

# 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**  
**House Legislative Sentiments**  
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ONE HUNDRED AND TWENTIETH LEGISLATURE  
FIRST REGULAR SESSION  
39th Legislative Day  
Wednesday, March 27, 2002

3 STATE HOUSE STATION  
AUGUSTA, ME 04333-0003

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

Prayer by Chief Leroy Jones, Chaplain of Maine Chiefs of Police, Waldoboro.

Colors presented by the Maine Chiefs of Police Color Guard.

National Anthem by Edward Little High School Show Choir, Auburn.

Pledge of Allegiance.

Doctor of the day, Jeffrey Raub, M.D., Hampden.

The Journal of yesterday was read and approved.

March 26, 2002

The Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Please be advised the Senate today Adhered to its previous action whereby it Indefinitely Postponed a Joint Order Relative to Directing the Joint Standing Committee on Legal and Veterans Affairs to Report Out Legislation Regarding Reimbursement for Stolen Lottery Tickets (H.P. 1699) .

Sincerely,

S/Pamela L. Cahill

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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**SENATE PAPERS**  
**Non-Concurrent Matter**

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Acquire or Dispose of Property or Interest in Property Pursuant to the Augusta State Facilities Master Plan set out in Resolve 2001, Chapter 34

(S.P. 676) (L.D. 1879)

Reports **READ** and the Resolve and accompanying papers **COMMITTED** to the Committee on **STATE AND LOCAL GOVERNMENT** in the House on March 4, 2002.

Came from the Senate with the Reports **READ** and the Resolve and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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**COMMUNICATIONS**

The Following Communication: (S.C. 681)

**SENATE OF MAINE**  
**OFFICE OF THE SECRETARY**  
**3 STATE HOUSE STATION**  
**AUGUSTA, ME 04333-0003**

March 26, 2002

The Honorable Michael V. Saxl

Speaker of the House

2 State House Station

Augusta, ME 04333

Dear Speaker Saxl:

In accordance with Joint Rule 506 of the 120th Legislature, please be advised that the Senate today has confirmed the following nominations:

Upon the recommendation of the Joint Standing Committee on Natural Resources the nomination of Ernest W. Hilton of Starks, for reappointment to the Board of Environmental Protection.

Upon the recommendation of the Joint Standing Committee on Natural Resources the nomination of Nancy C. Ziegler of South Portland, for appointment to the Board of Environmental Protection.

Sincerely,

S/Pamela L. Cahill

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 684)

**SENATE OF MAINE**  
**OFFICE OF THE SECRETARY**

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**ORDERS**

On motion of Representative LOVETT of Scarborough, the following Joint Resolution: (H.P. 1710) (Under suspension of the rules, cosponsored by Representatives: ANDREWS of York, ANNIS of Dover-Foxcroft, ASH of Belfast, BAGLEY of Machias, BAKER of Bangor, BELANGER of Caribou, BERRY of Belmont, BERRY of Livermore, BLANCHETTE of Bangor, BLISS of South Portland, BOUFFARD of Lewiston, BOWLES of Sanford, BRANNIGAN of Portland, BROOKS of Winterport, BRUNO of Raymond, BRYANT of Dixfield, BUCK of Yarmouth, BULL of Freeport, BUMPS of China, BUNKER of Kossuth Township, CANAVAN of Waterville, CARR of Lincoln, CHASE of Levant, CHICK of Lebanon, CHIZMAR of Lisbon, CLARK of Millinocket, CLOUGH of Scarborough, COLLINS of Wells, COLWELL of Gardiner, COTE of Lewiston, COWGER of Hallowell, CRABTREE of Hope, CRESSEY of Baldwin, CUMMINGS of Portland, DAIGLE of Arundel, DAVIS of Falmouth, DESMOND of Mapleton, DORR of Camden, DUDLEY of Portland, DUGAY of Cherryfield, DUNCAN of Presque Isle, DUNLAP of Old Town, DUPLESSIE of Westbrook, DUPREY of Hampden, ESTES of Kittery, ETNIER of Harpswell, FISHER of Brewer, FOSTER of Gray, FULLER of Manchester, GAGNE of Buckfield, GERZOFISKY of Brunswick, GLYNN of South Portland, GOODWIN of Pembroke, GOOLEY of Farmington, GREEN of Monmouth, HALL of Bristol, HASKELL of Milford, HATCH of Skowhegan, HAWES of Standish, HEIDRICH of Oxford, HONEY of Boothbay, HUTTON of Bowdoinham, JACOBS of Turner, JODREY of Bethel, JONES of Greenville, KANE of Saco, KASPRZAK of Newport, KOFFMAN of Bar Harbor, LABRECQUE of Gorham, LANDRY of Patten, LaVERDIERE of Wilton, LAVERRIERE-BOUCHER of Biddeford, LEDWIN of Holden, LEMOINE of Old Orchard Beach, LESSARD of Topsham, LORING of the Penobscot Nation, LUNDEEN of Mars Hill, MacDOUGALL of North Berwick, MADORE of Augusta, MAILHOT of Lewiston, MARLEY of Portland, MARRACHÉ of Waterville, MATTHEWS of Winslow, MAYO of Bath, McDONOUGH of Portland, McGLOCKLIN of Embden, McGOWAN of Pittsfield, McKEE of Wayne, McKENNEY of Cumberland, McLAUGHLIN of Cape Elizabeth, McNEIL of Rockland, MENDROS of Lewiston, MICHAEL of Auburn, MICHAUD of Fort Kent, MITCHELL of Vassalboro, MORRISON of Baileyville, MURPHY of Berwick, MURPHY of Kennebunk, MUSE of South Portland, MUSE of Fryeburg, NASS of Acton, NORBERT of Portland, NORTON of Bangor, NUTTING of Oakland, O'BRIEN of Augusta, O'BRIEN of Lewiston, O'NEIL of Saco, PARADIS of Frenchville, PATRICK of Rumford, PEAVEY

of Woolwich, PERKINS of Penobscot, PERRY of Bangor, PINEAU of Jay, PINKHAM of Lamoine, POVICH of Ellsworth, QUINT of Portland, RICHARD of Madison, RICHARDSON of Brunswick, RINES of Wiscasset, ROSEN of Bucksport, SAVAGE of Buxton, Speaker SAXL of Portland, SCHNEIDER of Durham, SHERMAN of Hodgdon, SHIELDS of Auburn, SIMPSON of Auburn, SKOGLUND of St. George, SMITH of Van Buren, SNOWE-MELLO of Poland, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway, STEDMAN of Hartland, SULLIVAN of Biddeford, TARAWEWICH of Waterboro, TESSIER of Fairfield, THOMAS of Orono, TOBIN of Windham, TOBIN of Dexter, TRACY of Rome, TRAHAN of Waldoboro, TREADWELL of Carmel, TUTTLE of Sanford, TWOMEY of Biddeford, USHER of Westbrook, VOLENIK of Brooklin, WATERHOUSE of Bridgton, WATSON of Farmingdale, WESTON of Montville, WHEELER of Bridgewater, WHEELER of Eliot, WINSOR of Norway, YOUNG of Limestone, Senators: President BENNETT of Oxford, BRENNAN of Cumberland, BROMLEY of Cumberland, CARPENTER of York, CATHCART of Penobscot, DAGGETT of Kennebec, DAVIS of Piscataquis, DOUGLASS of Androscoggin, EDMONDS of Cumberland, FERGUSON of Oxford, GAGNON of Kennebec, GOLDTHWAIT of Hancock, KILKELLY of Lincoln, KNEELAND of Aroostook, LaFOUNTAIN of York, LEMONT of York, LONGLEY of Waldo, MARTIN of Aroostook, McALEVEY of York, President Pro Tem MICHAUD of Penobscot, MILLS of Somerset, MITCHELL of Penobscot, NUTTING of Androscoggin, O'GARA of Cumberland, PENDLETON of Cumberland, RAND of Cumberland, ROTUNDO of Androscoggin, SAVAGE of Knox, SAWYER of Penobscot, SHOREY of Washington, SMALL of Sagadahoc, TREAT of Kennebec, TURNER of Cumberland, WOODCOCK of Franklin, YOUNGBLOOD of Penobscot)

**JOINT RESOLUTION RECOGNIZING PARKINSON'S DISEASE AWARENESS MONTH**

WHEREAS, Parkinson's disease, or paralysis agitans; is a tragic, progressive disease of the brain and spinal cord. Although it usually affects adults over 40 years of age, it can occur in any of 3 forms: later-life Parkinson's disease; young-onset Parkinson's disease, which affects adults under 40 years of age; and juvenile-onset Parkinson's disease, which affects children and teenagers; and

WHEREAS, Parkinson's disease often takes a devastating emotional, social, psychological, physical and financial toll on the patients as well as on their families and friends; and

WHEREAS, Parkinson's disease appears eventually in approximately one of 4 persons older than 80 years of age and in one of 10 persons older than 60 years of age and in a significant number of people under 35 years of age; and

WHEREAS, according to the American Parkinson Disease Association, there are an estimated 1,500,000 people in the United States who have been diagnosed with Parkinson's disease, of which an estimated 7,000 or more are living in the State of Maine. There are likely to be as many as another 1,500,000 unknown, uncounted people with Parkinson's disease who have never seen a neurologist, bringing Maine's estimated numbers to 15,000 or more persons, many of whom are thought to have a supposedly normal "shaking palsy"; and

