

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
34th Legislative Day
Monday, April 7, 2003

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

Prayer by Father Frank Morin and Deacon George Stevens, St. Ann's Church, Indian Township.

National Anthem by Lauren Jain Stevens, Brewer High School.

Pledge of Allegiance.

Doctor of the day, Judy Chamberlain, M.D., Brunswick.

The Journal of Wednesday, April 2, 2003 was read and approved.

The SPEAKER: The Chair recognizes the Representative from the Penobscot Nation, Representative Loring who wishes to address the House on the record.

Representative LORING: Mr. Speaker, Men and Women of the House. This weekend we learned of the death of Private First Class Lori Ann Piestewa.

I have been following the story of the 507th Maintenance Company since March 23rd when they were ambushed. I was particularly interested when it was known that one of the missing was a 23-year-old female Native American soldier of the Hopi Tribe. I couldn't help but identify with her and Hopi community from which she came. When I heard the news of her death on Saturday, my heart was very heavy and my thoughts and prayers went to her family and those who knew her and loved her. I couldn't help but think of my experience in Vietnam as a Pfc at age 19. I wondered then what I was doing there and I'm sure she must have had those same thoughts.

I wrote a poem about that confusion and although it was written 35 years ago, somehow I think Lori Ann Piestewa would agree. I read this poem in her memory and in honor of her warrior spirit and ultimate sacrifice.

It's titled *The Other World*.

I stepped off the "freedom bird" into another world a world of profound beauty and yet a world of desolation and despair.

Just as a newborn babe comes into the world so came I into a world I knew nothing of unto a people I knew nothing of.

Why was I here?

I walked down the war torn streets of the village not knowing the answer.

As I walked I looked down and saw the tattered remains of a newspaper and on the front page a picture of a man holding the lifeless body of his infant son.

There was emptiness in his eyes as tears of a lifetime flowed down his face.

In that instant I knew the answer.

I was here to help save this country, this other world and in so doing save mine.

May we never forget the price that we pay for our freedom. Thank you.

SENATE PAPERS

Bill "An Act To Prevent Certain Deliveries of Tobacco Products"

(S.P. 508) (L.D. 1516)

Came from the Senate, REFERRED to the Committee on HEALTH AND HUMAN SERVICES and ordered printed.

REFERRED to the Committee on HEALTH AND HUMAN SERVICES in concurrence.

Bill "An Act To Promote and Monitor Competition in the Solid Waste Industry"

(S.P. 507) (L.D. 1515)

Came from the Senate, REFERRED to the Committee on NATURAL RESOURCES and ordered printed.

REFERRED to the Committee on NATURAL RESOURCES in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 126)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

March 31, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

L.D. 663 An Act To Create Economic Development Zones

L.D. 764 An Act To Ensure Choice for Maine Consumers

L.D. 958 An Act To Require the Display of Oil Prices on Home Heating Oil Delivery Trucks

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

Sincerely,

S/Sen. Lynn Bromley

Senate Chair

S/Rep. Nancy B. Sullivan

House Chair

READ AND ORDERED PLACED ON FILE.

The Following Communication: (H.C. 127)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 31, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

L.D. 52 An Act to Strengthen the Governor's Council on Landowner Relations

- L.D. 77 An Act to Require Permission for an ATV to Cross Private Land
- L.D. 304 An Act to Raise the Minimum Age for Operation of an ATV from 10 Years of Age to 16 Years of Age
- L.D. 368 An Act To Increase the Registration Fee for ATVs
- L.D. 369 An Act To Create a Closed Season for ATV Use
- L.D. 370 An Act To Change the Display of ATV Registration Numbers
- L.D. 474 An Act To Strengthen the ATV Laws of the State

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

Sincerely,
S/Sen. Bruce Bryant
Senate Chair
S/Rep. Matthew Dunlap
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 128)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

March 27, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

- L.D. 843 An Act To Ensure Equal Treatment of Telecommunications Customers under Maine's Universal Service Fund

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

Sincerely,
S/Sen. Christopher Hall
Senate Chair
S/Rep. Lawrence Bliss
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 129)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON TAXATION**

April 3, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

- L.D. 756 An Act To Provide an Income Tax Credit for Tuition Paid to Private Schools
- L.D. 810 An Act To Increase the Maine Lodging Tax
- L.D. 966 An Act To Encourage the Payment of Delinquent Taxes
- L.D. 1135 An Act To Provide a Tax Credit to Employers Who Contribute to Employee Health Care Benefits
- L.D. 1147 An Act To Shift Tax Burdens from Wages to Nonrenewable Power Sources
- L.D. 1151 An Act Relating to Tax Credits for Historic Preservation
- L.D. 1209 An Act To Conform the State Compromise of Tax Liability Procedure with Federal Procedures
- L.D. 1217 An Act To Enhance the Collection of Tax Arrearages

