can't imagine that that doesn't scare people in this room. This bill, all that it does is provide accountability. As far as us having one vote or no votes, we will have a vote. We will have a vote on the commission that is being set up now to put this whole package together. This is going to happen whether Maine wants to be on the bus and be a part of the program and have a say in some of the rules or get on later when the rules are all made? It is up to this body right now. It is very simple. This is not a dramatic, drastic change. This panic or fear that we are going to create a monster that will supercede all of Maine laws. We have

federal laws now that supercede our laws. This isn't a fly by night idea. This bill or this compact was put together after a couple of years of work by the National Institute of Corrections, a branch of the United States Justice Department, with individuals from across the country, probation officers, judges, correctional personnel. They all got together over a period of a couple of years to hash out the details of this compact. All that it is doing is revising an antiquated document that we currently operate under. This isn't something new. It is just something that is going to give accountability to a system that is seriously broken right now. I would strongly urge our support right now. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Woolwich, Representative Peavey.

Representative PEAVEY: Mr. Speaker, Men and Women of the House. I would just like to add one more point to what has been said. I urge you to vote in favor of this. I voted against this the last time it came through for many of the reasons that have been stated. One point that I would like to add in favor of this at this point is that this compact will not change the way Maine oversees its own probation people, the people on probation within the state. It only oversees people who are traveling between states. If someone comes here from Massachusetts, that gives us knowledge that they are here, what their crime was and what their supervision should be. If someone from Maine goes to Connecticut, we have the reciprocal agreement. It does not affect how Maine supervises its own probation people here in the state.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

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

The SPEAKER: The Representative may pose his question.

Representative PERKINS: Mr. Speaker, Men and Women of the House. I just wonder, we are asking the state to join this compact so that information can be shared across state lines. I am just wondering why it is so complicated? Why can't we now, without legislation and without setting up a compact that has some questionable powers of what we might be giving up, do this? Why is it so hard for our Corrections Department and other agencies involved to communicate with these other states? Could somebody explain why we have to set this thing up? Thank you.

The SPEAKER: The Representative from Penobscot, Representative Perkins has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Augusta, Representative O'Brien.

Representative O'BRIEN: Mr. Speaker, Ladies and Gentlemen of the House. In response to the question, we can do that. We can ask our departments to contact other states when we know one of our probationers has left. We have no control over other states and their coming to us. It just doesn't happen.

Representative LaVERDIERE of Wilton 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: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

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

The SPEAKER: The Representative may pose his question.

Representative WATERHOUSE: Mr. Speaker, Men and Women of the House. I heard a little earlier the Representative from Wilton talk about a commission that had rulemaking

authority that superceded state law. I know I am comparing apples and oranges, but does not the North East Dairy Compact have a commission with rulemaking authority that supercedes state law?

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Tuttle.

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

The SPEAKER: The Representative may pose his question.

Representative **TUTTLE**: Mr. Speaker, Ladies and Gentlemen of the House. This is to Representative Povich, in my understanding of reading the bill, if we choose to be a member of the interstate compact, we can anytime opt out if we so desire?

The SPEAKER: The Representative from Sanford, Representative Tuttle has posed a question through the Chair to the Representative from Ellsworth, Representative Povich. The Chair recognizes that Representative.

Representative **POVICH**: Mr. Speaker, Ladies and Gentlemen of the House. Yes.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Michael.

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

The SPEAKER: The Representative may pose his question.

Representative **MICHAEL**: Mr. Speaker, Men and Women of the House. If we decide that we want to opt out, does that require a vote of the Legislature? If so, does it mean that any of three entities could stop that opting out, a vote of this body in the negative, a vote of the other body in the negative or a veto by the Chief Executive?

The SPEAKER: The Representative from Auburn, Representative Michael has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Ellsworth, Representative Povich.

Representative **POVICH**: Mr. Speaker, Men and Women of the House. To answer the good Representative's question, I don't know. The rules are going to be written. They are not in place. I do not have the answer to that question, but I would be pleased to get back to you on that.

The SPEAKER: The Chair recognizes the Representative from Dexter, Representative Tobin.

Representative **TOBIN**: Mr. Speaker, Ladies and Gentlemen of the House. As Representative O'Brien has told us, we have debated this for four years. I was originally on the other side of the issue. I had a circumstance in my district that changed my mind. We had a pedophile from out of state move in to a rural community in my district and was there for a considerable length of time before the neighbors found out that he was a convicted felon from another state. The bottom line is, this compact isn't perfect, but the bottom line is knowledge. I explained to those neighbors, are you better off knowing, living in fear or better off not knowing, living in fear? I told them that knowing was the way to go. This will provide us, not with all the knowledge of every person who lives in our neighborhood, but it will make an effort to provide us with some knowledge. In my mind, the reason I am in favor of this bill, is because that knowledge is very, very important.

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

Representative **SNOWE-MELLO**: Mr. Speaker, Ladies and Gentlemen of the House. I would just like to answer a question that was asked on the floor by my good seatmate, Representative Michael. The answer to the question is how do we get out of this? First of all, in the compact they do allow a state to withdraw. We have to submit a bill to repeal this law.

We can do it. If we choose to get out of this compact, we can do so.

The SPEAKER: The Chair recognizes the Representative from Woolwich, Representative Peavey.

Representative **PEAVEY**: Mr. Speaker, Men and Women of the House. I just wanted to further answer Representative Perkins' question about why can't states just do this right now. The reason is, as Representative O'Brien said, we can do it on our part, but the compact sort of forms the overriding committee that says to all the states that you are all going to do this. That is the only way that we can say to Massachusetts, if you are going to have a probationer come into our state, you have to do this. That is the only way you get it sort of nationwide.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Mitchell.

