

# MAINE STATE LEGISLATURE

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

**Volume III**

**Second Regular Session**

March 7, 2002 – April 25, 2002

**First Special Session**

November 13, 2002 - November 14, 2002

Pages 1771-2574

**Appendix**  
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ONE HUNDRED AND TWENTIETH LEGISLATURE  
SECOND REGULAR SESSION  
29th Legislative Day  
Wednesday, March 13, 2002

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

Prayer by Reverend John W. Keegan, S.J., President, Cheverus High School, Portland.

National Anthem by Martin Swinger, Augusta.

Pledge of Allegiance.

Doctor of the day, Noah Nesin, M.D., Mattawamkeag.

The Journal of yesterday was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.C. 413)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE  
COMMITTEE ON UTILITIES AND ENERGY**

March 7, 2002

The Honorable Richard A. Bennett  
President of the Senate

The Honorable Michael V. Saxl

Speaker of the House of Representatives

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

Pursuant to the Government Evaluation Act, Maine Revised Statutes, Title 3, chapter 35, we submit the findings and recommendations of the Joint Standing Committee on Utilities and Energy with respect to the Emergency Services Communication Bureau within the Department of Public Safety. The committee has concluded that the Bureau is operating in accordance with its statutory authority and is fulfilling its statutory mandate.

Sincerely,

S/Norman K. Ferguson, Jr.

Senate Chair

S/William R. Savage

House Chair

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

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**REPORTS OF COMMITTEE**

**Ought to Pass Pursuant to Statute**

Representative POVICH for the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Implement the Recommendations of the Joint Standing Committee on Criminal Justice Regarding the Review of the Department of Public Safety under the State Government Evaluation Act"

(H.P. 1670) (L.D. 2173)

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 LEMOINE from the Committee on **MARINE RESOURCES** on Bill "An Act to Designate the Great Salt Bay Marine Shellfish Preserve"

(H.P. 1667) (L.D. 2172)

Reporting **Ought to Pass** pursuant to Joint Order 2001, H.P. 1584.

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.

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

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**Divided Report**

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-889)** on Bill "An Act to Implement the Recommendations of the Committee to Study Access to Private and Public Lands in Maine" (EMERGENCY)

(H.P. 1594) (L.D. 2097)

Signed:

Senators:

KNEELAND of Aroostook

KILKELLY of Lincoln

Representatives:

McKEE of Wayne

HAWES of Standish

LUNDEEN of Mars Hill

GOOLEY of Farmington

FOSTER of Gray

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-890)** on same Bill.

Signed:

Representatives:

PINEAU of Jay

VOLENIK of Brooklin

CARR of Lincoln

JODREY of Bethel

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-889)** 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" (H-889)** and sent for concurrence.

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

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-892)** on Bill "An Act to Safeguard Volunteer Firefighters' Regular Employment"

(H.P. 1449) (L.D. 1946)

Signed:

Senator:

EDMONDS of Cumberland

Representatives:

BUNKER of Kossuth Township

MATTHEWS of Winslow

HUTTON of Bowdoinham

NORTON of Bangor

SMITH of Van Buren

TARAZEWICH of Waterboro

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

Signed:

Senators:

TURNER of Cumberland

SAWYER of Penobscot

Representatives:

TREADWELL of Carmel

MacDOUGALL of North Berwick

DAVIS of Falmouth

CRESSEY of Baldwin

**READ.**

Representative BUNKER of Kossuth Township moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-887)** on Bill "An Act to Protect the Rights of Maine Citizens Under Collective Bargaining Agreements" (EMERGENCY)

(H.P. 1595) (L.D. 2098)

Signed:

Senator:

EDMONDS of Cumberland

Representatives:

BUNKER of Kossuth Township

MATTHEWS of Winslow

HUTTON of Bowdoinham

NORTON of Bangor

SMITH of Van Buren

TARAZEWICH of Waterboro

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

Signed:

Senators:

TURNER of Cumberland

SAWYER of Penobscot

Representatives:

TREADWELL of Carmel

MacDOUGALL of North Berwick

DAVIS of Falmouth

CRESSEY of Baldwin

**READ.**

Representative BUNKER of Kossuth Township moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