WHEREAS, there are an estimated 60,000 new patients diagnosed with Parkinson's disease annually in the United States, one every 9 minutes or 6 new patients every hour; and

WHEREAS, Maine has no Parkinson's disease public education curricula or programs, no Parkinson's-oriented human services, no established medical specialist clinics, no medical specialist educators, no adult care programs, no mobile diagnostic teams, no human services specialists, no police or fire department education programs, no justice and courtroom

personnel training, no ambulance or rescue worker training courses, no adapted housing units, no long-term home-care planners, no counselling and support specialists, particularly for the financially needy and the people affected by Parkinson's disease who reside alone, despite pressing need statewide; and

WHEREAS, many people with Parkinson's disease encounter precarious legal and personal situations when they are mistakenly thought to be under the influence of illegal or prescription drugs or alcohol due to their unusual movement and gait patterns; and

WHEREAS, Parkinson's disease causes a loss of cell function deep within the brain and it is currently an incurable brain disorder of unknown origin that disrupts and may end the lives of those who suffer from it; and

WHEREAS, the visible symptoms of Parkinson's disease, which are tremors, slowness of movement, shuffling gait, difficulty with balance, malfunction of vocal cords, lessened facial expression, intestinal difficulties and other internal problems, including changes in blood pressure, hypothermia, loss of visual and auditory reflexes, urinary and kidney-related difficulties and brain chemistry disruptions causing emotional changes, are often mistaken as a normal part of the aging process; and

WHEREAS, medications can only control some of the symptoms of Parkinson's disease and only for uncertain periods of time; and

WHEREAS, there is a great need for further training and education in the medical and legal professions to protect the rights of persons with Parkinson's disease; and

WHEREAS, there is an urgent need for a Parkinson's disease clinic in Maine to give patients easier access to specialists in Parkinson's disease and to provide more effective support programs and services to Parkinson's' disease patients and their caregivers and families; and

WHEREAS, increased research is needed to help find more effective treatments and ultimately to find a cure for Parkinson's disease; and

WHEREAS, full implementation of federal law, the Morris K. Udall Parkinson's Disease Research Act of 1997, which directs the National Institutes of Health to spend up to \$100,000,000 annually on Parkinson's disease research, needs continued support; and

WHEREAS, April 11th has been proclaimed World Parkinson's Disease Day, a day for all to recognize the need for more fundamental research and to provide the public with new, open channels of help as they battle against the devastating effects of Parkinson's disease; and

WHEREAS, the leading public officials of the State and leading medical educators in the State's medical community are now called upon to aid in reversing the invisibility and virtual voicelessness of its citizens suffering from Parkinson's disease; and

WHEREAS, 3 prominent North Americans, Muhammad Ali, Michael J. Fox and former Attorney General Janet Reno, who are afflicted with Parkinson's disease, are perhaps the only recognized and publicly known Parkinson's disease advocates appearing in the media; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature now assembled in the Second Regular Session, recognize the month of April as Parkinson's Disease Awareness Month; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Parkinson Society, the Maine State Chapter of the American Parkinson Disease Association and the State's Board of Licensure in Medicine.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Lovett.

Representative **LOVETT**: Mr. Speaker, Ladies and Gentlemen of the House. Some 10 years ago I knew very little about Parkinson's disease. I knew that it existed. I even knew people who were inflicted. I watched them go through different stages, but I did not fully realize just how devastating this disease could be. When my brother, Arnold Pooler, was diagnosed with Parkinson's disease about eight years ago, we watched a man who was very independent, extremely intelligent, very athletic, we watched him slowly deteriorate. This disease robbed him of all his fine motor skills, whereby he was unable to intelligently communicate with us. He was unable to move around without a helping hand. He was even unable to feed himself. Ladies and gentlemen, he was completely dependent upon others for his basic life needs. However, he was a very determined person who was not going to give in to this disease. He honestly felt that he was going to prevail and a cure would be found. He passed away last May and one of his last wishes was that others afflicted with this dreadful disease would not have to suffer as he had to. My hope today is that this Resolution will help in some way strengthen public awareness by educating people about Parkinson's disease as well as promoting a better support system for patients and families. I personally want to thank each of you for your support in passing this Resolution today. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Kane.

Representative **KANE**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, have a family member who has been stricken with Parkinson's disease for over 20 years. This is my closest sibling. He is only 18 months older than I and before he reached the age of 50, he began to exhibit symptoms of Parkinson's disease. He has been in a nursing home for 12 years. Thankfully for medication he is able to at least maintain some periodic levels of functioning. His cognizance skills have dissipated. I thank the members for acknowledging the significance. I thank my colleague, Representative Lovett, for sharing with us her experience. This is a dreadfully painful experience for families to go through. For me, it is continually living with the frailty of our own mortality and seeing a very vibrant, physically strong and competent individual slowly having life drained from him. It is occasions like this that I think help us and help families who are coping to know that we do care. We continue to keep an eye on the ball in the way that continues to reinforce the ongoing research that is taking place. Representative Lovett's brother and my brother will never know whatever benefits may accrue from the advances currently taking place in research. Dramatic research progress is occurring and it will spare many other families in the future. Thank you Mr. Speaker.

**ADOPTED.**

Sent for concurrence.

On motion of Representative **PEAVEY** of Woolwich, the following Joint Resolution: (H.P. 1713) (Cosponsored by Senator **McALEVEY** of York and Representative: **POVICH** of Ellsworth)

**JOINT RESOLUTION COMMEMORATING MAINE CRIME VICTIMS' RIGHTS WEEK**

WHEREAS, one violent crime is committed in the United States every 5 seconds and one property crime every 1.6 seconds and 25.9 million Americans are victims of crime year and, of those, 6.3 million are victims of violent crime; and

WHEREAS, despite the recent reduction in the rate of crime, far too many people still suffer the impact of crime; and

WHEREAS, crime victims play an indispensable role in bringing offenders to justice and deserve respect, resources, restoration and justice; and

WHEREAS, as we carry crime victims' rights into 2002 and beyond, we must bring honor to victims, striving to create a world where the legal rights of victims are honored and government agencies are accountable for their treatment of victims; and

WHEREAS, despite significant progress in providing rights and services to crime victims over the past 2 decades, large segments of our population, including crime victims who are elderly, disabled or living in rural areas, are still underserved; and

WHEREAS, as a nation devoted to liberty and justice for all, the United States must increase its efforts to protect, restore and expand crime victims' rights and services; and

WHEREAS, the State is joining forces with victim service programs, criminal justice officials and concerned citizens throughout the United States to observe National Crime Victims' Rights Week; 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 of the State of Maine, designate the week of April 21, 2002 to April 27, 2002 as Maine Crime Victims' Rights Week; and be it further

RESOLVED: That We reaffirm a commitment to respect and enforce victims' rights and address their needs during the 2002 Crime Victims' Rights Week in Maine and the nation now, and throughout the year.

**READ.**

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

Representative **PEAVEY**: Mr. Speaker, Men and Women of the House. This resolution recognizes Victims' Rights Week. I just wanted to speak briefly. No one ever, ever plans to be a victim. Over the last eight years this Legislature has created a whole chapter in our criminal code solely dedicated to victim's rights. The other thing that has happened is we created a pamphlet that is handed to victims that tells them of their rights. My purpose of speaking is to just ask you as you are working with your constituents and you are working in your communities to talk to your local DAs and talk to your police departments and sheriff's departments to make sure that those pamphlets are getting out to victims. Thank you very much.

**ADOPTED.**

Sent for concurrence.

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

the following members of the Monmouth Academy Academic Decathlon Team: Brian Brush, Jessica Cowing, Carli Hutchison, Sara Lindholm, Kim McNelly, Lil O'Donnell, Angela Parvanta, Nicole Phelan and Cory Shepherd; and Coaches David S. Heckman and Cathy Foyt, who participated in the Maine Academic Decathlon. The team placed first in the small-school division, earning 25 individual medals, and 2nd in the Super Quiz. We extend our congratulations to the team on its accomplishment;

(HLS 1085)

Presented by Representative **GREEN** of Monmouth.

Cosponsored by Senator **TREAT** of Kennebec.

On **OBJECTION** of Representative GREEN of Monmouth, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

**Recognizing:**

the following members of the Scarborough High School Academic Decathlon Team: Arin Bratt, James Concannon, Greg Clary, Ryan Flint, Kyle Jackson, Mike Mack, Diana Price, Jeff Vautin and Nathaniel Whittemore, who have won the Maine State Championship; and Coach Ellen Ross, who has led the Scarborough team to first place in the State in 15 out of 18 years of participation in the Maine Academic Decathlon. We extend our congratulations to the team on its accomplishments;

(HLS 1086)

Presented by Representative LOVETT of Scarborough. Cosponsored by Senator PENDLETON of Cumberland, Representative CLOUGH of Scarborough.

