

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
25th Legislative Day
Wednesday, March 6, 2002

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

Prayer by Father Michael Gendreau, St. Mary of the Assumption, Augusta.

Colors presented by the Franco-American War Veterans Post 31 of Lewiston.

National Anthem by Melanie Dorice Saucier, Fort Kent Elementary School.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

The SPEAKER: Bonjour mes amis! Bienvenue à le siège de l'assemblée législative de l'État du Maine. Aujourd'hui c'est la journée Franco-Américaine. Alors notre processus aujourd'hui va être en français et en anglais pour honorer l'héritage de plusieurs de nos membres. Amusez-vous bien aujourd'hui mes amis!

Hello my friends! Welcome to the State House of Maine. Today is Franco-American Day. Today our proceedings will be in French and English in honor of the French Heritage of many of our members. Enjoy yourselves today my friends.

SENATE PAPERS

Pursuant to Joint Order

Joint Standing Committee on Taxation

Report of the **Joint Standing Committee on Taxation** pursuant to Joint Order 2001, S.P. 770 asks leave to report that the accompanying Bill "An Act to Change the Standard for Requesting an Adjustment to State Valuation Because of a Sudden and Severe Disruption of Valuation" (EMERGENCY)

(S.P. 799) (L.D. 2154)

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

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION** in concurrence.

COMMUNICATIONS

The Following Communication: (S.P. 797)

STATE OF MAINE

120TH MAINE LEGISLATURE

March 4, 2002

Hon. Kenneth F. Lemont

Senate Chair, Joint Standing Committee on Marine Resources

Hon. David G. Lemoine

House Chair, Joint Standing Committee on Marine Resources

120th Legislature

Augusta, ME 04333

Dear Senator Lemont and Representative Lemoine:

Please be advised that Governor Angus S. King, Jr. has nominated Craig Pendleton of Saco, Ralph L. Smith of Jonesport, David B. Turner of Meddybemps, and L. Blair Pyne of Bremen for reappointments and Dana B. Rice, Sr. of Birch Harbor, Allyson E. Jordan of Portland, Mary Elizabeth Sheehan of Portland and William C. Sutter of Wiscasset for appointments as members of the Marine Resources Advisory Council.

Pursuant to Title 12, M.R.S.A. §6024, these nominations will require review by the Joint Standing Committee on Marine Resources 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 **MARINE RESOURCES**.

READ and **REFERRED** to the Committee on **MARINE RESOURCES** in concurrence.

The Following Communication: (S.P. 798)

STATE OF MAINE

120TH MAINE LEGISLATURE

March 4, 2002

Hon. Richard Kneeland

Senate Chair, Joint Standing Committee on Agriculture, Conservation and Forestry

Hon. Linda Rogers McKee

House Chair, Joint Standing Committee on Agriculture, Conservation and Forestry

120th Legislature

Augusta, ME 04333

Dear Senator Kneeland and Representative McKee:

Please be advised that Governor Angus S. King, Jr. has nominated Harold N. Larrabee of Knox for appointment as a member of the Northeast Interstate Dairy Compact.

Pursuant to Title 7, M.R.S.A. §2953-A, this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry 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 **AGRICULTURE, CONSERVATION AND FORESTRY**.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act Regarding the Requirements for Documenting Pretest and Post-test Counseling for HIV Tests"

(H.P. 1651) (L.D. 2157)

Sponsored by Representative MADORE of Augusta.

Cosponsored by Senator RAND of Cumberland and Representatives: BRUNO of Raymond, MARRACHÉ of Waterville.

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

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

On motion of Representative KANE of Saco, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

Pursuant to Joint Order

Joint Standing Committee on Natural Resources

Representative COWGER for the **Joint Standing Committee on Natural Resources** pursuant to Joint Order 2001, H.P. 1606 asks leave to report that the accompanying Bill "An Act Pertaining to Environmental Fines"

(H.P. 1648) (L.D. 2155)

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.

