

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-First Legislature
State of Maine

Volume I

First Regular Session

December 4, 2002 – May 23, 2003

Pages 1-776

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
FIRST REGULAR SESSION
4th Legislative Day
Tuesday, January 14, 2003

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

Prayer by Reverend Thomas E. Teichmann, Trinity Lutheran Church, South Paris.

Pledge of Allegiance.

Doctor of the day, Jeff Maher, M.D., Bath.

The Journal of Thursday, January 9, 2003 was read and approved.

SENATE PAPERS

The following Joint Order: (S.P. 18)

ORDERED, the House concurring, that the Joint Rules be amended by striking out all of Joint Rule 108.

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

READ and **PASSED** in concurrence.

COMMUNICATIONS

The Following Communication: (S.P. 15)

**121ST LEGISLATURE
SENATE OF MAINE
OFFICE OF THE PRESIDENT**

January 6, 2003

The Honorable Joy J. O'Brien

Secretary of the Senate

3 State House Station

Augusta, ME 04333

Dear Secretary O'Brien:

In compliance with Joint Order (S.P.13), I am pleased to appoint the following members to the Gubernatorial Vote Committee:

Senator Ethan Strimling of Cumberland, Chair

Senator Dennis Damon of Hancock

Senator Pamela Hatch of Somerset

Senator Christopher Hall of Lincoln

Senator Carolyn Gilman of Cumberland

Senator Kenneth Blais of Kennebec

Senator Carol Weston of Waldo

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Beverly C. Daggett

President of the Senate

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 16)

**121ST LEGISLATURE
SENATE OF MAINE
OFFICE OF THE PRESIDENT**

January 6, 2003

The Honorable Joy J. O'Brien

Secretary of the Senate

3 State House Station

Augusta, ME 04333

Dear Secretary O'Brien:

In compliance with Joint Order (S.P.14), I am pleased to appoint the following members to inform the Honorable John E. Baldacci

that he has been duly elected Governor of the State of Maine for the political years 2003, 2004, 2005 and 2006:

Senator Mary Cathcart of Penobscot

Senator Stephen Stanley of Penobscot

Senator W. Tom Sawyer of Penobscot

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Beverly C. Daggett

President of the Senate

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Establish a Seamless Strategic Drug Abuse Model for Addressing Criminal Enforcement, Treatment, Education and Public Advocacy within Washington County"

(H.P. 38) (L.D. 31)

Sponsored by Representative BUNKER of Kossuth Township.

Cosponsored by Senator SHOREY of Washington and Representatives: DUGAY of Cherryfield, GOODWIN of Pembroke, PELLON of Machias, PERRY of Calais, WHEELER of Kittery.

Committee on **CRIMINAL JUSTICE** suggested and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE** and ordered printed.

Sent for concurrence.

Bill "An Act to Establish a Visual and Performing Arts Position for the Department of Education"

(H.P. 20) (L.D. 13)

Sponsored by Representative MARLEY of Portland.

Cosponsored by Representatives: CANAVAN of Waterville, LAVERRIERE-BOUCHER of Biddeford, PATRICK of Rumford, PINEAU of Jay, WHEELER of Kittery, Senator: BRENNAN of Cumberland.

Bill "An Act Authorizing the University of Maine System to Enter into Cooperative Agreements with Local Law Enforcement Agencies"

(H.P. 30) (L.D. 23)

Sponsored by Representative DUNLAP of Old Town.

Cosponsored by Senator CATHCART of Penobscot and Representatives: PEAVEY-HASKELL of Greenbush, THOMAS of Orono, Senators: HATCH of Somerset, MARTIN of Aroostook.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act Imposing a Horsepower Restriction for Boat Motors on Pickerel Pond"

(H.P. 32) (L.D. 25)

Sponsored by Representative DUNLAP of Old Town.

Cosponsored by Representatives: BUNKER of Kossuth Township, PEAVEY-HASKELL of Greenbush, Senator: BRYANT of Oxford.