On **OBJECTION** of Representative LOVETT of Scarborough, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

**Recognizing:**

the Maine Chiefs of Police Association on the occasion of the 50th Anniversary of the organization. The MCOPA was founded in Bath in 1952 when the Bath Police Department hosted the first meeting of the Chiefs of Police from throughout the State of Maine. It is a highly positive and respected organization of 130 Chiefs. These Chiefs lead a complement of 2,360 full-time and 1,100 part-time men and women serving their communities to the benefit of the people of the State. A half century later, the MCOPA continues to fulfill the vision of its founders to ensure that law enforcement officers be considered distinguished professionals rather than merely as "keepers of the peace." The MCOPA continues to enhance the ability of its members to work with other agencies and disciplines, by providing advanced training and education as well as by advocating on behalf of law enforcement needs and initiatives throughout the State. Since the events of September 11, 2001, there is a heightened need to review security levels and deploy resources, which the MCOPA will help to meet. We extend our congratulations to the members of the Maine Chiefs of Police Association on the celebration of its 50 years of service and we thank the men and women under their command for their dedication in performing their mission of protecting the life and property of our citizens;

(HLS 1070)

Presented by Representative LESSARD of Topsham. Cosponsored by Senator DAVIS of Piscataquis, Representative CARR of Lincoln, Representative MAYO of Bath.

On **OBJECTION** of Representative LESSARD of Topsham, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Lessard.

Representative **LESSARD**: Mr. Speaker, Men and Women of the House. As a retired, lifetime member of the Maine Chiefs of Police Association, it is my pleasure to present this sentiment.

Since its organization in 1952, the Maine Chiefs of Police Association has accepted the challenge of insuring that the chief

executives of Maine Police and Sheriff's departments are afforded the opportunity to train and educate on a continuing basis leadership skills that will enhance police service to their respective communities.

Working in conjunction with the Maine Criminal Justice Academy, the Maine Chiefs of Police Association have established a statewide training network for all levels of law enforcement personnel. Oh, yes, this network reaches Aroostook and Washington Counties. Here, certified instructors instruct topics such as domestic violence, crime scene investigation, use of force situations, law updates and executive development.

There are working committees within the organization made up of police chiefs, sheriffs and other law enforcement leadership personnel. The committees are, Standards and Training, Police Technical Services, Legislation and Law, Constitution and By-laws and the Police and Procedure Committee.

Most importantly, after the Legislature adjourns, through this training network, by statute, all law enforcement personnel in the state are brought up to date on newly enacted legislation pertaining to the criminal code.

The Maine Chiefs of Police Association is a hard working organization. The leadership is chosen by its own members. The president, vice president, treasurer and eight district representatives are all police executives, that give a lot of their time and effort to insure that police personnel in all regions of our state, remain connected with one another in areas of training and current new law interpretation which constantly change.

Here today in the balcony are members and guests of the Maine Chiefs of Police Association along with our current president of the association, Chief Edward Strong from Kittery. I do want to recognize the former police chief of Winthrop, past president and long time executive director, since retired – Charles Jackson and his wife Dottie. Both contributed greatly to the Maine Chiefs.

By the way, our own House legislative staff member, Clyde LeClair, was President in the year 1972 and was also voted Chief of the Year in 1973. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Carr.

Representative **CARR**: Mr. Speaker, Men and Women of the House. I would be remiss today if I didn't stand on speak on this occasion, having spent more than 30 years in law enforcement in local, state and county law enforcement. I had the privilege of beginning my career in Dexter in 1966 and working with one of the original members who began the Maine Chiefs Association. Things have changed a great deal since that time. The professionalism has changed a great deal and the people today who take the ranks of law enforcement are very highly trained. They are very professional and their background is checked to make sure that the proper people are in that field. The chiefs that are present here today and the chiefs who fill the field are the elite of the law enforcement community because they are the leaders. I appreciate having this occasion to stand and commend them on this occasion. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Mayo.

Representative **MAYO**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, would be remiss if I did not stand for a minute and speak to this sentiment seeing that the organization, which we are honoring today, was started in the city, which I represent. The first president of the Maine Chiefs of Police Association was a man by the name of Frank Moriati. As an aside I should state, because it is a matter of record that Chief Moriati gave me my first traffic ticket for going through a stop sign. To the day he died, he never let me forget that he had that

honor and privilege of giving me that ticket. We also from Bath had a former president of the association, the late Bob Wagner, who was Chief of Police in the City of Bath for approximately 20 years. This has been as both previous speakers had indicated, this organization has had an exemplary record in the State of Maine and I would hope that we see this organization 50 years from now when they come back to us to celebrate their 100<sup>th</sup> anniversary. Congratulations gentlemen.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Chick.

Representative CHICK: Mr. Speaker, Ladies and Gentlemen of the House. This morning as I listened to the program including the chiefs of police here in the State of Maine, I believe that I should stand and pay respect to my father who served as Chief of Police in Lebanon, Maine. Thank you.

**PASSED** and sent for concurrence.

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**Recognizing:**

Su-Ying Leung, of Oakland, who has been named 2002 Miss Maine USA. We extend our congratulations to her on this achievement;

(HLS 1090)

Presented by Representative NUTTING of Oakland.

Cosponsored by Representative MATTHEWS of Winslow, Senator GAGNON of Kennebec, Senator DAGGETT of Kennebec.

On **OBJECTION** of Representative NUTTING of Oakland, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative NUTTING: Mr. Speaker, Men and Women of the House. It gives me great pleasure this morning to rise and recognize Su-Ying Leung of Oakland for being named Miss Maine USA for 2002. Su-Ying has a bachelor's degree in political science from Boston College and she has plans to attend law school and become an attorney, perhaps a civil rights attorney. Her hobbies I understand include dancing, swimming and shopping, the big 3. She has supported such charities as the Salvation Army, the homeless shelters and participated in breast cancer awareness and helped at the Veterans Administration at Togus. Interestingly, I saw in an interview that the worst job she ever had was working on a congressional campaign because of the long hours and the political games involved. I think perhaps she is onto us. On behalf of the students at Messalonskee High School and all the residents of the Town of Oakland and the State of Maine, I would say to Su-Ying that she has made us all proud and represented her state in an exemplary fashion. Thank you.

**PASSED** and sent for concurrence.

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**Recognizing:**

the Winslow High School Football Team, which won the 2001 Class B State Championship, and in extending our congratulations and best wishes to the team on its achievement;

(HLS 1093)

Presented by Representative MATTHEWS of Winslow.

Cosponsored by Senator DAGGETT of Kennebec, Senator GAGNON of Kennebec, Representative MITCHELL of Vassalboro, Representative BUMPS of China.

On **OBJECTION** of Representative MATTHEWS of Winslow, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

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**Recognizing:**

the Winslow High School Field Hockey Team, which won the 2001 Class B State Championship, and in extending our congratulations and best wishes to the team on its achievement;

(HLS 1094)

Presented by Representative MATTHEWS of Winslow.

Cosponsored by Senator DAGGETT of Kennebec, Senator GAGNON of Kennebec, Representative MITCHELL of Vassalboro, Representative BUMPS of China.

On **OBJECTION** of Representative MATTHEWS of Winslow, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

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

Expression of Legislative Sentiment recognizing the Winslow High School Field Hockey Team.

(HLS 1094)

Which was **TABLED** by Representative MATTHEWS of Winslow pending **PASSAGE**.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Matthews.

Representative MATTHEWS: Mr. Speaker, Men and Women of the House. First let me just personally thank the good Speaker for amazing me and I am sure the members of this body in his ability to be the parliamentarian that he is. We are very fortunate indeed.

I am very, very honored today to have Coach Loftus and the girl's field hockey team, Class B Champions here. Maybe sometimes in our deliberation and discussion of issues we forget what is most important as exemplified by the Miss Maine up in our area in Oakland to the field hockey team in our community. These are studious, earnest and committed young people who will be sitting in probably these seats someday and occupying probably the professions of teacher, doctor, attorney and other positions of importance in our society. We are very, very fortunate. I know that each and every one of the girl's field hockey team in Winslow, they are not only exemplary athletes, but they are exemplary citizens and students. We have a long history hardworking championship field hockey teams, but I do believe that it is the first year of the new coach taking the reigns and the tradition of winning continues in Winslow. Thank you Mr. Speaker.

Subsequently, the Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

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

Expression of Legislative Sentiment recognizing the Winslow High School Football Team.

(HLS 1093)

Which was **TABLED** by Representative MATTHEWS of Winslow pending **PASSAGE**.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Matthews.

Representative MATTHEWS: Mr. Speaker, Men and Women of the House. I also have down here the championship football

team. Many of you may say this is déjà vu and it is. This is, again, the Winslow Football Team taking away the Class B Championship. The coach is one of the best coaches in the State of Maine. I don't want to say the word ditto, but they are also great athletes and great students. I would only say today that having been sitting in the stands down in Auburn, Maine at the championship game against York, which was a rematch, with my two daughters. It had to be one of the most exhilarating, exciting football games that I have ever seen in my life. Winslow was behind. York was a tremendous team. They had some very big athletes and one might look at me and say, yes, they do have some big people back in Winslow as exemplified by this team. York also came in and they were an outstanding team in their own right and Winslow fought from behind for the entire ballgame. It was only through dedication and perseverance and gritty hard work that they ended up on top at the end of the game. It was an amazing football game. Thank you.