**CONSENT CALENDAR**

**First Day**

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

(H.P. 1626) (L.D. 2126) Resolve, Regarding Legislative Review of

Chapter 1 - Requirements for Written Prescription of Schedule II Drugs, a Major Substantive Rule of the Department of Public Safety (EMERGENCY) Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass**

(H.P. 1454) (L.D. 1951) Bill "An Act to Increase the Permit Fees for Pulling Events" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-898)**

(H.P. 1520) (L.D. 2024) Bill "An Act to Improve the Safety Provided by the Underground Facilities Protection Law" (EMERGENCY) Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-895)**

(H.P. 1609) (L.D. 2107) Resolve, Regarding Legislative Review of Portions of Chapter 395 - Construction Standards and Ownership and Cost Allocation Rules for Electric Distribution Line Extensions, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY) Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-894)**

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

**CONSENT CALENDAR**

**Second Day**

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

(S.P. 657) (L.D. 1849) Bill "An Act Regarding the Deferment of Loan Repayments for Remediation of Waste Oil Sites" (C. "A" S-458)

(S.P. 687) (L.D. 1889) Resolve, Directing the Department of Education to Provide Adult Education and Other Support Services (C. "A" S-456)

(S.P. 741) (L.D. 2066) Bill "An Act to Expedite Employment in Maine Industry" (C. "A" S-459)

(H.P. 1504) (L.D. 2007) Resolve, to Address the Crisis of a Shortage in Direct-care Staff in the Long-term Care System (EMERGENCY) (C. "A" H-886)

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

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.

An Act to Support Family Farms

(S.P. 463) (L.D. 1516)  
(C. "A" S-424)

TABLED - March 4, 2002 (Till Later Today) by Representative BERRY of Livermore.

PENDING - **PASSAGE TO BE ENACTED.**

Representative COLWELL of Gardiner **REQUESTED** a roll call on **PASSAGE TO BE ENACTED.**

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

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

**ROLL CALL NO. 509**

**YEA** - Andrews, Annis, Ash, Belanger, Berry RL, Blanchette, Bouffard, Brannigan, Brooks, Bruno, Bryant, Bull, Bumps, Bunker, Carr, Chase, Chick, Chizmar, Clark, Collins, Colwell, Cote, Cowger, Daigle, Davis, Desmond, Dorr, Duncan, Dunlap, Duplessie, Estes, Fisher, Fuller, Gagne, Gerzofsky, Glynn, Goodwin, Green, Hall, Haskell, Hatch, Hawes, Heidrich, Honey, Hutton, Jacobs, Jodrey, Jones, Kane, Koffman, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Lundeen, Madore, Mailhot, Marley, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McLaughlin, Michaud, Mitchell, Morrison, Murphy E, Murphy T, Muse K, Nass, Norbert, Norton, Nutting, O'Brien JA, O'Brien LL, O'Neil, Paradis, Patrick, Perkins, Perry, Pineau, Pinkham, Povich, Quint, Richard, Rosen, Savage, Schneider, Sherman, Shields, Skoglund, Smith, Stanley, Sullivan, Tarazewich, Tobin D, Tobin J, Tracy, Tuttle, Twomey, Volenik, Wheeler EM, Wheeler GJ, Young, Mr. Speaker.

**NAY** - Berry DP, Bowles, Buck, Clough, Crabtree, Cressey, Duprey, Foster, Gooley, Kasprzak, Labrecque, Ledwin, Lovett, MacDougall, McKenney, McNeil, Michael, Peavey, Snowe-Mello, Stedman, Treadwell, Waterhouse, Weston, Winsor.

**ABSENT** - Bagley, Baker, Bliss, Canavan, Cummings, Dudley, Dugay, Etnier, Landry, Marrache, Mendros, Muse C, Richardson, Rines, Simpson, Tessier, Thomas, Trahan, Usher, Watson.

Yes, 107; No, 24; Absent, 20; Excused, 0.

107 having voted in the affirmative and 24 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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An Act to Enact the Uniform Principal and Income Act of 1997  
(H.P. 1173) (L.D. 1573)  
(C. "A" H-851)

TABLED - March 11, 2002 (Till Later Today) by Representative NORBERT of Portland.