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

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

ORDERS

On motion of Representative MCKENNEY of Cumberland, the following Joint Resolution: (H.P. 1649) (Cosponsored by Representative: COLLINS of Wells) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO RESTORE EQUITABLE DISTRIBUTION OF FEDERAL HIGHWAY FUNDING TO STATES AND MUNICIPALITIES

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

WHEREAS, states and municipalities depend heavily upon federal money to supplement transportation projects; and

WHEREAS, Maine's highway fund is already facing a \$40,000,000 structural gap; and

WHEREAS, Maine is a rural state and depends heavily on its roads, bridges and highways for transporting consumer goods to the marketplace; and

WHEREAS, states and municipalities are set to lose 11% of anticipated transportation funding; and

WHEREAS, maintaining vital state and national infrastructure should take priority over alternative pet projects; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge the President of the United States and the Congress of the United States to restore the federal highway funding commitment to states and municipalities and to pursue equitable and fair distribution of federal dollars for transportation ventures; 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, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of the Maine Congressional Delegation.

READ.

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

Representative **MCKENNEY:** Mr. Speaker, Ladies and Gentlemen of the House. I realize that these Joint Resolutions are largely symbolic, but it is one of the few ways that we have of communicating with our administration, President and Congress. I want to thank all of you that signed the letter that went to our Joint Resolution regarding our highway funds. That is a devastating loss for the State of Maine with 22,000 miles of rural roads. I urge each and every one of you to contact individually your Senator and your House of Representative member to make your views known. Thank you.

ADOPTED.

Sent for concurrence.

On motion of Representative PARADIS of Frenchville, the following Joint Resolution: (H.P. 1653) (Cosponsored by Senator GAGNON of Kennebec and Representatives: COLWELL of Gardiner, COTE of Lewiston, LAVERRIERE-BOUCHER of Biddeford, MADORE of Augusta, MICHAUD of Fort Kent, NORBERT of Portland, SMITH of Van Buren, Senator: LONGLEY of Waldo)

**RÉSOLUTION CONJOINTE
HONORANT LES FRANCO-AMÉRICAINS**

Considérant que, l'état du Maine est nommé après la province du Maine en France et que les villages de Calais et Paris dans l'état du Maine portent les noms de la capitale de France et du port français de Calais, respectivement; et

Considérant que, plus d'un tiers de la population du Maine est de descendance française ou canadienne; et

Considérant que, les franco-américains du Maine ont contribué beaucoup à la beauté et la qualité de cet état; et

Considérant que, le français est la première langue de milliers de citoyens du Maine; et

Considérant que, il y a eu une augmentation de l'utilisation de la langue française et une appréciation croissante de l'héritage franco-américain à travers l'état; et

Considérant que, des clubs et des associations pour promouvoir la culture et la langue française sont nés à travers l'état, y inclus le caucus francophone à la capitale; et

Considérant que, les gens qui parlent couramment le français et l'anglais sont une ressource économique et culturelle pour l'état du Maine; et

Considérant que, le tourisme culturel sera accru par les véritables centres franco-américains à travers l'état; et

Considérant que, la grande présence de franco-américains dans le Maine peut renforcer davantage nos relations avec le Canada, la France, et les autres pays francophones; maintenant, alors, qu'il soit

Résolu, que nous, les membres de la Cent-Vingtième Législature, assemblés dans la deuxième session régulière, au nom des gens que nous représentons, proclamons que le premier Jour Franco-Américain soit célébré mercredi, 6 mars, 2002, à la Capitale de l'Etat; et qu'il soit aussi

Résolu, que nous suggérons que le Jour Franco-Américain soit célébré chaque année au mois de mars pour commémorer la riche histoire du peuple français dans l'Etat du Maine et aux Etats-Unis d'Amérique.