Subsequently, the Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

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**CONSENT CALENDAR**

**First Day**

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

(H.P. 1684) (L.D. 2183) Resolve, Regarding Legislative Review of Chapter 3: Maine Clean Elections Act and Related Provision Amendments, Major Substantive Rules of the Commission on Governmental Ethics and Election Practices (EMERGENCY) Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Paper was **PASSED TO BE ENGROSSED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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(H.P. 1180) (L.D. 1603) Bill "An Act to Expand Family Life Education in Maine Schools" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1024)**

On motion of Representative DAIGLE of Arundel, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (H-1024)** was **READ** by the Clerk.

The same Representative **PRESENTED House Amendment "A" (H-1025)** to **Committee Amendment "A" (H-1024)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Daigle.

Representative **DAIGLE**: Mr. Speaker, Ladies and Gentlemen of the House. First, let me thank the committee chairs, members of the committee and my fellow sponsors of this bill for the opportunity to add a House Amendment at this late point in the process. I apologize for missing some of the committee workshops that dealt with this matter, but I was tied up in affairs in my own committee. If there is someone to be blamed here, I offer you my House Chair of Natural Resources.

The amendment that I am offering to this bill provides three small technical changes to the bill. I would like to go over them very quickly. First, in the description of what constitutes comprehensive family life education, it currently states it should be age appropriate. I am proposing that we replace that

language with the word developmentally appropriate. I think we all recognize that age is not always the best measure of emotional and physical maturity. Before most of you grab your notepads to send me messages, I will offer myself as an example for that. The second change I recommend is that we change the phrase promotes responsible sexual behavior with an emphasis on abstinence to state instead a more accurate statement, to promote responsible behavior regarding sexual behavior with an emphasis on abstinence because I think we all agree that we are looking at promoting responsible behavior and there can be no more responsible behavior than abstinence. This reordering of the words, it is a clearer way to express this view.

Finally, I ask that when we list the organizations the commissioner may contract with to offer these services, it be broadened to include other community service providers so that there is a larger group from which to choose. I believe these changes will only strengthen the bill, which I continue to support and help us to create a strong program. Of course, the actual implementation is entirely a separate matter. It will be conducted at the local level as however our communities choose to take this information. This simply provides for a stronger program to be developed that we can then make individual local choices to accept. I thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Kane.

Representative **KANE**: Mr. Speaker, Men and Women of the House. I want to thank my colleague from Arundel, Representative Daigle, for bringing forth an amendment that I think helps clarify and reinforces the genuine intent of the bill. It is important to understand what comprehensive family life education is. It is not new to Maine. Family life education support services have been working in Maine for the past 20 years to combat our traditionally high rate of teen pregnancy. Look at the outcome since family life education has been in effect. Maine's teen pregnancy rate has dropped from 67.9 per thousand to 37 per thousand in 1999. It has been the sharpest decline in teenage pregnancy in the country. What more concrete evidence outcome indicators do we need than to demonstrate that, in fact, good family life education is working?

Let me tell you why. If you look at what family life education really does, it focuses on development of healthy relationships within the family including sexuality and family planning. It concentrates on local values and local control. It is a program that is controlled locally. It is controlled by local values. It is not predetermined or prescribed from the outside. The heart and soul of family life education is dealing with issues of parental communication. Parent child relationships are crucial, the development of skills and communication, decision making and conflict resolution.

I spent 35 years of my life before I got into public service in the Legislature providing mental health and family counseling services to the people of Maine. Too often by the time I saw them, the relationships were in a deteriorating and destructive mode. Had families been able to concentrate and understand the importance of communication between parent and child and the ability to have constructive conflict resolution, I would never have had to see them. Many of these kids, particularly younger adolescents, go through a great deal of turmoil. To understand what is happening in their own lives and how most constructively and most effectively to deal with it, that is really what family life education is all about. The end goal of family life education is really to help our children to live healthier, more stable and more fulfilling lives. I urge you all, therefore, to support LD 1603 as amended. Thank you Mr. Speaker.



The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Davis.

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

The SPEAKER: The Representative may pose his question.

Representative DAVIS: Mr. Speaker, Men and Women of the House. To anyone who would choose to answer, why do we need sex ed for kindergarten children? Who defines community values? How do you do that? How does one define a community value in Portland, Bangor, Scarborough, Caribou or Kittery?

The SPEAKER: The Representative from Falmouth, Representative Davis 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 those questions, the community decides what the community values are. This is designed to be a local control issue so in Falmouth, the Falmouth School Board and Falmouth parents and citizens will decide what is in Falmouth. In response to the first question, it is up, again, to the community to decide if and what is taught to the kindergarten students.

Representative DUDLEY of Portland REQUESTED a roll call on the motion to **ADOPT House Amendment "A" (H-1025) to Committee Amendment "A" (H-1024)**.

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

Representative LOVETT of Scarborough moved that **House Amendment "A" (H-1025) to Committee Amendment "A" (H-1024) be INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Lovett.

Representative LOVETT: Mr. Speaker, Ladies and Gentlemen of the House. This was a unanimous committee bill. I must add that each and every one of us had a great deal to put into this bill. We worked very hard to have a unanimous bill. There were a lot of diverse ideas. We wanted to support the abstinence and we wanted to make sure that the children in the communities were taught that. I really feel that this committee did every one of you justice on this bill. I hate to think of tinkering with it at this point. I am going to ask you to support my motion to Indefinitely Postpone and I am going to ask you to follow my green light. Thank you.

Representative DAIGLE of Arundel REQUESTED a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-1025) to Committee Amendment "A" (H-1024)**.

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 Arundel, Representative Daigle.

Representative DAIGLE: Mr. Speaker, Ladies and Gentlemen of the House. I urge you to vote against the pending motion so that we can continue to consider this bill on the merits. This motion right now is currently uniquely on the amendment that I proposed. I have apologized already to members of the committee for the late notification of this. The Committee Amendment was printed yesterday. I, in fact, had to get a copy of this before a number had even been assigned late yesterday afternoon before I could understand what words there were. I found in the amendment the following phrase, promotes responsible sexual behavior. Looking at those words, I thought that this was going to be an unnecessary problem for the

Legislature because I did not want somebody misconstruing it. This is a technically accurate phrase. I could not as a cosponsor and I didn't want my follow cosponsors to have anybody in the press or otherwise say that we passed any kind of sexual behavior, responsible or otherwise, for K-12 education. A technically correct phrase sent an improper message not intended. We are not promoting any type of sexual behavior. We are promoting responsible behavior regarding sexuality. I felt this change was very important for those of us who continue to support this bill and wish to be able to explain it properly to our constituents. I apologize, again, for the lateness of this. There were only two choices available, let the bill go forward and have this problem and then jeopardize much of our support or to bring a change forward to the House at the earliest possible moment, which is this morning. Again, I urge you to vote against the pending motion. Thank you.

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

Representative SHIELDS: Mr. Speaker, Ladies and Gentlemen of the House. I urge you to vote against the pending motion also. Representative Daigle's amendment is in keeping with the spirit of the unanimous committee report and improves the language. I see no problem with it.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Dudley.

Representative DUDLEY: Mr. Speaker, Men and Women of the House. I will be supporting the pending motion. I think the committee got it just right. It was a unanimous committee report. I am sorry that the Representative from Arundel, Representative Daigle, didn't feel he had access to information. If he asked me what was in the committee report, I would have been more than happy to discuss it with him. Unfortunately, he didn't choose to do that. I would add, to address his concerns, abstinence is sexual behavior, as is flirting, as is wearing certain types of clothing. Sexual behavior doesn't mean sex. There is a lot to sexual behavior that isn't sex.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-1025) to Committee Amendment "A" (H-1024). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 581**

YEA - Andrews, Ash, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Bryant, Bull, Canavan, Chick, Colwell, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Dugay, Dunlap, Duplessie, Etnier, Fisher, Foster, Gagne, Gerzofsky, Green, Hall, Haskell, Hawes, Hutton, Jacobs, Kane, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Lovett, Lundeen, MacDougall, Mailhot, Marley, Matthews, Mayo, McDonough, McGlocklin, McKee, McLaughlin, Michaud, Mitchell, Murphy E, Murphy T, Norbert, Norton, O'Brien LL, O'Neil, Paradis, Patrick, Peavey, Perkins, Pineau, Quint, Richardson, Savage, Simpson, Skoglund, Snowe-Mello, Sullivan, Tarazewich, Tessier, Thomas, Tobin D, Trahan, Twomey, Usher, Volenik, Watson, Weston, Wheeler EM, Wheeler GJ, Mr. Speaker.

NAY - Annis, Belanger, Berry DP, Bowles, Brooks, Bruno, Buck, Bumps, Bunker, Carr, Chase, Chizmar, Clark, Clough, Collins, Cressey, Daigle, Davis, Duncan, Duprey, Estes, Fuller, Glynn, Gooley, Hatch, Heidrich, Honey, Jodrey, Jones, Kasprzak, Labrecque, Landry, Ledwin, Madore, McKenney, McNeil, Mendros, Michael, Morrison, Muse K, Nass, Nutting, O'Brien JA, Pinkham, Richard, Rines, Rosen, Schneider, Sherman, Shields, Stanley, Stedman, Tobin J, Treadwell, Tuttle, Waterhouse, Winsor, Young.