PENDING - **PASSAGE TO BE ENACTED.**

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

---

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

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SENATE DIVIDED REPORT - Report "A" (5) Ought to Pass - Report "B" (5) Ought to Pass as Amended by Committee Amendment "A" (S-455) - Report "C" (3) Ought Not to Pass - Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Ban the Use of Aircraft While Hunting"

(S.P. 746) (L.D. 2078)

- In Senate, Report "A" **OUGHT TO PASS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED.**

TABLED - March 12, 2002 (Till Later Today) by Representative DUNLAP of Old Town.

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

On motion of Representative DUNLAP of Old Town, the Bill and all accompanying papers were **COMMITTED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in **NON-CONCURRENCE** 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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**ORDERS**

On motion of Speaker SAXL of Portland, the following Joint Resolution: (H.P. 1668) (Cosponsored by Representatives: DORR of Camden, GREEN of Monmouth, POVICH of Ellsworth, ROSEN of Bucksport)

**JOINT RESOLUTION COMMEMORATING THE HOLOCAUST HUMAN RIGHTS CENTER'S LEGISLATIVE AWARENESS DAY AND YOM HASHOAH, THE DAY OF REMEMBRANCE OF THOSE WHO SUFFERED AS VICTIMS OF THE HOLOCAUST**

WHEREAS, from 1933 to 1945, 6,000,000 Jews were murdered in the Nazi Holocaust as part of a systematic program of genocide, and millions of other people suffered as victims of Nazism; and

WHEREAS, the people of the State of Maine should always remember the atrocities committed by the Nazis so that such horrors are never repeated; and

WHEREAS, the people of the State of Maine should always remember those who liberated the Nazi concentration camps, some at the cost of their lives and others with lifelong emotional suffering, as holding an honored place in our history; and

WHEREAS, the people of the State of Maine should continually rededicate themselves to the principle of equal justice for all people, remain eternally vigilant against all tyranny and recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, March 13, 2002 has been designated internationally as the Holocaust Human Rights Center's Legislative Awareness Day; and

WHEREAS, April 9, 2002 has been designated internationally as a Day of Remembrance of the Victims of the Nazi Holocaust, and is known as Yom HaShoah; and

WHEREAS, the national community, pursuant to an Act of Congress, will be commemorating the week of April 7th to April 14th as the Days of Remembrance of the Victims of the Nazi Holocaust, with the theme of "Memories of Courage"; and

WHEREAS, it is appropriate for the people of the State of Maine to join in this international commemoration; 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, pause in

solemn memory of the victims of the Nazi Holocaust, urge one and all to recommit themselves to the lessons of the Nazi Holocaust through the Holocaust Human Rights Center's Legislative Awareness Day and the international week of commemoration and express our common desire to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the United States Holocaust Memorial Council in Washington, D.C., on behalf of the people of the State of Maine.

**READ.**

The **SPEAKER:** The Chair recognizes the Representative from Monmouth, Representative Green.

Representative **GREEN:** Mr. Speaker, Men and Women of the House. I questioned whether I would stand today thinking that perhaps the words that I had read several years in a row might not be needed. However, on second thought, I decided they will always be needed.

The Reverend Martin Niemöller, a pastor in the German Confessing Church said the following words. "First they came for the communists, and I did not speak out because I was not a communist. Then they came for the socialists, and I did not speak out because I was not a socialist. Then they came for the labor leader, and I did not speak out because I was not a labor leader. Then they came for the Jews, and I did not speak out because I was not a Jew. Then they came for me, and there was no one left to speak out for me."

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

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The **SPEAKER PRO TEM:** The Chair recognizes the Representative from Portland, Representative Saxl.

Representative **SAXL:** Madam Speaker, Men and Women of the House. I haven't had an opportunity to stand and speak about the Holocaust remembrance a for few years now but I have been very proud to be a part of this memorial for the last seven preceding years, this being my eighth year. I was thinking that I had a special duty today because the fella I usually sponsor this legislation with isn't here today. My good friend, Joel Abromson, a former member of the other body and a very distinguished gentleman who has been a champion for understanding and tolerance for so many years. I feel the loss of his voice today and I feel a sense of responsibility in myself to come with you, together with you, to talk a little bit about Yom Hashoah and the holocaust and why it is important that we stop in the middle of everything that we are doing to pause and to reflect. Right now is not an easy time in this body. Most of you know we are in the midst of budget negotiations, which impact individuals lives and businesses and our state of being and our political philosophies and the very reason we came to this body. It is a very difficult time to be here to deal with that.