JOINT RESOLUTION RECOGNIZING FRANCO-AMERICAN DAY

WHEREAS, the State of Maine is named after the Province of Maine in France and the Maine towns of Paris and Calais owe their names to the capital city of France and the French port city of Calais, respectively; and

WHEREAS, more than 1/3 of the population of Maine is of French and Canadian descent. Franco-Americans in Maine have contributed much to the beauty and quality of this State; and

WHEREAS, French is the primary language of thousands of Mainers and there has been a resurgence in the use of the French language and a heightened appreciation of the Franco-American heritage throughout the State; and

WHEREAS, clubs and organizations to promote French culture and language have sprung up throughout the State, including the Francophone Caucus at the Capitol; and

WHEREAS, fluent French-English bilingual people are a cultural and economic resource to the State of Maine; and

WHEREAS, cultural tourism can be greatly enhanced by the genuine Franco-American centers throughout the State and the large Franco-American presence in Maine can further strengthen our relationships with Canada, France and the rest of the francophone world; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature, now assembled in the Second Regular Session, on behalf of the people we represent, proclaim that the first Franco-American Day be celebrated on Wednesday, March 6, 2002 at the State Capitol; and be it further

RESOLVED: That We suggest that Franco-American Day be celebrated annually in March to commemorate the rich history of the French people in the State of Maine and the United States of America.

READ and ADOPTED.

Sent for concurrence. **ORDERED SENT FORTHWITH.**

SPECIAL SENTIMENT CALENDAR

Recognizing:

the Town of Minot, on the special occasion of the 200th Anniversary of the town's incorporation, February 18, 2002. The town was incorporated as the 129th town in the State. The town, once a part of Poland, was named in honor of Judge Minot. We extend our congratulations to the good citizens of Minot on the occasion of its bicentennial celebration;

(HLS 995)

Presented by Representative SNOWE-MELLO of Poland. Cosponsored by Senator NUTTING of Androscoggin.

On **OBJECTION** of Representative SNOWE-MELLO of Poland, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **SNOWE-MELLO**: Mr. Speaker, Men and Women of the House. Before Maine became a state, Minot was a flourishing town. The Town of Minot was incorporated as a town in 1802 and at one time was known as Bakersville. It is believed that the name Minot was derived from Judge George Richards Minot who was instrumental in acquiring the act of incorporation in 1801 and approved in 1802. Since that time, many parts of the original land grant were cut off and became parts of the surrounding towns, such as Auburn, Danville, Mechanic Falls and Poland. Minot's first settlers were extremely rugged individuals and carved this beautiful town of its rugged scenic hills. The Town of Minot is divided into three sections,

known as Minot, Center Minot and West Minot. Minot is nestled in the foothills. It lies in the picture perfect postcard section of Minot known as West Minot. Through West Minot's roads of stream, which is well know as Bog Brook. Anybody who is anybody in that area knows of Bog Brook.

Minot's history has had some really interesting characters like Jackass Annie, which a road in Minot was named after. Jackass Annie was a courageous woman who along with her beloved horse and dog took off on a trek across country where she settled out west. All along her journey this woman would fend for herself. Jackass Annie would sleep in barns. She worked on jobs to be able to feed herself. She met along the way and she touched the lives of many a good person on her trip across country. The present day inhabitants of Minot still show that same strong and courageous will. Today Minot is one of the fastest growing towns in Maine.

What really impresses me about the people are that they are truly civic minded. Attend their yearly town meeting and you will see a room full of enthusiastic town people who are actively debating and voting up and down items on the town warrant. As a matter a fact this year because it is their 200th anniversary, many of the ladies and gentlemen dress in their turn of the century barb. Each year the town's folk get together and put on a country picnic at Blackies Farm to raise funds for a local historical church. Everyone who is anyone makes sure to attend this gathering. By the way, I always make sure that this is part of my summer plans. Minot will soon celebrate its 200th year birthday with many functions. The three churches will have a service on May 19, 2002, a parade on June 22, 2002 and a culture day on July 6, 2002. Minot issues each and every one of you and welcomes all interested Maine people to join and help celebrate their 200th birthday. God bless the town and people of Minot and may I, as their proud Representative, wish Minot a very happy birthday. Thank you.