Bill "An Act to Create the Maine Youth Conservation Wildlife Management Area"

(H.P. 33) (L.D. 26)

Sponsored by Representative DUNLAP of Old Town.
Cosponsored by Representatives: BUNKER of Kossuth Township, PEAVEY-HASKELL of Greenbush, Senators: BRYANT of Oxford, CATHCART of Penobscot.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent for concurrence.

Bill "An Act to Provide a 5% Increase in the State's Contribution for Insurance for Retired Teachers"

(H.P. 39) (L.D. 32)

Sponsored by Representative CANAVAN of Waterville.
Cosponsored by Representatives: DAVIS of Falmouth, EARLE of Damariscotta, GAGNE-FRIEL of Buckfield, O'BRIEN of Augusta, PARADIS of Frenchville, Senator CATHCART of Penobscot, Senator MITCHELL of Penobscot and Representatives: COWGER of Hallowell, CRAVEN of Lewiston, CUMMINGS of Portland, McLAUGHLIN of Cape Elizabeth, NORBERT of Portland, SIMPSON of Auburn, TRAHAN of Waldoboro, Senator: DOUGLASS of Androscoggin.

Committee on **LABOR** suggested and ordered printed.

REFERRED to the Committee on **LABOR** and ordered printed.

Sent for concurrence.

An Act to Ensure Full Disclosure of the Source of Water Sold in Containers

(H.P. 28) (L.D. 21)

Sponsored by Representative COWGER of Hallowell.
Cosponsored by Senator MARTIN of Aroostook and Representatives: CANAVAN of Waterville, DUPLESSIE of Westbrook, KOFFMAN of Bar Harbor, LUNDEEN of Mars Hill, SNOWE-MELLO of Poland, THOMPSON of China, TOBIN of Windham, Senator: SAWYER of Penobscot.

Bill "An Act to Appropriate Funds for Special Testing at the Norridgewock Landfill"

(H.P. 37) (L.D. 30)

Sponsored by Representative COWGER of Hallowell.
Cosponsored by Senator HATCH of Somerset.

Committee on **NATURAL RESOURCES** suggested and ordered printed.

REFERRED to the Committee on **NATURAL RESOURCES** and ordered printed.

Sent for concurrence.

Bill "An Act to Create the State Government Information Clearinghouse"

(H.P. 31) (L.D. 24)

Sponsored by Representative DUNLAP of Old Town.
Cosponsored by Representatives: PINGREE of North Haven, SIMPSON of Auburn, TRAHAN of Waldoboro, Senator: HALL of Lincoln.

Resolve, Directing the Maine Historic Preservation Commission to Develop a Database of Historic or At-risk Areas and Sites in the State

(H.P. 34) (L.D. 27)

Sponsored by Representative DUNLAP of Old Town.
Cosponsored by Senator MARTIN of Aroostook and Representative: McKEE of Wayne.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

Bill "An Act to Increase the Income Tax Deduction on Private, Public and Military Pensions from \$6,000 to \$10,000"

(H.P. 23) (L.D. 16)

Sponsored by Representative DAVIS of Falmouth.
Cosponsored by Representatives: ANDREWS of York, CHURCHILL of Orland, HONEY of Boothbay, JACOBSEN of Waterboro, JOY of Crystal, LEWIN of Eliot, SHERMAN of Hodgdon, VAUGHAN of Durham.

Bill "An Act to Increase the Homestead Property Tax Exemption From \$7,000 to \$20,000"

(H.P. 24) (L.D. 17)

Sponsored by Representative DAVIS of Falmouth.
Cosponsored by Senator DAVIS of Piscataquis and Representatives: ANDREWS of York, CHURCHILL of Orland, HONEY of Boothbay, JACOBSEN of Waterboro, PEAVEY-HASKELL of Greenbush, RICHARDSON of Skowhegan, SHERMAN of Hodgdon, SYKES of Harrison.