ABSENT - Bagley, Baker, Crabtree, Goodwin, Koffman, Marrache, McGowan, Muse C, Perry, Povich, Smith, Tracy.

Yes, 81; No, 58; Absent, 12; Excused, 0.

81 having voted in the affirmative and 58 voted in the negative, with 12 being absent, and accordingly **House Amendment "A" (H-1025) to Committee Amendment "A" (H-1024) was INDEFINITELY POSTPONED.**

Representative KASPRZAK of Newport **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (H-1024).**

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 Arundel, Representative Daigle.

Representative **DAIGLE:** Mr. Speaker, Ladies and Gentlemen of the House. I urge you to vote against the pending motion. Those who are in favor of the pending motion are promoting sexual behavior in kindergarten students and you can expect every newspaper editorial in the state to express this. Certainly there will be many messages that if you wish to promote sexual behavior in K-12 education it will be a green light in the next vote. I urge you to vote against the pending motion.

The **SPEAKER:** The Chair recognizes the Representative from Biddeford, Representative Laverriere-Boucher.

Representative **LAVERRIERE-BOUCHER:** Mr. Speaker, Men and Women of the House. A clarification, children in kindergarten need to have sexual education or family education because it has been proven that children who know their body parts, the appropriate body part names, are less apt to be molested sexually. Therefore, as a society it is important for us to educate our children in that manner. Sometimes, this does not happen in the home and it is available in the schools.

The **SPEAKER:** The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative **NUTTING:** Mr. Speaker, Men and Women of the House. We worked this bill very hard in my committee and in the end we came out with what I think is a good bill. On the previous vote we had, I can't talk much about, I was willing to support tinkering with the language in the bill. Having said that, the amendment offered by Representative Daigle, absent that, this bill is fine just the way it is. It is not a teaching of sexual methods in kindergarten. Our committee never would have accepted that unanimously. It is age appropriate. It is the teaching of the teachers. We removed the money. We removed the specific language that dealt with the one organization in the State of Maine. It is broad based. There is no cost. It has nothing to do with learning results. It is a good bill now just as it was a half hour ago. Thank you.

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

Representative **O'BRIEN:** Mr. Speaker, Ladies and Gentlemen of the House. I, too, would like to urge you to support this bill. It is a bill that has been worked and reconsidered several times in our committee. If you look at the membership of the committee and look at the philosophies of our committee, you will see that it is a very broad spectrum. We got to the point by putting in language such as parents can choose to opt out. Parents can choose that their children not participate in these classes. We took out any references to the learning results. We took out any funding. There was originally a \$750,000 fiscal note on this. We stripped all funding. We stressed abstinence based education. This bill has been tinkered with and really come to something that I think we should all support. I am a little dismayed, actually quite dismayed, because on the last

amendment it was a "technical" tinkering amendment and now all of a sudden if I vote yes, it is going to be seen as promoting sex education in kindergarten. That is absolutely wrong. I will be voting yes and I urge you to follow my light.

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

Representative **SULLIVAN:** Mr. Speaker, Men and Women of the House. I urge you to support this. As an educator, I applaud the committee for working hard, for recognizing the differences of what family life, what our families look like. For many young children, they may be absent a father in the home and have not seen a role model. They have not been able to have what you and I probably had growing up, a solid home with two parents in that home. What place better than from a person who has been trained to deal with this. It is right. Education is about the truth and it is about dealing with emotions and changes. Take a look at middle school students. They are going to learn from someone. They are not going to see or hear the correct things on TV. It is appropriate that educators with age appropriate restrictions teach and talk about the things that affect humanity. I would ask you to support this. It is the correct public policy. Thank you.

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

Representative **PARADIS:** Mr. Speaker, Men and Women of the House. Unfortunately this issue has become so polarized at times it is very divisive. I will speak as a pro-lifer. I have always been and I always will be. I applaud the committee, the diverse viewpoints that were brought in and that reflect the values around the state. I will give as an example the Madawaska school system a quarter of a century ago. They bridged this issue and set up a family life course that were for many years models around the state and this is in a heavily pro-life area. It does leave room for the values of the community. It is a very good bill. It brings all sides together. I think it deserves a resounding green vote. Thank you.

The **SPEAKER:** The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY:** Mr. Speaker, Men and Women of the House. Why are we so afraid as parents to teach our kids about sex? Am I the only parent in here not afraid to teach my kids? It is ridiculous. We are trusting our teachers to do it for us because we are too afraid. God. Sex is the most beautiful thing men and women can do together as a husband and wife. We are afraid to teach our kids that. We want to pawn it off to the school teacher to let them do it. I feel bad for teachers that parents have to not take their own responsibility. That really makes me upset. I feel sorry for teachers that we have to do that to them. We can't take our own responsibility.

I heard Representative Kane talk about that family life education is not new in Maine. It is not. It has been around for 20 years and we have been teaching kids about sex in schools. We have been teaching them through the highest points of teen pregnancy as well. I never heard anybody say during those times that that was the reason the teen pregnancy rate was so high. The reason the rates are going down is because parents are starting to become involved. Parents are starting to take an active role so teen pregnancy rates are starting to come down. It is parents starting to do it. This is why I home school my children. I got fed up with my school system cramming sexuality and cramming the homosexual agenda down my kid's throat.

I am going to read to you a couple things from federal guidelines for family life education. This is what when you train the trainers, this is what they are going to be learning. These are from federal guidelines. You can look them up yourself. This is

what they are going to be teaching in early elementary school education. This is for ages five through eight. If you feel uncomfortable because there are children in this room, I hope you do. This is what the kids are going to be learning. If you feel uncomfortable because I am talking about sex, oral sex or anal sex, this is what your kids are going to be learning. I hope you start to squirm a little bit. I am not uncomfortable talking about it.

The **SPEAKER**: The Representative will please defer. The Chair will remind members of Section 123 in *Mason's Manual of Legislative Process*, subsection 2, which discusses disorderly words. The Representative may proceed.

Representative **DUPREY**: Mr. Speaker, Men and Women of the House. Thank you for finally clearing the children out of the chamber. I had requested this be brought up at night for this exact reason. My request was denied. We feel uncomfortable talking about this in front of the children, but this is what the kids are going to be learning. We had to get them out of here, but this is what they are going to be learning in school in a couple of months. It is a little contradictory of terms I think. Ages five to eight, they are going to be learning about homosexuality and that men and women are sometimes attracted to people of the same sex. Some people are okay with that here. They are also going to learn between five and eight that your bodies feel good when touched in certain places. I am uncomfortable with that. You are going to learn that touching your own genitals may make you feel good when touched. Those are federal guidelines.

The **SPEAKER**: The Representative will please defer. The Chair will remind members that the question being debated is the adoption of Committee Amendment "A." All remarks should be focused and limited to the adoption of Committee Amendment "A." The Representative may proceed.

Representative **DUPREY**: Mr. Speaker, Men and Women of the House. That is exactly what I am debating. In here it talks about family life education. This is family life education, federal guidelines, which is going to be presented to the Family Life Education of Maine from the federal guidelines. I am not going to go into too many more details. I just wanted to go through five through eight. You can imagine how far it gets graphic beyond five to eight. This is just five through eight. It gets a lot more into oral sex, anal sex and into other things from that when you start getting a little bit later. I am very uncomfortable even talking about that.

The **SPEAKER**: Would the Representative please defer? The Chair recognizes the Representative from Winterport, Representative Brooks. For what reason does the Representative rise?

Representative **BROOKS**: Mr. Speaker, I highly object to the line of testimony.

The **SPEAKER**: Representative Brooks has stated a point of parliamentary procedure. The Chair would remind members of Section 124 of *Mason's Manual*. The Chair would also note that in the Chair's review of this legislation that this amendment refers only to community-based decisions, not any reference at all to federal law. The Chair understands, however, and I am trying to give some latitude to the Representative from Hampden, to some degree, to discuss his position. The Chair would remind the member that disorderly words are not allowed in debate and that we are debating Committee Amendment "A." The Representative may proceed.

Representative **DUPREY**: Mr. Speaker, Men and Women of the House. I am going to conclude now. Certain things in this issue I have been passionate about. It is the first time I have gotten passionate this session. I think I have gotten my point across. I am sorry I had to be interrupted several times in the process. Think about what you are doing here. If this does get

enacted, I know you have an opt out provision, but I sure hope you have an opt in provision. If parents realize what you are actually doing here, there is no way they are going to want their kids learning that. If they do, then they should be allowed to. If parents want their kids to learn this stuff in school, then they should have the right to do so. They should be given a choice. They need to know the intricate details of the graphic nature of what I talked about today. What I talked about today is what they are going to be learning. If you were uncomfortable, think about how they are going to feel at age 6 learning about some of this stuff. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Norbert.