PASSED and sent for concurrence. **ORDERED SENT FORTHWITH.**

Recognizing:

honorant Jean Pedneault, journaliste et éditorialiste de *Le Madawaska*, l'hebdomadaire de langue française situé à Edmundston, N.B., Canada et servant la Vallée St-Jean au nord du Nouveau Brunswick et du Maine. Natif de la ville de Québec, Jean a été au service de la région avec *Le Madawaska* pour 31 ans. Il est un des fondateurs du Cercle de Presse International de la République du Madawaska. Un écrivain éloquent, Jean a toujours été un journaliste inquisiteur et approfondi des événements d'intérêt à la population francophone des deux côtés de la frontière internationale ainsi que le champion de causes valables dans ses colonnes hebdomadaires. En 1985 il remporte le Prix Québécois de l'Association des Hebdomadaires du Canada pour le meilleur reportage de l'année. Pour 14 ans il fut directeur des communications sociales du diocèse d'Edmundston et reçut une médaille du Pape Jean-Paul II pour services à l'Église. En 1989 il fut nommé Chevalier de l'Ordre de la Pléiade de l'Association internationale des parlementaires de langue française. Jean devint docteur "Honoris Causa" en communication de l'Université de Moncton en mai, 2001. En dehors du journalisme, Jean a vécu une odyssée de joies et de tribulations. Athlète doué qui a joué au hockey pour les A's Juniors de Québec, son endurance physique et sa curiosité intellectuelle le mena au pôle nord en 1959 sur le brise-glace *N.B. MacLean* et aux Amériques Latine et Centrale ainsi qu'aux Caraïbes en 1960 sur le cargo suédois *Tunaholm*. Jean est détenteur d'une licence de radio-amateur et compte comme autres loisirs la natation, la lecture, la musique

classique et la rédaction de lettres pour les analphabètes. M. Pedneault est greffé du coeur, recevant le coeur d'un jeune torontois en 1988. Depuis 1989 il fait partie d'un groupe anonyme d'aide aux malades. Il est marié à Ruth Nicol, une anglophone, et le fier père de deux enfants, Lisa et Louis. Jean parle couramment l'anglais et est un observateur astucieux de la politique américaine; on le voit souvent à des assemblés et des rassemblements politiques du côté américain de la Vallée St-Jean.

Jean Pedneault -- homme remarquable et journaliste exceptionnel.

Jean Pedneault, of Edmundston, New Brunswick, reporter and editor for *Le Madawaska*, the French-language newspaper based in Edmundston, New Brunswick, and serving the St. John Valley in northern New Brunswick and Northern Maine. Mr. Pedneault has worked for the newspaper for the past 31 years and is one of the founders of the International Press Association of the Madawaska Republic. An eloquent writer, he has always been an inquisitive and thorough investigative reporter of events of interest to the francophone population on both sides of the international border as well as a champion of worthwhile causes in his weekly editorials. In 1985, he received the Quebecair Award of the Association of Canadian Weekly Newspapers for the best journalistic reporting of the year. He received an award from Pope John Paul II for service to the Church. In 1989, he was named Knight of the Order of the Pleiade of the International Association of French-speaking Parliamentarians. Mr. Pedneault holds the rare distinction of Doctor of Journalism, granted to him by the University of Moncton in May 2001. He generously donates his time to many civic and community organizations in the area. Mr. Pedneault is a truly remarkable man and an exceptional journalist;

(HLS 1000)

Presented by Representative PARADIS of Frenchville.
Cosponsored by Senator MARTIN of Aroostook, Representative MICHAUD of Fort Kent, Representative SMITH of Van Buren.

On **OBJECTION** of Representative PARADIS of Frenchville, was **REMOVED** from the Special Sentiment Calendar.