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

Sincerely,
S/Sen. Stephen Stanley
Senate Chair
S/Rep. David G. Lemoine
House Chair

READ and ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Conform to Federal Standards Maine's Law Regarding Strip Searches of Persons in Custody"
(H.P. 1115) (L.D. 1524)

Sponsored by Representative BUNKER of Kossuth Township.
Cosponsored by Senator STRIMLING of Cumberland.
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

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

Sent for concurrence.

Bill "An Act Concerning Liability Insurance Covering Debt Cancellation Contracts"

(H.P. 1114) (L.D. 1521)

Sponsored by Representative GLYNN of South Portland.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Clarify the Freedom of Access Laws as They Pertain to the Penobscot Nation"

(H.P. 1116) (L.D. 1525)

Sponsored by Representative LORING of the Penobscot Nation.
Cosponsored by Senator CATHCART of Penobscot and Representatives: BRYANT-DESCHENES of Turner, LANDRY of

Sanford, MARRACHÉ of Waterville, McKEE of Wayne, MOORE of the Passamaquoddy Tribe, SNOWE-MELLO of Poland, Senators: HATCH of Somerset, WOODCOCK of Franklin. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

Sent for concurrence.

Resolve, To Establish a Task Force on the Planning and Development of Marine Aquaculture in Maine (EMERGENCY)

(H.P. 1112) (L.D. 1519)

Sponsored by Representative BULL of Freeport. (GOVERNOR'S BILL)

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

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

Sent for concurrence.

Bill "An Act To Reclassify Certain Waters of the State"

(H.P. 1121) (L.D. 1529)

Sponsored by Speaker COLWELL of Gardiner.

Cosponsored by Senator MARTIN of Aroostook and Representatives: BULL of Freeport, DUNLAP of Old Town, Senator: SAWYER of Penobscot.

Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

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 Permit Electronic Notification of Rulemaking for Interested Parties" (EMERGENCY)

(H.P. 1120) (L.D. 1528)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth. (GOVERNOR'S BILL)

Cosponsored by Senator ROTUNDO of Androscoggin.

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 Amend the Motor Vehicle Laws"

(H.P. 1113) (L.D. 1520)

Sponsored by Representative USHER of Westbrook.

Cosponsored by Senator HATCH of Somerset and Representatives: COLLINS of Wells, McKENNEY of Cumberland. Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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

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

Sent for concurrence.

**Pursuant to Statute
Department of Corrections**

Representative BUNKER for the **Department of Corrections** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 15: Batterer Intervention Program Certification, a Major Substantive Rule of the Department of Corrections (EMERGENCY)

(H.P. 1117) (L.D. 1526)

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

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

Sent for concurrence.

**Pursuant to Statute
Department of Education**

Representative CUMMINGS for the **Department of Education** 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 115: Certification, Authorization and Approval of Education Personnel, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 1122) (L.D. 1530)

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Maine Health Data Organization**

Representative KANE for the **Maine Health Data Organization** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 120: Release of Information to the Public, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

(H.P. 1118) (L.D. 1527)

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

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

ORDERS

On motion of Speaker COLWELL of Gardiner, the following Joint Resolution: (H.P. 1119) (Cosponsored by President DAGGETT of Kennebec and Representatives: CANAVAN of Waterville, FLETCHER of Winslow, HATCH of Skowhegan, LERMAN of Augusta, O'BRIEN of Augusta, Senators: GAGNON of Kennebec, HATCH of Somerset, TREAT of Kennebec)

JOINT RESOLUTION RECOGNIZING THE 25TH ANNIVERSARY OF THE FAMILY VIOLENCE PROJECT

WHEREAS, the Family Violence Project is an independent, nonprofit organization dedicated to serving the special needs of all women, children and men who are experiencing domestic abuse; and

WHEREAS, the Family Violence Project was incorporated in 1978 and serves the communities of Kennebec and Somerset Counties, with offices located in Augusta, Winslow and Skowhegan, and is funded by local, state and federal funds, private grants, special fundraising events and donations; and