In the other body they recently underwent a very contested election, the very route of our democracy to replace my good friend, Joel Abromson. They had to deal with an appropriate democratic way to deal with that. That caused a lot of strife and emotion and concern. All of us have legislation that we have worked on for years and tracked and massaged and we have our minds split many ways. I don't see a clean desk in this chamber, because everybody is wrapped in the middle of a crazy tumultuous session. All that being true, it is critical that we take time and we stop and we say, I remember and I will always

remember. Not only will I remember the 6 million Jews who died in the holocaust and the gypsies and the Catholics and the gays and the lesbians and the countless others who stood up to say no. I will also stop and remember bigotry in our own midst and how far we have come.

Just this week we had the first State of the Tribes. It took 182 years to have a different voice at this level expressed in this chamber. Just this year for the first time, we had Franco-American Day. It was an incredibly rich and important part of our cultural heritage, but also a subject of hurt for many of our citizens in our state because of the bigotry and hatred shown to others. We see it in our national dialogue every single day, the politics of division of hate and of separation. I don't see it in this body, ever. I see people of very different backgrounds of heartfelt different beliefs that come together to try to do good for their colleagues and for their families and for their neighbors and for the future of their communities.

As we come here today to think of Yom Hashoah, as we come here today to think about the Holocaust and as we think about injustices and as we think about bigotry, let us renew, once again, our commitment to peace, love, understanding and to dialogue. Together, we can say no and together, more importantly perhaps, we can say yes. Thank you Madame Speaker.

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

Representative **FISHER:** Madam Speaker, Men and Women of the House. First of all, don't ever forget those words, Madam Speaker. Never forget the words you spoke and say them every year. It is a grand day. It is an important day that we recognize what happened in the past. As I was walking through the halls this morning there was a gentleman standing by the Senate Post Office wearing a black suit and a black hat with combat ribbons on his chest, including the combat infantries man's badge. He was one of the liberators at Dachou. I would hope you would all speak to him today and thank him.

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

Representative **POVICH:** Madam Speaker, Men and Women of the House. More than 105 years ago my family left imperialistic Russia, because they had to. They were displaced. They were told to leave. You are not required anymore. They did leave. They were uprooted. They left everything they owned, except for a few possessions they could carry and they managed to take a boat to New York City to find a new life. They didn't like it in New York City. It didn't remind them of anything about their homeland in that part of Russia. They looked in the newspaper published in New York and they saw an advertisement for a Hebrew teacher to teach Hebrew to a young lad in Bar Harbor. They moved to Bar Harbor. To make a long story very short, they liked it. They didn't like Bar Harbor because it was very crowded at the time. They had a little spat with their cousins and they said that they were leaving Bar Harbor and they ran out of money in Ellsworth, 20 miles away. They stayed. My grandfather plied his trade as an itinerate peddler. He had a horse and a wagon and went around the countryside, all the way to Lamoine and Eastbrook. He might have gotten to Penobscot and Mariaville. He was embraced. He was providing an important service because the Yankee peddler had gone west. There was more opportunity and there was a big void in those types of people that would do that sort of work. It was tough work. Quite often they would have to stay over. Of course, they all observed the kosher dietary laws. It was hard to do that. Everywhere you went, you were offered a piece of deer meat. That is not kosher, they couldn't have it. I do believe my

grandfather might have had a slab or two of deer meat. He never told my grandmother.

I guess the point I am making is that tolerance is a long tradition in this great state. That lesson is not lost on me. That is one of the reasons that I am here today that I decided that I wanted to serve in this great body because of the kindness, the good people that had shown my grandfather and my grandmother 105 years ago. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Camden, Representative Dorr.

Representative **DORR**: Madam Speaker, Men and Women of the House. As we pause today to honor and remember those who perished in the Holocaust, it is my fervent prayer that the people of strife-torn Israel will soon live in peace.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Biddeford, Representative Sullivan.