READ and PASSED and sent for concurrence. **ORDERED SENT FORTHWITH.**

Recognizing:

honorant Don Levesque, gérant et rédacteur en chef du *St. John Valley Times*, l'hebdomadaire primé du nord du comté de l'Aroostook. Né à Grand Isle au Maine en 1947, il est gradué de l'Université du Maine à Fort Kent en 1974, le premier de neuf générations de Levesques à se mériter cet honneur. Il est membre du Cercle de Presse Internationale de la République du Madawaska depuis 1988 et y fut président en 1992. Il est aussi membre fondateur et ancien président du Off the Record Media Club, un cercle de presse de langue anglaise composés de journalistes et spécialistes dans les relations publiques de tous les coins de l'Aroostook. Dans ses 22 ans dans le journalisme, Don a appris tous les aspects du métier: la vente d'annonces, la mise en page, le dessin d'annonces, la photographie, le reportage, la rédaction, la correction des épreuves, les relations publiques, et la gérance. Avant de se lancer dans le journalisme, Don a travaillé dans un moulin à papier et a enseigner pour trois ans. Il a servi au Vietnam et est impliqué dans les activités des vétérans de cette guerre-là. Don est un vrai défenseur de la langue et de la culture française ainsi qu'un partisan infatigable du bilinguisme dans la Vallée St-Jean. Bien que bien connu comme journaliste

accompli, Don est peut-être plus fameux comme l'écrivain de sa colonne *Mon Cinq Cents*, un commentaire incisif et même irrévérencieux sur la politique, la discrimination, le racisme, et bien d'autres -- et tout ça dans le patois unique de la Vallée. Don a aussi publié un livre de mots et d'expressions de la région. Il vit une vraie expérience de la frontière, travaillant au Maine et demeurant au Nouveau Brunswick, et il est très à l'aise avec des francophones ou des anglophones des Etats-Unis et du Canada. Il ne bronche jamais devant une controverse, et il aime exprimer son opinion à tous ceux qui veulent écouter. Il nous ramène au commentateur aimé du village.

Don Levesque -- porte-parole irrépressible pour les francophones et les gens de bonne volonté.

Don Levesque, of Edmundston, New Brunswick, general manager and managing editor of the *St. John Valley Times*, the award-winning newspaper of northern Aroostook County. Mr. Levesque has been a member of the International Press Association of the Madawaska Republic since 1988 and served as its president in 1992. He served in Vietnam and is active in veterans activities. He is a strong advocate of the French language and culture as well as a tireless proponent of bilingualism in the St. John Valley. Although well known as an accomplished journalist, he is probably better known as the writer of the bilingual column, *Mon Cinq Cents (My Five Cents Worth)*. He has published a popular book on local French words and expressions. He is an irrepressible spokesman for francophones; (HLS 1001)

Presented by Representative PARADIS of Frenchville.
Cosponsored by Senator MARTIN of Aroostook, Representative MICHAUD of Fort Kent, Representative SMITH of Van Buren.

On **OBJECTION** of Representative PARADIS of Frenchville, was **REMOVED** from the Special Sentiment Calendar.

READ and PASSED and sent for concurrence. **ORDERED SENT FORTHWITH.**

Recognizing:

...honorant Beurmond Banville, journaliste dans l'Aroostook nord et central pour le *Bangor Daily News* pour 30 ans et chef du bureau de Madawaska. Né à Clair au Nouveau Brunswick le 12 avril 1945, il est gradué de l'Université du Maine à Fort Kent en 1970 et sauf pour quelques années comme gérant de l'Hôtel Acadia à Fort Kent, il a dévoué sa vie à faire le reportage des événements importants dans le comté d'Aroostook. Il a suivi des cours de photographie à l'École Nikon et l'École Picard et est devenu un photographe accompli ainsi qu'un journaliste de première classe. Il est un des fondateurs du Cercle de Presse Internationale de la République du Madawaska. Résident à Frenchville pour plusieurs années, il fut nommé Citoyen de l'Année en 1994 lors de la célébration du 125ième anniversaire du village. Beurmond est reconnu comme un homme qui sait faire les choses, et tout le monde est à la recherche de ses talents. Il offre généreusement beaucoup d'heures au mouvement Droit de Lire pour jeunes écrivains et s'est impliqué dans de nombreuses fonctions et célébrations municipales. Son travail avec le scoutisme est légendaire. En 1995, il était l'un de seulement quatre scouts adultes du Conseil de la Région Kathadin, Scouts des Etats-Unis d'Amérique, à recevoir la Décoration Silver Beaver, la reconnaissance la plus élevée du conseil pour service distingué à la jeunesse et à la communauté. A ce temps-là il y avait seulement 196 hommes et femmes à se mériter cet honneur dans les 63 ans d'existence du mouvement de scoutisme. Il a été chef des Webelos, membre de comité de