Representative **NORBERT**: Mr. Speaker, Ladies and Gentlemen of the House. I think it is important that we step back and take a deep breath for a minute and let reason return to our thoughts about this bill. There has been a lot of emotionally charged language. I just think it is very important to take a look at the amendment, Committee Amendment "A." I want to join with others who have commended the committee on doing a superb job. What I like so much about this bill is that it is realistic. It recognizes that Maine's long tradition of educating our kids and having the best schools in the nation needs to continue. One of the reasons we are so proud of the fact that we have one of the lowest teen pregnancy rates in the country is because we are not afraid of information. We are not afraid of the truth. This is a very reasonable bill. It doesn't shove any values down anyone's throats. It doesn't require the adoption of any federal agenda. What I like about it is that it promotes responsible sexual behavior. It embraces community values. It trusts the parents. It allows for parents who object to keep their children home on days when this is being taught. More importantly, it promotes responsible sexual behavior and it gives our young people skills for responsible decision making that they will use their whole life in all aspects of their lives. Again, it gives local schools options and we pride ourselves in that in Maine on local control. We also pride ourselves on information. Again, communities with teen pregnancy rates that are above the state average will be able to receive important information and we will be able to target resources to these areas where we are still having some troubles. We have a long history of our department of health for the past 20 years or more working closely with Maine schools. In a year with tight budget limitations for our schools, this is one way of low-cost, but great results by expanding life education services it recognizes that there are very difficult issues out there that are involved with growing up today in this world. The best way to address it is to address it and not to put our heads in the sand and to tell our communities we trust you and to tell our children we are going to stand with you and we are going to educate you all the options out there. Again, I commend the committee and I urge you to support this amendment.

The **SPEAKER**: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative **WATERHOUSE**: Mr. Speaker, Parliamentary inquiry.

The **SPEAKER**: The Representative may state his point of order.

Representative **WATERHOUSE**: Thank you Mr. Speaker. I am a strong proponent of free speech and I understand there are some things mentioned on the floor of the House that are uncomfortable for people to hear. Certainly the testimony from the previous speaker before the good Representative Norbert was using some things that made everybody uncomfortable. However, that is free speech. Mr. Speaker, under *Mason's Manual*, Section 123, Part 4, if a member of the House is using

language that is disturbing to other members, I understand the Speaker will make a ruling on that if it happens, but I am doing this for everybody's benefit and mine, is it not true that the question of whether the words are disorderly will be submitted to the body.

The SPEAKER: The Chair would respond that that is permissive if the body wants to appeal any decision of the Chair. The body may always vote on the ruling of the Chair, whether it is on the matter of the use of disorderly words or any other matter before this body. However, the Chair would respond to the Representative from Bridgton, Representative Waterhouse, that he was trying to give as much latitude as possible to the Representative from Hampden, Representative Duprey, to make his point while trying to also be careful to respect the concerns of other members of this body.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Kasprzak.

Representative **KASPRZAK**: Mr. Speaker, Men and Women of the House. I could say a lot on this bill, but I am choosing only to say a couple of things. First of all, I honestly do respect the members on the committee who share values that I do in trying to make this palatable piece of legislation. I know they tried to do that. I guess the difference between the two of us might be a philosophy and one might trust government and the other might not so much. I guess I am not trusting the government to act on this according to the say that they might see that it is going to happen.

I know that many are saying that this is local control. I am absolutely the local control girl. I would just have to say that we don't necessarily live in communities that embrace our values. I don't know whether or not you are aware, but in my community just a couple of years ago there was a situation where we had a woman out riding her lawnmower without enough clothes on. That certainly didn't represent any of my values. Recently in the paper we had an issue where we discovered a prostitution ring, certainly that doesn't embrace any of my values. I would just encourage you to remember that it does not take a village to raise a child. It takes a family, whatever that family is made up of these days. It takes the family, those who are the parents who are responsible for the child.

Secondly, I might just bring up this fact again that just a couple of years ago we did accept some funds from the federal government to in some way teach abstinence to our children in our schools. As I recall, we never did actually get that money to the children in the schools to teach abstinence. I am not certain this is actually going to happen. They like to tack that on a lot of times to make it palatable, but I just don't buy it. I would just encourage you to sincerely think about whether or not this is going to promote family values in our state and good values in our children and whether or not that is up to the government. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Mendros.

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

The SPEAKER: The Representative may pose his question.

Representative **MENDROS**: Mr. Speaker, Men and Women of the House. To anyone on the committee, I guess I missed the compelling state interest. That is my question. What is the compelling state interest to inject this into a curriculum for five to eight year olds, which is already overburdened? They are trying to learn math and learn to read. Certainly we voted as a body last year that it was so overburdened that they couldn't take the time to learn a foreign language. How does this fit a compelling interest to inject this into a curriculum rather than take time away

from learning to read and do math and succeed in what you are supposed to learn in school?

The SPEAKER: The Representative from Lewiston, Representative Mendros has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Saco, Representative Kane.

Representative **KANE**: Mr. Speaker, Men and Women of the House. Earlier I mentioned and I will repeat it, family life education has been going on for 20 years quite successfully at all of these levels and sometimes they are more formalized than others. Family life education has been going on for a long time. It is not anything new. Thank you.

The SPEAKER: The Chair recognizes the Representative from Durham, Representative Schneider.

Representative **SCHNEIDER**: Mr. Speaker, Men and Women of the House. This bill is a very good bill. This amendment makes it an outstanding bill. I would like to make two points along that line. First of all, my training is in engineering. My degree is in engineering. I like science and I like objective proof. This program has been in place for about 20 years. Twenty years ago the State of Maine had a terrible problem with teen pregnancies. During that 20 years, that problem with teen pregnancies has steadily reduced. This is the only thing that I can identify that has changed in the way we deal with education of our children along this line during that time. I am forced to conclude that it is this family life education that has made the big difference in reducing teen pregnancies.

The second point I would like to make is that this bill does provide local control and it provides almost ideal local control. It provides the community an opportunity to shape the program to reflect the communities values and then it goes a step further and it allows the parents to have the ultimate local control and it allows parents to opt out of the program for their children if they wish. The concept of local control is brought right to the individual parents, which is where it ought to be in this area. I urge you to support the amendment and support the bill. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of Committee Amendment "A" (H-1024). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 582

YEA - Andrews, Annis, Ash, Belanger, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bruno, Bryant, Bull, Bumps, Canavan, Chick, Chizmar, Collins, Colwell, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Duplessie, Estes, Ethier, Fisher, Fuller, Gagne, Gerzofsky, Gooley, Green, Hall, Hatch, Hawes, Heidrich, Honey, Hutton, Jacobs, Jodrey, Kane, Koffman, Labrecque, Landry, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lovett, Lundeen, Madore, Mailhot, Marley, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McKenney, McLaughlin, McNeil, Michaud, Mitchell, Murphy E, Murphy T, Muse C, Muse K, Nass, Norbert, Norton, Nutting, O'Brien JA, O'Brien LL, O'Neil, Paradis, Patrick, Peavey, Perkins, Pineau, Pinkham, Quint, Richard, Richardson, Rines, Rosen, Savage, Schneider, Sherman, Shields, Simpson, Skoglund, Sullivan, Tarazewich, Tessier, Thomas, Tuttle, Twomey, Usher, Volenik, Watson, Wheeler EM, Wheeler GJ, Young, Mr. Speaker.

NAY - Berry DP, Bowles, Buck, Bunker, Carr, Chase, Clark, Clough, Cresse, Daigle, Davis, Duncan, Dunlap, Duprey, Foster, Glynn, Haskell, Jones, Kasprzak, MacDougall, Mendros, Michael, Morrison, Snowe-Mello, Stanley, Stedman, Tobin D, Tobin J, Trahan, Treadwell, Waterhouse, Weston, Winsor.

ABSENT - Bagley, Baker, Crabtree, Dugay, Goodwin, Marrache, Perry, Povich, Smith, Tracy.

Yes, 108; No, 33; Absent, 10; Excused, 0.

108 having voted in the affirmative and 33 voted in the negative, with 10 being absent, and accordingly **Committee Amendment "A" (H-1024)** was **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1024)** and sent for concurrence.

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

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### ENACTORS

#### Emergency Measure

An Act to Amend Certain Laws Administered by the Department of Environmental Protection

(S.P. 723) (L.D. 1964)

(H. "A" H-995 to C. "A" S-475)

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. 112 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.

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#### Emergency Measure

An Act Regarding the Clearing of Vegetation in Areas Adjacent to Protected Natural Resources

(H.P. 1679) (L.D. 2179)

(S. "A" S-485)

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. 101 voted in favor of the same and 15 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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#### Acts

An Act to Phase Out the Availability of Mercury-added Products

(H.P. 1501) (L.D. 2004)

(H. "A" H-953 to C. "A" H-925)

An Act to Strengthen the Laws Governing Inspections of Boilers, Pressure Vessels, Elevators and Tramways

(H.P. 1553) (L.D. 2056)

(C. "A" H-1010)

An Act to Ensure Proper Disbursement of Matching Funds under the Maine Clean Election Act

(H.P. 1664) (L.D. 2169)

(C. "A" H-971)

An Act to Amend the Laws Governing the Unlawful Sale of Personal Sports Mobiles and the Registration of New Snowmobiles

(H.P. 1694) (L.D. 2192)

(H. "A" H-1012)

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.

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

Expression of Legislative Sentiment recognizing the Monmouth Academy Academic Decathlon Team.