Bill "An Act to Expand the Sales Tax"

(H.P. 29) (L.D. 22)

Sponsored by Representative BULL of Freeport.
Committee on **TAXATION** suggested and ordered printed.
REFERRED to the Committee on **TAXATION** and ordered printed.

Sent for concurrence.

Bill "An Act to Eliminate the Telephone Service Tax Dedicated to Libraries and Schools"

(H.P. 36) (L.D. 29)

Sponsored by Representative GAGNE-FRIEL of Buckfield.
Cosponsored by Senator BENNETT of Oxford and Representatives: GLYNN of South Portland, SAMPSON of Auburn, Senator: DAVIS of Piscataquis.

Committee on **TAXATION** suggested.

On motion of Representative LEMOINE of Old Orchard Beach, the Bill was **REFERRED** to the Committee on **UTILITIES AND ENERGY**, ordered printed and sent for concurrence.

Bill "An Act to Enhance School Zone Safety"

(H.P. 19) (L.D. 12)

Sponsored by Representative MARLEY of Portland.
Cosponsored by Representatives: BARSTOW of Gorham, BLISS of South Portland, LESSARD of Topsham, PERRY of Calais, PINEAU of Jay, WHEELER of Kittery, Senator: HALL of Lincoln.

Resolve, to Designate the Interstate 95 From Augusta to Houlton as the Purple Heart Highway

(H.P. 21) (L.D. 14)

Sponsored by Representative MARLEY of Portland.

Cosponsored by Senator HALL of Lincoln and Representatives: BLISS of South Portland, DUPREY of Medway, HEIDRICH of Oxford, McKENNEY of Cumberland, PERRY of Calais, RECTOR of Thomaston, WHEELER of Kittery.

Bill "An Act to Add the Steel Bridge in New Sharon to the State's List of Historic Bridges"

(H.P. 22) (L.D. 15)

Sponsored by Representative PINEAU of Jay.

Resolve, to Rename the Mud Pond Inlet Bridge

(H.P. 35) (L.D. 28)

Sponsored by Representative DUNLAP of Old Town.

Cosponsored by Senator MARTIN of Aroostook and Representatives: BRUNO of Raymond, CARR of Lincoln, Speaker COLWELL of Gardiner, MURPHY of Kennebunk, USHER of Westbrook, Senators: CATHCART of Penobscot, DAVIS of Piscataquis, WOODCOCK of Franklin.

Bill "An Act to Repeal the Annual Indexing of Motor Fuel Taxes"

(H.P. 40) (L.D. 33)

Sponsored by Representative GAGNE-FRIEL of Buckfield.

Cosponsored by Representative GLYNN of South Portland, Senator DAVIS of Piscataquis and Representatives: HONEY of Boothbay, SHERMAN of Hodgdon.

Committee on **TRANSPORTATION** suggested and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** and ordered printed.

Sent for concurrence.

Pursuant to Public Law

Joint Standing Committee on Judiciary

Representative NORBERT for the **Joint Standing Committee on Judiciary** pursuant to Public Law 2001, chapter 383, section 155 asks leave to report that the accompanying Bill "An Act to Make Corrections to Laws in Conflict with MCJUSTIS Changes" (EMERGENCY)

(H.P. 25) (L.D. 18)

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

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

Sent for concurrence.

Pursuant to Public Law

Health Care System and Health Security Board

Representative KANE for the **Health Care System and Health Security Board** pursuant to Public Law 2001, chapter 439, Part ZZZ, section 1 asks leave to report that the accompanying Bill "An Act to Extend the Authority of the Health Care System and Health Security Board" (EMERGENCY)

(H.P. 27) (L.D. 20)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

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

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

Pursuant to Statute Workers' Compensation Board

Representative SMITH for the **Workers' Compensation Board** pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11 asks leave to report that the accompanying Bill "An Act to Amend the Laws Governing the Workers' Compensation Board Administrative Fund"

(H.P. 16) (L.D. 9)

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

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

Sent for concurrence.