troupe et chef scout de la Troupe 270, servant les villages de Frenchville, Ste-Agathe, et Sinclair. Il a aussi reçu la Décoration de l'Heroïsme pour saufetage. Depuis longtemps il est membre des Chevaliers de Colomb et a servi dans différentes positions au niveau local et régional. Au courant des années il s'est impliqué dans sa paroisse, notablement comme président du 150ième Anniversaire de la Paroisse Ste-Luce de Frenchville. Beurmond a aussi été un des directeurs de la Caisse Populaire Lavallée de Madawaska.

Beurmond Banville -- excellent journaliste et membre estimé de la communauté.

Beurmond Banville, of Frenchville, who is the northern and central Aroostook reporter for the *Bangor Daily News* and chief of its Madawaska bureau. Mr. Banville has worked for the newspaper for the past 30 years. He has spent most of his working life reporting on events of interest in Aroostook County. In addition to being a first-rate reporter, he is an accomplished photographer. He is one of the founders of the International Press Association of the Madawaska Republic. He was named Frenchville's Citizen of the Year in 1994 and generously donates his time to many civic and community organizations in the area. In 1995, he was one of 4 adult Scouters of Katahdin Area Council, Boy Scouts of America, to receive the Silver Beaver Award, the council's highest recognition for distinguished service to youth and the community. He has been awarded the Heroism Award for Life Saving. Mr. Banville is an excellent journalist and valuable community member;

(HLS 1002)

Presented by Representative PARADIS of Frenchville.

Cosponsored by Senator MARTIN of Aroostook, Representative MICHAUD of Fort Kent, Representative SMITH of Van Buren.

On **OBJECTION** of Representative PARADIS of Frenchville, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **COLWELL**: Mr. Speaker, Men and Women of the House. Perhaps I rose a little late. I should have risen when we took up the resolution, but I think it is important to just put this on the record as the Majority Leader of the Democratic Party in the State of Maine, I just want to thank our Franco-American friends for sending us from Sanford to Biddeford, Lewiston and Auburn to Kennebec County, Waterville and Augusta, sending us so many honorable and effective men and women to the Maine House of Representatives and the Senate through the years, names like Loui Jalbert, Babe Dutremble, Rosaire Paradis and Georgette Berube. The list goes on and on and on. This institution owes your community a great debt for sending us those honorable men and women. Franco-Americans have been leaders in our state from the earliest expeditions and explorations along the great rivers like the Kennebec and the Penobscot. Those expeditions yielded incredible riches of furs and timber and made our state rich. When the 19th Century industrial revolution came, the call went out and thousands of Franco-Americans came from Quebec, the Maritimes and they made Maine a manufacturing powerhouse. Our productivity and our excellence was famous worldwide because of Franco-Americans. Now in our new economy here in the 21st Century, once again your community is taking your place as leaders, doctors, lawyers, biomedical researchers and as telecommunications specialists and making our state productive, rich and we are very proud of that heritage. Thank you.

I just want to thank you for all you have done and all you will continue to do for our great state and for showing us the importance of hard work, strong family values and community and for showing us the importance of joie de vivre, merci beaucoup.

PASSED and sent for concurrence. **ORDERED SENT FORTHWITH.**

The Speaker resumed the Chair.

The House was called to order by the Speaker.

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Statute

Representative McKEE for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to Review of the Land for Maine's Future Board Under the Government Evaluation Act"

(H.P. 1650) (L.D. 2156)

Reporting **Ought to Pass** pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**.

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** and sent for concurrence.

Ought to Pass Pursuant to Joint Order

Representative KANE from the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, to Name the New Psychiatric Treatment Center Located in Augusta

(H.P. 1652) (L.D. 2158)

Reporting **Ought to Pass** pursuant to Joint Order 2001, H.P. 1604.