(HLS 1085)

Which was **TABLED** by Representative GREEN of Monmouth pending **PASSAGE**.

Subsequently, the expression of Legislative Sentiment was **PASSED** and sent for concurrence.

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

Expression of Legislative Sentiment recognizing the Scarborough High School Academic Decathlon Team.

(HLS 1086)

Which was **TABLED** by Representative LOVETT of Scarborough pending **PASSAGE**.

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

Representative **GREEN**: Mr. Speaker, Ladies and Gentlemen of the House. It is with tremendous pleasure that I welcome the academic decathlon teams from both Monmouth and Scarborough today. They have achieved an amazing record of work, hard, hard work. It is important to note that in the years that Scarborough did not win the state championship, Monmouth did. Eighteen years of students all over the state, from Woodland down to the southern part of the state in York, working all year long. The academic decathlon competition takes place on the first Saturday in March. It is one day with 10 events. The preparation takes all year. There are 10 events testing students in science, math, literature, music, arts, giving speeches, having interviews and writing essays. It is without question an amazing event and I invite all of you to come on the first Saturday in March and see students from all over the state competing in these events. These things don't happen by accident. They happen by dedication, dedication of teachers all year long, including the summer. It happens through the dedication of parents who support their students when they are working so hard. Of course, it comes from the students themselves who are motivated by something inside that says, I can do this and so they do. They work all year long. It is a tremendous pleasure that the State of Maine will send two teams to the national competition. In those 18 years, regardless of which team has represented this state, they have always represented us proudly. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative Lovett.

Representative **LOVETT**: Mr. Speaker, Ladies and Gentlemen of the House. I am especially happy today and honored to rise and speak on this special sentiment honoring my Scarborough High School Academic Decathlon Team. This is the eighth year that I have had this honor to rise. This year's Scarborough team is composed of five seniors, three juniors and one sophomore. They have just won their 15<sup>th</sup> state championship in the last 18 years and they have set a new state record in the process. They will be representing our state in the Division II Category at the nationals, which will be held in Arizona. Some 39 states will be sending some 55 teens who will compete against one another in the academic areas, which will be math, economics, science, music, language, art, essay,

speech, interviews and super quiz. It is such a privilege for me to honor these dedicated students who have made a very serious commitment to this team. They have been studying for the last 12 months in order for them to compete in this event. I know that I speak for everyone in this body when I wish them very best wishes at the national event in Arizona on April 7. We can be proud that Maine is being represented by the best and the brightest students. I would like to thank their coach, Ellen Ross who has given much of her time to train these outstanding students. We, the House of Representatives, wish you all the best of luck in Arizona. I would also like to recognize the principal of Scarborough High School, Mr. Andrew Dolloff who has accompanied the team here to Augusta. Again, I am very, very proud to stand here and introduced the Scarborough State Champs in the academic decathlon. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative **DUNLAP**: Mr. Speaker, Men and Women of the House. I couldn't let this moment pass without also passing on my congratulations to both teams. As a member of the board of the Maine Academic Decathlon, we are very, very proud of the work of these students. I hope that the members in this chamber today have a chance to talk to these students. Obviously you have gotten a flavor for the excitement that goes into this competition from the representatives. It is something that is growing very rapidly across the state. I think it is something that you may want to see in all your schools before long. It is a tremendous event. These students work very, very hard and we are very proud of them.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Clough.

Representative **CLOUGH**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, would like to congratulate the members of Scarborough High Schools Academic Decathlon Team for 2002 for their excellent representation of the Town of Scarborough and for yet another in a long string of championships for our town. They work hard and long hours preparing for this event. As you can see, their dedication is highly awarded. I especially want to recognize and thank Ellen Ross who has coached Scarborough's winning teams for many years now for her total dedication to the annual academic decathlon competition. This event requires a tremendous amount of her time and effort, much of it during the summer when she is trying to get some time for herself. I really think we owe her a great debt of gratitude and I wish the team good luck in their national competition. Thank you.

Subsequently, the expression of Legislative Sentiment was **PASSED** and sent for concurrence.

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

**UNFINISHED BUSINESS**

The following matter, 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.

Resolve, Regarding Legislative Review of Portions of Administration of Medicine in the School Setting, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 1608) (L.D. 2106)

- In House, Reports **READ** and the Resolve and accompanying papers **COMMITTED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on March 21, 2002.

- In Senate, Reports **READ** and the Resolve and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**. **PENDING - FURTHER CONSIDERATION**.

On motion of Representative **RICHARD** of Madison, the House voted to **ADHERE**.

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

**SENATE PAPERS**

Bill "An Act to Assist the Displaced Workers at Hathaway Shirt Company"

(S.P. 826) (L.D. 2206)

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

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

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Resolve, to Adjust the Valuation of St. John Plantation as a Result of a Fire (EMERGENCY)

(S.P. 825) (L.D. 2205)

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

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

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**SENATE PAPERS**

The following Joint Resolution: (S.P. 823)

**JOINT RESOLUTION RECOGNIZING MAINE'S CREDIT UNIONS**

WHEREAS, Maine's credit unions are member-owned and member-operated financial institutions that are committed to serving Maine's communities from Madawaska to York and the more than half million Maine consumers that belong to credit unions; and

WHEREAS, as testimony to the unwavering dedication, service and unique local commitment on the part of Maine's credit unions to its members and the communities they serve, Maine ranks as the 5th strongest credit union state in the country, with nearly one in every 2 Maine residents belonging to a credit union; and

WHEREAS, over 1,500 full-time and part-time employees of Maine's credit unions and the hundreds of unpaid volunteers that serve on credit union boards and committees uphold the core credit union values and philosophy of Maine people helping Maine people; and

WHEREAS, Maine's credit unions and their members have raised more than \$1,100,000 to help end hunger in Maine. The Maine Credit Union's Campaign for Ending Hunger has helped to provide food and resources to thousands of Maine families. Maine's credit unions also have raised hundreds of thousands of dollars to provide joy and energy to the lives of the many Maine Special Olympians across the State. Additionally, Maine's credit unions voluntarily contribute thousands of dollars to organizations and agencies in their own communities and donate countless hours on a daily basis to enrich the lives of the citizens in the communities in which they serve; and

WHEREAS, since 1921, Maine's credit unions have been a vital part of the economic fabric of Maine's communities and have played a central role in helping thousands of Maine people to prosper and to succeed in all parts of the State, and now credit unions capture the true spirit of our great State and provide a sense of community where friends and neighbors help friends and neighbors fulfill their dreams; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature now assembled in the Second Regular Session, take this occasion to recognize the Maine Credit Union League and credit unions for having a positive impact on the lives of Maine's citizens and their communities yesterday, today and tomorrow. Their service and dedication to this State are a tribute to many of those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Credit Union League and its 76 affiliated credit unions.

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

**READ** and **ADOPTED** in concurrence.

### ORDERS

On motion of Representative McNEIL of Rockland, the following Joint Resolution: (H.P. 1714) (Under suspension of the rules, cosponsored by Representatives: ANDREWS of York, ANNIS of Dover-Foxcroft, ASH of Belfast, BAGLEY of Machias, BAKER of Bangor, BELANGER of Caribou, BERRY of Belmont, BERRY of Livermore, BLANCHETTE of Bangor, BLISS of South Portland, BOUFFARD of Lewiston, BOWLES of Sanford, BRANNIGAN of Portland, BROOKS of Winterport, BRUNO of Raymond, BRYANT of Dixfield, BUCK of Yarmouth, BULL of Freeport, BUMPS of China, BUNKER of Kossuth Township, CANAVAN of Waterville, CARR of Lincoln, CHASE of Levant, CHICK of Lebanon, CHIZMAR of Lisbon, CLARK of Millinocket, CLOUGH of Scarborough, COLLINS of Wells, COLWELL of Gardiner, COTE of Lewiston, COWGER of Hallowell, CRABTREE of Hope, CRESSEY of Baldwin, CUMMINGS of Portland, DAIGLE of Arundel, DAVIS of Falmouth, DESMOND of Mapleton, DORR of Camden, DUDLEY of Portland, DUGAY of Cherryfield, DUNCAN of Presque Isle, DUNLAP of Old Town, DUPLESSIE of Westbrook, DUPREY of Hampden, ESTES of Kittery, ETNIER of Harpswell, FISHER of Brewer, FOSTER of Gray, FULLER of Manchester, GAGNE of Buckfield, GERZOFKY of Brunswick, GLYNN of South Portland, GOODWIN of Pembroke, GOOLEY of Farmington, GREEN of Monmouth, HALL of Bristol, HASKELL of Milford, HATCH of Skowhegan, HAWES of Standish, HEIDRICH of Oxford, HONEY of Boothbay, HUTTON of Bowdoinham, JACOBS of Turner, JODREY of Bethel, JONES of Greenville, KANE of Saco, KASPRZAK of Newport, KOFFMAN of Bar Harbor, LABRECQUE of Gorham, LANDRY of Patten, LaVERDIERE of Wilton, LAVERRIERE-BOUCHER of Biddeford, LEDWIN of Holden, LEMOINE of Old Orchard Beach, LESSARD of Topsham, LORING of the Penobscot Nation, LOVETT of Scarborough, LUNDEEN of Mars Hill, MacDOUGALL of North Berwick, MADORE of Augusta, MAILHOT of Lewiston, MARLEY of Portland, MARRACHÉ of Waterville, MATTHEWS of Winslow, MAYO of Bath, McDONOUGH of Portland, McGLOCKLIN of Embden, McGOWAN of Pittsfield, McKEE of Wayne, McKENNEY of Cumberland, McLAUGHLIN of Cape Elizabeth, MENDROS of Lewiston, MICHAEL of Auburn, MICHAUD of Fort Kent, MITCHELL of Vassalboro, MORRISON of Baileyville, MURPHY of Berwick, MURPHY of Kennebunk, MUSE of South Portland, MUSE of Fryeburg, NASS of Acton, NORBERT of Portland, NORTON of Bangor, NUTTING of Oakland, O'BRIEN of Augusta, O'BRIEN of Lewiston, O'NEIL of Saco, PARADIS of Frenchville, PATRICK of Rumford, PEAVEY of Woolwich, PERKINS of Penobscot, PERRY of Bangor, PINEAU of Jay, PINKHAM of Lamoine, POVICH of Ellsworth, QUINT of Portland, RICHARD of Madison, RICHARDSON of Brunswick, RINES of