WHEREAS, The Family Violence Project provides valuable social services for advocacy and referrals privately and in the court system, and it provides a children's program, a school-based program, community education, support groups, batterer's intervention, a confidential hotline and emergency shelters; and

WHEREAS, in Maine, 50% of homicides are domestic abuse related and 60,000 people are victims of domestic assault annually; 95% of all domestic abuse victims are women, and one out of 4 American women will be physically assaulted at some time in their lives. The Family Violence Project is a member of the Maine Coalition to End Domestic Violence and provides a valuable service in our community; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature, now assembled in the First Regular Session, on behalf of the people of the State of Maine, congratulate the Family Violence Project on this milestone anniversary of excellent assistance in the community, and we acknowledge the extraordinary work that the Family Violence Project has performed over the years; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Family Violence Project on behalf of the people of the State of Maine.

READ and ADOPTED.
Sent for concurrence.

On motion of Representative LORING of the Penobscot Nation, the following Joint Resolution: (H.P. 1124) (Cosponsored by Senator CATHCART of Penobscot and Representatives: BRANNIGAN of Portland, CUMMINGS of Portland, DUDLEY of Portland, MILLS of Cornville, O'BRIEN of Lewiston, Senators: BRYANT of Oxford, DOUGLASS of Androscoggin, WESTON of Waldo)

JOINT RESOLUTION RECOGNIZING AND HONORING MAINE'S WABANAKI PEOPLE

WHEREAS, the Wabanaki people, the People of the Dawn, including the Passamaquoddy, the Penobscot, the Maliseet and the Micmac, have lived in Maine for thousands of years; and

WHEREAS, the Wabanaki people have defended this State and Country in every war since 1776; and

WHEREAS, the Wabanaki people have contributed much to our State's heritage; and

WHEREAS, the State of Maine recognizes the contributions made to our State by the Wabanaki people; and

WHEREAS, the State of Maine respects and honors the Wabanaki people and their culture; and

WHEREAS, we encourage educators in Maine to teach our children about the Wabanaki people and their contributions to the State of Maine; and

WHEREAS, we look toward the future as an opportunity to better understand and work side by side with the Wabanaki people; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature now assembled in the First Regular Session, on behalf of the people of the State of Maine, make history as we welcome our Wabanaki brothers and sisters to the State House today, April 7, 2003, on the occasion of Wabanaki Awareness Day; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Governors and Chiefs of each of Maine's 5 Wabanaki communities on behalf of the people of the State of Maine.

READ and ADOPTED.
Sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Gabe Paul, of Indian Island, for his participation in the Penobscot Language Program. We join the Penobscot Nation in extending our appreciation to Gabe for his dedicated service to the Indian people and acknowledge his past and present commitment in this unique and very important part of Indian heritage;

(HLS 412)

Presented by Representative LORING of the Penobscot Nation. Cosponsored by Senator CATHCART of Penobscot, Representative DUNLAP of Old Town.

On **OBJECTION** of Representative LORING of the Penobscot Nation, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **LORING**: Mr. Speaker, Men and Women of the House. I would like to recognize not only Gabe Paul, but Maulian Dana for the Language Program. Language is the heart and soul of a culture. It is essential that young people speak it and use it on a day-to-day basis. Gabe and Maulian have taken special interest in hearing our language and teaching it to others. The Penobscot Nation thanks both of you for your dedication and the preservation of its language. Thank you.

Subsequently, **PASSED** and sent for concurrence.

Recognizing:

Lorraine Dana, of Indian Island, who has served the Penobscot Nation for over 20 years as Tribal Clerk. Mrs. Dana is the mother of Tribal Chief Barry Dana. We join the Penobscot Nation in sending her our appreciation for her dedication and commitment to the Penobscot Nation;

(HLS 415)

Presented by Representative LORING of the Penobscot Nation.

Cosponsored by Senator CATHCART of Penobscot, Representative DUNLAP of Old Town.

On **OBJECTION** of Representative LORING of the Penobscot Nation, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **LORING**: Mr. Speaker, Men and Women of the House. Lorraine Dana has been a Tribal Clerk for the Penobscot Nation for 20 years. She is retired. Lorraine was the person you went to with any and all questions you had about tribal government, from dog licenses to vehicle registrations, as well as voting regulation and anything else to do with the tribal process. She was our source of institutional memory. Lorraine supervised the voting process and was there from early morning to the wee hours every year. We thank her for her loyalty and uncompromising dedication to the Penobscot Nation. Thank you Lorraine.

Subsequently, **PASSED** and sent for concurrence.