Pursuant to Statute Workers' Compensation Board

Representative SMITH for the **Workers' Compensation Board** pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11 asks leave to report that the accompanying Bill "An Act to Amend the Laws Governing the Extension of Benefits for Partial Incapacity Under the Maine Workers' Compensation Act of 1992"

(H.P. 17) (L.D. 10)

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

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

Sent for concurrence.

Pursuant to Statute Maine State Retirement System

Representative SMITH for the **Maine State Retirement System** pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13 asks leave to report that the accompanying Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2004" (EMERGENCY)

(H.P. 18) (L.D. 11)

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

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

Sent for concurrence.

Pursuant to Statute

Department of Administrative and Financial Services

Representative McLAUGHLIN for the **Department of Administrative and Financial Services** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 130: Implementation of the State Purchasing Code of Conduct for Suppliers of Apparel, Footwear and Textiles, a Major Substantive Rule of the Department of Administrative and Financial Services (EMERGENCY)

(H.P. 26) (L.D. 19)

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

The House recessed until 11:30 a.m.

(After Recess)

The House was called to order by the Speaker.

ORDERS

On motion of Representative O'NEIL of Saco, the following Joint Order: (H.P. 44)

ORDERED, the Senate concurring, that Joint Rule 301, section 5 is amended to read:

5. Other Tasks. Performing other tasks assigned to them, including, but not limited to, reviewing specific provisions of law, conducting studies on assigned topics, issuing reports on policy and legal issues of interest to the Legislature, reporting out specific legislation pursuant to joint order and authorizing the annual budgets of certain counties.

There are 17 joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

- Agriculture, conservation and forestry
- Appropriations and financial affairs
- Banking and insurance
- Business and economic development
- Criminal justice and public safety
- Education and cultural affairs
- Health and human services
- Inland fisheries and wildlife
- Judiciary
- Labor
- Legal and veterans affairs
- Marine resources
- Natural resources
- State and local government
- Taxation
- Transportation
- Utilities and energy
- READ and PASSED.**

Sent for concurrence.

On motion of Representative O'NEIL of Saco, the following Joint Order: (H.P. 45)

ORDERED, the Senate concurring, that Joint Rule 301, section 5 is amended to read:

5. Other Tasks. Performing other tasks assigned to them, including, but not limited to, reviewing specific provisions of law, conducting studies on assigned topics, issuing reports on policy and legal issues of interest to the Legislature, reporting out specific legislation pursuant to joint order and authorizing the annual budgets of certain counties.

There are 17 joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

- Agriculture, conservation and forestry
- Appropriations and financial affairs
- ~~Banking and insurance~~ Insurance and financial services
- Business and economic development
- Criminal justice
- Education and cultural affairs
- Health and human services
- Inland fisheries and wildlife
- Judiciary
- Labor
- Legal and veterans affairs
- Marine resources
- Natural resources
- State and local government
- Taxation
- Transportation
- Utilities and energy
- READ and PASSED.**
- Sent for concurrence.

On motion of Representative O'NEIL of Saco, the following Joint Order: (H.P. 41)

ORDERED, the Senate concurring, that Joint Rule 308, section 3 is amended to read:

3. Reference to More Than One Committee. When a bill or resolve has a subject matter that falls within the jurisdiction of more than one committee, suggested references may be made and the full Legislature may vote to refer a bill or resolve to more than one committee. When references are made to more than one committee, the first named committee is responsible for the scheduling and conduct of all public hearings, subject to approval of the chairs of the other committee or committees. Committees to whom a bill or resolve is referred pursuant to this rule shall participate equally in all public hearings and work sessions and shall make a joint report or joint reports. The public hearing or hearings and work session or work sessions must be conducted jointly by both committees. The chairs of the committees involved shall establish the process for conduct of the work session or work sessions on the bill. If the chairs are unable to agree, the presiding officers shall establish the process. The work session process must provide for balanced representation for each committee. The report or reports on a jointly referred bill is as voted by the full membership of each committee, except that if a member serves on more than one committee to whom a bill or resolve is referred, that member may cast only one vote.