Wiscasset, ROSEN of Bucksport, SAVAGE of Buxton, Speaker SAXL of Portland, SCHNEIDER of Durham, SHERMAN of Hodgdon, SHIELDS of Auburn, SIMPSON of Auburn, SKOGLUND of St. George, SMITH of Van Buren, SNOWE-MELLO of Poland, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway, STEDMAN of Hartland, SULLIVAN of Biddeford, TARAZEWICH of Waterboro, TESSIER of Fairfield, THOMAS of Orono, TOBIN of Windham, TOBIN of Dexter, TRACY of Rome, TRAHAN of Waldoboro, TREADWELL of Carmel, TUTTLE of Sanford, TWOMEY of Biddeford, USHER of Westbrook, VOLENIK of Brooklin, WATERHOUSE of Bridgton, WATSON of Farmingdale, WESTON of Montville, WHEELER of Bridgewater, WHEELER of Eliot, WINSOR of Norway, YOUNG of Limestone, Senators: President BENNETT of Oxford, BRENNAN of Cumberland, BROMLEY of Cumberland, CARPENTER of York, CATHCART of Penobscot, DAGGETT of Kennebec, DAVIS of Piscataquis, DOUGLASS of Androscoggin, EDMONDS of Cumberland, FERGUSON of Oxford, GAGNON of Kennebec, GOLDTHWAIT of Hancock, KILKELLY of Lincoln, KNEELAND of Aroostook, LaFOUNTAIN of York, LEMONT of York, LONGLEY of Waldo, MARTIN of Aroostook, McALEVEY of York, President Pro Tem MICHAUD of Penobscot, MILLS of Somerset, MITCHELL of Penobscot, NUTTING of Androscoggin, O'GARA of Cumberland, PENDLETON of Cumberland, RAND of Cumberland, ROTUNDO of Androscoggin, SAVAGE of Knox, SAWYER of Penobscot, SHOREY of Washington, SMALL of Sagadahoc, TREAT of Kennebec, TURNER of Cumberland, WOODCOCK of Franklin, YOUNGBLOOD of Penobscot)

### JOINT RESOLUTION RECOGNIZING MARCH AS NATIONAL WOMEN'S HISTORY MONTH

WHEREAS, March has been annually designated as National Women's History Month in order to celebrate the contributions of women to our society; and

WHEREAS, the theme for National Women's History Month 2002 is "Women Sustaining the American Spirit," to showcase the diverse and interlocking stories of women who have "created and affirmed the American spirit"; and

WHEREAS, what better way to celebrate women's roles in America than to celebrate those who have contributed to the government in our State and our Nation and to honor women who have served, who do serve and who will serve in our Legislature in our great State of Maine; and

WHEREAS, women state legislators were elected in areas before American women had the universal right to vote and it was in 1895 when 3 women were sworn in to serve as state legislators in Colorado; and

WHEREAS, in 1923, Dora Pinkham of Fort Kent was the first woman in the State of Maine to be sworn in to serve as a state legislator and, almost 80 years later, 268 women have served in the Maine State Legislature; and

WHEREAS, Maine proudly celebrates the women in state history who have diligently served and devoted most of their lives to their communities and to our great State and most accurately reflect the true American spirit; and

WHEREAS, the knowledge, expertise and wise leadership of women are valuable tools that contribute to the wealth of our state; 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, take this opportunity to express our sincere appreciation to all women who have unselfishly served the State of Maine in the best tradition of the American spirit.

**READ.**

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

Representative **MCNEIL**: Mr. Speaker, Ladies and Gentlemen of the House. On your desk today you received a Joint Resolution recognizing March as National Women's History Month. Whenever I stand I always wish that I could speak as well as my friend, the Representative from St. George, Representative Skoglund and be half as funny as he can be. However, this is somewhat of a very honorable thing to be doing today.

In 1923, Dora Pinkham of Fort Kent was the first woman legislator to serve in the State of Maine. I think we should give her honor today since 80 years later 268 women have served in the Legislature, both in the House and in the Senate.

I received on my desk a note from a gentleman across the aisle. It was on one Representative's paper and signed by a different gentleman asking what about men? I would like to honor men today for recognizing that women can stand equal with them here in this Legislature. Although I did suggest in my caucus that if we would really like to solve all the problems quickly and efficiently that they would leave it to the women. Follow our vote each and every time. Thank you.

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

Representative **DORR**: Mr. Speaker, Men and Women of the House. This resolution came about as a discussion of the women who have been involved with the Maine Legislative Women's Caucus. We appreciate this opportunity to honor women who have served in this Legislature. Pursuant to questions that I have had from a number of women, I have an ongoing effort to assemble biographies of women in this body and in the other body and would like to continue that. It will probably be over the summer and then pick up again in the next session for those of us who are fortunate enough to be here. If you haven't written something for me, I would welcome it. If it needs to be taken up at another time, I would allow for that as well. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Waterville, Representative Canavan.

Representative **CANAVAN**: Mr. Speaker, Men and Women of the House. Today we are celebrating National Women's History Month. It is a celebration that is really a reminder to all of us how far women have come during just the past few decades. In a sense it is a memorial to the women who struggled to get us where we are today. Not a woman in this body would be here today if it were not for the courage of people like Elizabeth Stanton and Susan B. Anthony and many others who marched with them shoulder to shoulder and who endured years of criticism and even humiliation as they fought for women's rights. We owe a great debt of gratitude to women like Margaret Chase Smith, Eleanor Roosevelt, Dora Pinkham and our own Libby Mitchell and a host of others who courageously worked to break down barriers for the rest of us. I am grateful today for the opportunity to celebrate Women's History Month. I am equally grateful for this opportunity to pay tribute to our foremothers who, in a very real sense, made this celebration possible.

**ADOPTED.**

Sent for concurrence.

#### SENATE PAPERS

The following Joint Order: (S.P. 827)

ORDERED, the House concurring, that when the House stands Adjourned it does so until Monday, April 1, 2002, at 9:00

in the morning and the Senate Adjourns until Monday, April 1, 2002, at 10:00 in the morning.

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

#### REPORTS OF COMMITTEE Ought to Pass as Amended

Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands

(S.P. 805) (L.D. 2168)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-511)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-511) AND SENATE AMENDMENT "A" (S-513)**.

Report was **READ** and **ACCEPTED**. The Resolve **READ ONCE**. **COMMITTEE AMENDMENT "A" (S-511)** **READ** by the Clerk and **ADOPTED**. **SENATE AMENDMENT "A" (S-513)** **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" (S-511) and Senate Amendment "A" (S-513)** in concurrence.

#### CONSENT CALENDAR First Day

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

(H.P. 1624) (L.D. 2124) Resolve, Regarding Legislative Review of Portions of Chapter 126: Immunization Requirements for School Children, a Rule of the Department of Human Services, and Portions of Chapter 261: Immunization Requirements for School Children, a Rule of the Department of Education, Major Substantive Rules Jointly Adopted by the Department of Human Services and the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1026)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

#### BILL HELD

Bill "An Act to Implement the Minority Recommendations of the Committee to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands"

(H.P. 1600) (L.D. 2101)

- In House, House **ADHERED** to its previous action whereby the Majority **Ought Not to Pass** Report of the Committee on **JUDICIARY** was **READ** and **ACCEPTED**.

**HELD** at the Request of Representative **CARR** of Lincoln.

On motion of Representative **CARR** of Lincoln, the House **RECONSIDERED** its action whereby it voted to **ADHERE**.

The same Representative moved that the House **RECEDE AND CONCUR**.



The same Representative **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

On motion of Representative COLWELL of Gardiner, **TABLED** pending the motion of Representative CARR of Lincoln to **RECEDE AND CONCUR** and later today assigned. (Roll Call Ordered)

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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 WATSON of Farmingdale, the House adjourned at 11:46 a.m., until 9:00 a.m., Monday, April 1, 2002 pursuant to the Joint Order (S.P. 827).