Representative **MITCHELL**: Mr. Speaker, Men and Women of the House. Just as a point of information, our two closest neighbors, New Hampshire and Massachusetts, are not part of the compact.

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

Representative **MUSE**: Mr. Speaker, Men and Women of the House. I might just put a footnote onto that. They are not members of the compact yet.

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

Representative **WHEELER**: Mr. Speaker, Ladies and Gentlemen of the House. I would like to tell you one thing that this bill will not do. This bill will not guarantee violators of probation parole from coming across your borders and let you know. It will not do that. If you really want to get down to doing something about these probation violators going from one state to another, let's talk to our probation parole people and getting them talking to other people.

One of the things that this bill will allow is people from other states to assess fines and fees on our taxpayers. I don't think I want that to happen. I can't vote for that. It will also allow people from other states to pass laws that supercede ours. That is something I can't vote for. I would ask you to follow my light and vote no. Thank you.

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. 467

YEA - Andrews, Annis, Ash, Baker, Belanger, Berry DP, Bowles, Brooks, Bruno, Canavan, Clough, Crabtree, Cressey, Dugay, Dunlap, Duprey, Gagne, Glynn, Hatch, Heidrich, Honey, Ledwin, Marley, Marrache, Matthews, McKee, McKenney, McNeil, Murphy E, Murphy T, Nutting, O'Brien JA, Peavey, Povich, Rosen, Schneider, Shields, Snowe-Mello, Tessier, Tobin J, Trahan, Tuttle, Usher, Weston, Mr. Speaker.

NAY - Berry RL, Bliss, Bouffard, Brannigan, Bryant, Buck, Bull, Bunker, Carr, Chizmar, Clark, Colwell, Cote, Cowger, Cummings, Davis, Desmond, Dorr, Dudley, Duncan, Duplessie, Etnier, Fisher, Foster, Fuller, Gerzofsky, Gooley, Green, Hall, Haskell, Hutton, Jacobs, Jodrey, Jones, Kasprzak, Koffman, Labrecque, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, MacDougall, Madore, Mailhot, McDonough, McGlocklin, McGowan, McLaughlin, Michael, Michaud, Mitchell, Muse C, Muse K, Nass, Norbert, Norton, Paradis, Patrick, Perkins, Pineau, Pinkham, Quint, Richard, Richardson, Rines, Savage, Sherman, Simpson, Skoglund, Smith, Stanley, Stedman, Sullivan, Tarazewich, Thomas, Tobin D, Tracy, Treadwell,

Twomey, Volenik, Waterhouse, Watson, Wheeler EM, Wheeler GJ, Winsor.

ABSENT - Bagley, Blanchette, Bumps, Chase, Chick, Collins, Daigle, Estes, Goodwin, Hawes, Kane, Landry, Lovett, Lundeen, Mayo, Mendros, Morrison, O'Brien LL, O'Neil, Perry, Young.

Yes, 45; No, 85; Absent, 21; Excused, 0.

45 having voted in the affirmative and 85 voted in the negative, with 21 being absent, and accordingly the Majority **Ought to Pass** Report was **NOT ACCEPTED**.

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

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

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

**ENACTORS**  
**Emergency Measure**

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)  
(C. "A" S-404)

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

Representative QUINT of Portland **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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 468**

YEA - Andrews, Annis, Ash, Belanger, Berry DP, Berry RL, Bliss, Bouffard, Bowles, Brannigan, Brooks, Bruno, Bryant, Buck, Bunker, Canavan, Carr, Chizmar, Clark, Clough, Colwell, Cote, Cowger, Crabtree, Cressey, Cummings, Davis, Desmond, Dorr, Dugay, Duncan, Dunlap, Duplessie, Duprey, Etnier, Fisher, Foster, Fuller, Gagne, Gerzofsky, Glynn, Gooley, Hall, Haskell, Hatch, Heidrich, Honey, Hutton, Jacobs, Jodrey, Jones, Kasprzak, Koffman, Labrecque, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, MacDougall, Madore, Mailhot, Marley, Marrache, Matthews, McGlocklin, McGowan, McKenney, McLaughlin, McNeil, Michael, Michaud, Mitchell, Murphy E, Murphy T, Muse K, Nass, Norbert, Norton, Nutting, O'Brien JA, O'Brien LL, Paradis, Patrick, Peavey, Perkins, Pineau, Pinkham, Povich, Richard, Richardson, Rines, Rosen, Savage, Schneider, Sherman, Shields, Simpson, Snowe-Mello, Stanley, Stedman, Sullivan, Tarazewich, Tessier, Thomas, Tobin D, Tobin J, Tracy, Trahan, Treadwell, Tuttle, Usher, Waterhouse, Wheeler EM, Wheeler GJ, Winsor, Mr. Speaker.

NAY - Baker, Bull, Dudley, Green, McDonough, McKee, Quint, Skoglund, Smith, Twomey, Volenik, Watson, Weston.

ABSENT - Bagley, Blanchette, Bumps, Chase, Chick, Collins, Daigle, Estes, Goodwin, Hawes, Kane, Landry, Lovett, Lundeen, Mayo, Mendros, Morrison, O'Neil, Perry, Young.

Yes, 118; No, 13; Absent, 20; Excused, 0.

118 having voted in the affirmative and 13 voted in the negative, with 20 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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On motion of Representative STANLEY of Medway, the House adjourned at 2:33 p.m., until 9:30 a.m., Tuesday, January 29, 2002 pursuant to the Joint Order (S.P. 754).