READ and PASSED.
Sent for concurrence.

On motion of Representative O'NEIL of Saco, the following Joint Order: (H.P. 42)

ORDERED, the Senate concurring, that Joint Rule 304 is amended to read:

Rule 304. Procedures for Public Hearings and Work Sessions.

At the beginning of each legislative biennium, all committees shall adopt procedures that govern public hearings, work sessions and confirmation hearings, which shall include the order in which testimony will be heard. Copies of the procedures must be sent to the presiding officers, the Secretary of the Senate, the Clerk of the House and the Executive Director of the Legislative Council upon adoption and must be posted and made available upon request at all public hearings and work sessions.

The rules of procedure in committee are the same as the rules of the Senate and the House of Representatives to the extent applicable. Committee procedures must be consistent with these rules.

The presiding chair shall decide all questions of order, subject to appeal to the committee. The chair's ruling stands unless overruled by a majority vote of the committee membership.

Scheduling of bills to be considered in public hearings and work sessions must be arranged by the Senate chair with the agreement of the House chair; if agreement is not reached, the committee shall decide by majority vote of the membership.

At public hearings, the chair may limit testimony as necessary for the orderly conduct of the hearing. Members may question witnesses to clarify testimony and to elicit helpful and pertinent information. While aggressive and probing questions may sometimes be appropriate, members shall exhibit respect for the witnesses and for one another. Members shall refrain from interrogation that is argumentative, oppressive, repetitive or unnecessarily embarrassing to hearing participants. Advocacy and discussion among members are not appropriate at public hearings. A committee member who is the primary sponsor of a bill and any member who testifies for or against the bill should ordinarily refrain from questioning other witnesses.

READ and PASSED.

Sent for concurrence.

On motion of Representative TRAHAN of Waldoboro, the following Joint Order: (H.P. 47)

ORDERED, the Senate concurring, that the Joint Rules be amended in Part 3 by adding a new Subpart C to read:

Subpart C
Legislative Oversight of Government Agencies and Programs

Rule 371. Government Oversight Committee.

The Government Oversight Committee, referred to in this Rule as "the committee," is established. The committee consists of 2 members of the Senate and 6 members of the House of Representatives and must be evenly divided between the 2 largest political parties represented in each chamber. The President of the Senate shall appoint 2 Senators, one from the political party holding the majority of seats in the Senate and one from the political party holding the majority of the remainder of the seats in the Senate. The first-named Senator is the Senate chair. The Speaker shall appoint 6 members, 3 from the political party holding the majority of seats in the House and 3 from the political party holding the majority of the remainder of the seats in the House. The first-named member of the House is the House chair.

READ.

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

Representative **EDER**: Mr. Speaker, Ladies and Gentlemen of the House. I move for defeat of this motion because it doesn't recognize the third party.

Representative **EDER** of Portland moved that the Joint Order be **TABLED** until later in today's session pending **PASSAGE**.

Representative **TRAHAN** of Waldoboro **REQUESTED** a roll call on the motion to **TABLE**.

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

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

ROLL CALL NO. 1

YEA - Adams, Bliss, Canavan, Eder, Fischer, Grose, Hutton, Jackson, McLaughlin, Sukeforth, Twomey, Woodbury.