Report was **READ** and **ACCEPTED**. The Resolve was **READ ONCE**.

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** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 539) (L.D. 1670) Bill "An Act Regarding Child Abandonment" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-447)**

(S.P. 664) (L.D. 1855) Bill "An Act to Clarify the Regulatory Authority of the Maine Forest Service Regarding Forestry-related Quarantines" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-446)**

(S.P. 735) (L.D. 2046) Resolve, to Recognize Veterans of World War II and the Korean Conflict in the State House Hall of Flags Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-449)**

(H.P. 1434) (L.D. 1931) Bill "An Act to Appropriate Funds for the Seeds of Peace International Camp Scholarships and Property Tax Payment" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-859)**

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

CONSENT CALENDAR

Second Day

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

(H.P. 1401) (L.D. 1840) Bill "An Act to Amend the Uniform Commercial Code, Article 9-A" (C. "A" H-857)

(H.P. 1507) (L.D. 2010) Bill "An Act to Amend the Laws Governing Background Checks on Prospective Adoptive Parents" (C. "A" H-856)

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

(H.P. 1515) (L.D. 2019) Bill "An Act to Protect Victims of Domestic Violence, Sexual Assault and Stalking" (C. "A" H-855)

On motion of Representative DUPLESSIE of Westbrook, was **REMOVED** from the Second Day Consent Calendar.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (H-855)** 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**.

The same Representative **PRESENTED** **House Amendment "A" (H-866)**, which was **READ** by the Clerk and **ADOPTED**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-855)** and **House Amendment "A" (H-866)** and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act to Increase the Debt Limit of the Calais School District (S.P. 744) (L.D. 2074) (C. "A" S-443)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 108 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Waive the Competitive Bid Requirement for Lease of Certain Unused State Facilities

(S.P. 672) (L.D. 1875)

(C. "A" S-431)

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

An Act Concerning Confidentiality of Investigations by the Commission on Governmental Ethics and Election Practices

(S.P. 688) (L.D. 1890)

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

On motion of Representative TUTTLE of Sanford, was **SET ASIDE**.

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

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

UNFINISHED BUSINESS

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

Bill "An Act to Create the Office of the Maine-Canada Envoy"

(H.P. 1505) (L.D. 2008)

- In House, Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **STATE AND LOCAL GOVERNMENT** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-791) AS AMENDED BY HOUSE AMENDMENT "A" (H-809)** thereto on February 26, 2002.

-In Senate, Reports **READ** and Bill and accompanying papers **COMMITTED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

TABLED - March 4, 2002 (Till Later Today) by Representative RICHARDSON of Brunswick.

PENDING - FURTHER CONSIDERATION.

On motion of Representative McDONOUGH of Portland, the House voted to **ADHERE**.

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

An Act to Create the Adult Education Outreach Grant Program

(H.P. 1530) (L.D. 2033)

(C. "A" H-774)

TABLED - February 19, 2002 (Till Later Today) by Representative BERRY of Livermore.

PENDING - PASSAGE TO BE ENACTED.

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

HOUSE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (H-827)** - Minority (1) **Ought Not to Pass** - Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Require Continuing Education in the Cosmetology, Manicuring, Aesthetics and Barbering Fields"

(H.P. 1107) (L.D. 1476)

TABLED - February 26, 2002 (Till Later Today) by Representative RICHARDSON of Brunswick.

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

On motion of Representative MICHAUD of Fort Kent, the Bill and all accompanying papers were **COMMITTED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and sent for concurrence.

An Act Directing the Department of Human Services to Annually Adjust Dental Reimbursement Rates Under the Medicaid Program

(H.P. 375) (L.D. 477)

(C. "B" H-783)

TABLED - February 26, 2002 (Till Later Today) by Representative BERRY of Livermore.

PENDING - **PASSAGE TO BE ENACTED.**

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

SENATE DIVIDED REPORT - Majority (6) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (S-442)** - Committee on **TAXATION** on Bill "An Act Regarding Cigarette Tax Stamps" (EMERGENCY)

(S.P. 692) (L.D. 1894)

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

TABLED - March 5, 2002 (Till Later Today) by Representative GREEN of Monmouth.