Representative **SULLIVAN**: Madam Speaker, Men and Women of the House. I feel the need to stand today, not because I understand the pain, but because I try to teach in our schools what happened. This is the very hardest unit for me to teach to middle school kids. We know that lack of tolerance is rampant. I also need to stand because I owe a great debt of gratitude to Senator Joel Abromson. My first year here he was my seatmate and continues to be my seatmate on Banking and Insurance. I always prided myself for being not bigoted. When I came here, I believe those people on the other side of the aisle were the enemy and he taught me quickly that you weren't. I truly count many of the people to have a different initial after their name as my friend. Joel Abromson taught me that. He taught me how to stand for my convictions. He taught me how to be a committee member. He taught me how to hear other people. I considered him a friend. I sent him many cards during this long illness. To Joel Abromson, I say, shalom. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Freeport, Representative Bull.

Representative **BULL**: Madam Speaker, Men and Women of the House. This fall I had the very unique opportunity to go to central Europe to Hungary and Poland on a delegation. While we were in Poland, we went to the ancient city of Crakow, not too far from Cracow is the City of Oswiecim. It is much better known in our language as Auschwitz, part of the Auschwitz Compound in Auschwitz in Berkinau. I visited those camps and even after 50 years, the horrors and the brutal lessons of those camps are still very apparent and very raw. It reminded me just how important it is that we resist efforts in the future to make sure that we never repeat the horrors that happen there. Paraphrasing somebody much more learned than I, "Unless we study and understand history, we are destined to repeat it. Let us never forget." Thank you Madam Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Wayne, Representative McKee.

Representative **MCKEE**: Madam Speaker, Men and Women of the House. Just to speak briefly about the great work that the Holocaust Human Rights Center has done and my appreciation for them and for their role in educating youth throughout the state. It was because of them in the early '80s that I took my first course in holocaust history. I did it very reluctantly. At that time I didn't like to face things that made me uncomfortable. I took the course and began and I must admit that the way I teach it today is far different, but I learned an important lesson in that first year. We didn't have the resources that we have today so I called upon the library to help me with books for students to read and then we would share them with the class. When it came time for the students to report to the class about what they had read and learned, I remember poignantly one student. She sat on a stool

and she told the story of a book that she had read, which dealt with the children who were victims of the Holocaust too, that had to leave their parents in Berlin. Their parents knew that they might never see them again. When she got to the part about the separation, I began to understand why we were doing what we are doing. She said the children were put on trains in Berlin. As they left, the parents waved goodbye to them, they with their nurses or friends headed for Holland and England. As they waved goodbye, they got into their cars and drove to the next station and waved goodbye again. They went to four or five railroad stations as they said goodbye to their children. I get a little weepy at this point because I remember the faces of my students. I looked out and I was trying very hard to share my tears. I looked up and every student in my class was quietly weeping. I didn't know what to do. I sat for a few minutes and tried to pull myself back together. We shared a moment of quiet. Finally I said, let's just stop and weep for a moment together. We did. Twenty-five students and I, 17 years old, sat and wept together quietly. I didn't know at the end of that class what would happen. What would they think of a teacher who did not know how to control herself in discussing these difficult moments? We left that morning in silence. The next day I stood at the door and the students came in again. The first student said to me what every student said after that. I am so angry. I am so angry. Why did this have to happen? I learned in that moment an important lesson. Students should not be shielded from man's inhumanity to man. First you cry. We cried, but we moved on to action after that. We moved on to study the Vietnam War. We became interested in Native American literature and subsequent issues regarding Wounded Knee and our own Native people in this state and the realization that one of our own students in the class was suffering just as gays had suffered during the holocaust too.

My great appreciation to the Holocaust Human Rights Center and to those people who have volunteered in our classroom and I see some of them sitting there today who have come to tell their stories, to break the silence, to break that silence that surrounded my education in the '50s and to share it with us and to help us move on to a decade and years or a millennium of tolerance. Thank you for the opportunity to speak Madam Speaker.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

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The Speaker resumed the Chair.

The House was called to order by the Speaker.