NAY - Andrews, Annis, Ash, Austin, Barstow, Bennett, Berry DP, Berube, Bierman, Blanchette, Bowen, Bowles, Brannigan, Breault, Brown R, Browne W, Bruno, Bull, Bunker, Campbell, Carr, Churchill E, Churchill J, Clark, Clough, Collins, Courtney, Cowger, Craven, Cressey, Crosthwaite, Cummings, Curley, Daigle, Davis, Dudley, Dunlap, Duplessie, Duprey B, Duprey G, Earle, Faircloth, Finch, Fletcher, Gagne-Friel, Gerzofsky, Glynn, Goodwin, Greeley, Hatch, Heidrich, Honey, Hotham, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Kane, Landry, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lewin, Lundeen, Maietta, Mailhot, Makas, Marley, Marraché, McCormick E, McGlocklin, McGowan, McKee, McKenney, McNeil, Millett, Moore G, Muse K, Norbert, Norton, Nutting, O'Brien JA, O'Brien LL, O'Neil, Paradis, Patrick, Peavey-Haskell, Pellon, Percy, Perry A, Perry J, Pineau, Pingree, Piotti, Rector, Richardson J, Richardson M, Rines, Rogers, Rosen, Sampson, Saviello, Sherman, Shields, Simpson, Smith N, Smith W, Snowe-Mello, Stone, Sullivan, Suslovic, Sykes, Tardy, Thomas, Thompson, Tobin D, Tobin J, Trahan, Treadwell, Usher, Vaughan, Walcott, Watson T, Wheeler, Wotton, Young, Mr. Speaker.

ABSENT - Bryant-Deschenes, Dugay, Ketterer, Koffman, Lerman, Mills J, Mills P, Moody, Murphy T, Richardson E.

Yes, 12; No, 129; Absent, 10; Excused, 0.

12 having voted in the affirmative and 129 voted in the negative, with 10 being absent, and accordingly the motion to **TABLE FAILED**.

Subsequently, the Joint Order was **PASSED**.

On motion of Representative **BRUNO** of Raymond, the House **RECONSIDERED** its action whereby the Joint Order was **PASSED**.

Representative **EDER** of Portland **REQUESTED** a roll call on **PASSAGE**.

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

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

ROLL CALL NO. 2

YEA - Adams, Andrews, Annis, Ash, Austin, Barstow, Bennett, Berry DP, Berube, Bierman, Blanchette, Bliss, Bowen, Bowles, Brannigan, Breault, Brown R, Browne W, Bruno, Bull, Bunker, Campbell, Canavan, Carr, Churchill E, Churchill J, Clark, Clough, Collins, Courtney, Cowger, Craven, Cressey, Crosthwaite, Cummings, Curley, Daigle, Davis, Dudley, Dunlap, Duplessie, Duprey B, Earle, Faircloth, Finch, Fischer, Fletcher, Gagne-Friel, Gerzofsky, Glynn, Goodwin, Greeley, Grose, Hatch,

Heidrich, Honey, Hotham, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Koffman, Landry, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lewin, Lundeen, Maietta, Mailhot, Makas, Marley, Marraché, McCormick E, McGlocklin, McGowan, McKee, McKenney, McNeil, Millett, Moore G, Muse K, Norbert, Norton, Nutting, O'Brien JA, O'Brien LL, O'Neil, Paradis, Patrick, Peavey-Haskell, Pellon, Percy L, Perry A, Perry J, Pineau, Pingree, Piotti, Rector, Richardson J, Richardson M, Rines, Rogers, Rosen, Sampson, Saviello, Sherman, Shields, Simpson, Smith N, Smith W, Snowe-Mello, Stone, Sullivan, Suslovic, Sykes, Tardy, Thomas, Thompson, Tobin D, Tobin J, Trahan, Treadwell, Twomey, Usher, Vaughan, Walcott, Watson T, Wheeler, Wotton, Young, Mr. Speaker.

NAY - Eder, Sukeforth, Woodbury.

ABSENT - Bryant-Deschenes, Dugay, Duprey G, Kane, Ketterer, Lerman, McLaughlin, Mills J, Mills P, Moody, Murphy T, Richardson E.

Yes, 136; No, 3; Absent, 12; Excused, 0.

136 having voted in the affirmative and 3 voted in the negative, with 12 being absent, and accordingly the Joint Order was **PASSED**.

Sent for concurrence.

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

On motion of Representative MAKAS of Lewiston, the House adjourned at 12:24 p.m., until 10:00 a.m., Thursday, January 16, 2003.