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

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

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

An Act to Extend the Period During Which the Passamaquoddy Tribe May Acquire Land in the City of Calais

(H.P. 1479) (L.D. 1980)

TABLED - March 5, 2002 (Till Later Today) by Representative COLWELL of Gardiner.

PENDING - **RECONSIDERATION.** (Returned by the Governor without his approval)

The SPEAKER: The Chair recognizes the Representative from Passamaquoddy Nation, Representative Soctomah.

Representative **SOCTOMAH**: Mr. Speaker, Members of the House. This bill was brought forward as an extension bill. The Governor vetoed it. I am not opposing this bill. I want to make that statement for the record. I am not going to oppose this veto. Thank you.

The SPEAKER: The Chair recognizes the Representative from Penobscot Nation, Representative Loring.

Representative **LORING**: Mr. Speaker, Men and Women of the House. The Penobscot Nation does not wish to oppose the Governor's veto.

The SPEAKER: A roll call has been ordered. The pending question before the House is shall this bill become law notwithstanding the objections of the Governor? All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 495V

YEA - Ash, Blanchette, Brooks, Bryant, Canavan, Chizmar, Clark, Cote, Dorr, Dugay, Dunlap, Duplessie, Estes, Fisher, Gerzofsky, Goodwin, Green, Haskell, Hatch, Hawes, Hutton, Jacobs, Labrecque, Laverriere-Boucher, Marley, Matthews, McGowan, McKee, Michaud, Mitchell, Morrison, Murphy E, O'Brien LL, Perry, Pineau, Povich, Quint, Richardson, Rines, Savage, Simpson, Smith, Tessier, Volenik, Watson, Wheeler GJ, Young.

NAY - Andrews, Annis, Belanger, Berry DP, Berry RL, Bliss, Bowles, Brannigan, Bruno, Buck, Bull, Bumps, Carr, Chase, Chick, Clough, Collins, Colwell, Cowger, Crabtree, Cressey, Cummings, Daigle, Davis, Desmond, Dudley, Duncan, Duprey, Etnier, Foster, Fuller, Gagne, Glynn, Gooley, Hall, Heidrich, Honey, Jones, Kane, Kasprzak, Koffman, Landry, LaVerdiere, Ledwin, Lemoine, Lessard, Lovett, Lundeen, MacDougall, Madore, Mailhot, Mayo, McDonough, McGlocklin, McKenney, McLaughlin, McNeil, Michael, Murphy T, Muse C, Muse K, Nass, Norbert, Norton, Nutting, O'Brien JA, O'Neil, Patrick, Peavey, Perkins, Richard, Rosen, Schneider, Sherman, Shields, Skoglund, Snowe-Mello, Stanley, Stedman, Sullivan, Tarazewich, Thomas, Tobin D, Tobin J, Tracy, Trahan, Treadwell, Tuttle, Twomey, Usher, Waterhouse, Weston, Wheeler EM, Winsor.

ABSENT - Bagley, Baker, Bouffard, Bunker, Jodrey, Marrache, Mendros, Paradis, Pinkham, Mr. Speaker.

Yes, 47; No, 94; Absent, 10; Excused, 0.

47 having voted in the affirmative and 94 voted in the negative, with 10 being absent, and accordingly the Veto was Sustained.

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

SENATE PAPERS

Bill "An Act to Amend the Maine Criminal Code to Address Terrorism"

(S.P. 801) (L.D. 2160)

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

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

Bill "An Act to Amend the Charter of the Corinna Water District to Allow for the Appointment of Trustees" (EMERGENCY)

(S.P. 800) (L.D. 2159)

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.**

On motion of Representative DUPLESSIE of Westbrook, the House adjourned at 11:42 a.m., until 9:00 a.m., Thursday, March 7, 2002 in honor and lasting tribute to Archie Ross, of Chebeague Island and Adrien "Butch" Boucher, of Westbrook.