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On motion of Representative COLWELL of Gardiner, the following Joint Resolution: (H.P. 1669) (Cosponsored by President Pro Tem MICHAUD of Penobscot and Representatives: COWGER of Hallowell, DUPLESSIE of Westbrook, MAILHOT of Lewiston, McGLOCKLIN of Embden, MICHAUD of Fort Kent, TARAZEWICH of Waterboro, Senator: CATHCART of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)  
**JOINT RESOLUTION MEMORIALIZING CONGRESS TO FUND THE ADDITIONAL HOMELAND SECURITY COSTS**

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 Congress of the United States as follows:

WHEREAS, the tragic events that occurred on September 11, 2001 resulted in a horrific loss of thousands of lives as hijacked planes crashed into the Pentagon, into a field in the countryside

of Pennsylvania and into both towers of the World Trade Center in New York City, resulting in their total collapse; and

WHEREAS, these planned assaults on our nation were perpetrated by terrorists who sought to harm us, our freedoms and our way of life, but ironically the events of September 11, 2001 have resulted in a national unity not seen since World War II; and

WHEREAS, funded by deep pockets overseas, the terrorists were able to take advantage of us by infiltrating and accessing our airports, towns and cities to plan their attacks and have shown us clearly that there are enemies of our way of life both at home and abroad; and

WHEREAS, to protect our citizenry, our infrastructure, our cities and our highways and to keep our free society, we need to change certain security measures in many parts of our nation on a day-to-day basis; and

WHEREAS, new guidelines of security all across the country are being planned, such as increased security personnel and equipment, increased public safety response, heightened surveillance and intelligence gathering, improved medical preparedness, shelter improvements and improved emergency medical staff; and

WHEREAS, the costs for our homeland security have already begun to take their toll on states' budgets across the nation with added marine security costs, higher expenses in human services and bureaus of health and increased transportation and public utility costs; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge that the Federal Government be responsible for these increased costs that the states are bearing; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Speaker of the United States House of Representatives and the President of the United States Senate and to each Member of the Maine Congressional Delegation.

**READ.**

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

Representative **COLWELL**: Mr. Speaker, Men and Women of the House. I just felt that I should say a few words about this resolution. In light of the previous speeches, I know this will pale in comparison. They were very compelling and beautiful speeches. I very much appreciate it.

I am not one of the constitutional experts in this chamber. There are many and they certainly know the issues of the Constitution well. I do want to say this is the first Joint Resolution memorializing Congress that I have introduced. I think it is important. Even though I am not a constitutional expert, I have read the US Constitution and it is very clear that it is the responsibility and the duty of the federal government to provide for our national defense and homeland security. I just wanted to make sure that this body was on record, given the results in the terrible experiences this country has been through since 9-11, supporting homeland security. We need to make our state and our country as safe as we possibly can for our citizens. I think it is particularly timely. I know that many of the homeland security pieces of legislation are coming before committees this week. I

know that the people of the State of Maine want us to address this issue in a very serious manner. I want our friends in Congress and in the national government to recognize their responsibility and I definitely want them to realize and recognize that we don't need another unfunded mandate in the State of Maine. That is why I put this resolution in. We do support additional homeland security measures, but we recognize that it is the responsibility of the federal government to pay their fair share and to fund those efforts. Thank you Mr. Speaker.

**ADOPTED.**

Sent for concurrence.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Labrecque who wishes to address the House on the record.

Representative **LABRECQUE**: Mr. Speaker, Ladies and Gentlemen of the House. This morning you had an opportunity to meet my in-laws who have been working endlessly to bring some knowledge to the young people, seventh through twelfth graders of the essay contest that the Department of Maine Veterans of Foreign Wars offers every year, the Voice of Democracy. The Speaker was very nice to introduce Hannah Leighton who received that honor last year. Her essay is on your desk. She won first prize for this essay in the State of Maine and second prize nationally. For those of you who had the opportunity to serve with her father, this should bring tears to your eyes. I would like to ready some excerpts. I think it goes a long so well with the special holocaust day today. "Therefore, the price of freedom is two fold. First, it is the cherished knowledge that men and women exchange their very lives for our freedom. Second, is the firm commitment that every day Americans, like my dad, like me and like you, must be willing to pay the same price if America is forever to remain the land of the free and home of the brave." Thank you Mr. Speaker.

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

**SENATE PAPERS**

Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands (S.P. 805) (L.D. 2168)

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

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

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

On motion of Representative **SAXL** of Portland, the House adjourned at 10:36 a.m., until 9:00 a.m., Thursday, March 14, 2002.