Recognizing:

John Banks, of Bangor, Director of the Penobscot Nation Natural Resources Department, for his outstanding leadership in the protection of the natural resources of the Penobscot Nation. We send him our appreciation for his dedication and commitment to the Penobscot Nation;

(HLS 419)

Presented by Representative LORING of the Penobscot Nation. Cosponsored by Senator CATHCART of Penobscot, Representative DUNLAP of Old Town, Representative FAIRCLOTH of Bangor, Senator SAWYER of Penobscot, Representative PERRY of Bangor, Representative BLANCHETTE of Bangor, Representative NORTON of Bangor.

On **OBJECTION** of Representative LORING of the Penobscot Nation, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **LORING**: Mr. Speaker, Men and Women of the House. John is the director of our fish and wildlife and natural resources department. He is a tireless advocate for our sovereignty and the preservation of tribal resources. He has created a highly professional department with a GIS system second to none and has been instrumental in developing our hunting and fishing laws. He also works closely with EPA, DEA and natural resources organizations throughout the state to ensure a pollution free environment. The Penobscot Nation thanks John for his years of outstanding service.

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

Representative **DUNLAP**: Mr. Speaker, Men and Women of the House. I know many of these people that are being honored today. I worked with none of them closer than I have worked with John Banks. He is truly a genius in the field. He has done wonders for the natural resources of the Penobscot Nation. I think we would all be very well served to follow his examples that he has set before us in the State of Maine. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Blanchette.

Representative **BLANCHETTE**: Mr. Speaker, Ladies and Gentlemen of the House. It is with a great deal of pride that my name appears on this sentiment for John Banks. In today's society, and it is ever so important that we have the people out there with the dedication, the knowledge and the fortitude to protect our natural resources. Mr. Banks is a never-ending form of information for people and a guardian of our fish and our waterways. As a representative from one of the towns that the Penobscot River runs through, I would personally like to say thank you to Mr. Banks and tell him that I really appreciate his hard work. Thank you.

Subsequently, and **PASSED** and sent for concurrence.

Recognizing:

Susan Hammond, of Bangor, for her tireless and outstanding leadership in helping to create the Four Directions Development Corporation, an all Native American financial development institute, the first in New England. We send Susan our appreciation for her dedication and commitment to the people of the Penobscot Nation;

(HLS 420)

Presented by Representative LORING of the Penobscot Nation. Cosponsored by Senator CATHCART of Penobscot, Representative DUNLAP of Old Town, Representative FAIRCLOTH of Bangor, Senator SAWYER of Penobscot, Representative PERRY of Bangor, Representative BLANCHETTE of Bangor, Representative NORTON of Bangor.

On **OBJECTION** of Representative LORING of the Penobscot Nation, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **LORING**: Mr. Speaker, Men and Women of the House. Susan Hammond is the Executive Director of the Four Directions Development Corporation. It is the first Indian owned and operated community financial development institute in the northeast. It's mission is to improve the economic and social conditions of Native Americans in Maine. It invests in business ventures, affordable housing and small and medium sized businesses. Since the idea of creating this organization was first talked about two years ago, Susan has worked extremely hard and very long hours to make it a reality. In just a short time, Four Directions has assets of over \$1 million and has made a number of loans to Indian people. I am extremely proud of her accomplishments and to be a cofounder and board member. The Penobscot Nation thanks you for your outstanding and tenacious leadership.

Subsequently, **PASSED** and sent for concurrence.

Recognizing:

Fred Hurley, of Wayne, in appreciation of his years of invaluable service and contributions in securing positive tribal-state relations for the Penobscot Nation, the Passamaquoddy Tribe and the State of Maine in his former capacity as Deputy Commissioner of the Maine Department of Inland Fisheries and Wildlife and as a member of the Maine Indian Tribal-State Commission. We join the tribal nations in sending Mr. Hurley our heartfelt appreciation on the occasion of Wabanaki Day, April 7, 2003;

(HLS 422)

Presented by Representative LORING of the Penobscot Nation.

Cosponsored by Representative McKEE of Wayne, Senator BLAIS of Kennebec.

On **OBJECTION** of Representative LORING of the Penobscot Nation, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **LORING**: Mr. Speaker, Men and Women of the House. Fred Hurley recently retired from the Maine Department of Inland Fisheries and Wildlife after more than 30 years of dedicated and distinguished service, including his most recent position as deputy commissioner. Mr. Hurley was one of the original members of the Maine Indian Tribal State Commission created under the Maine Indian Claims Settlement Act of 1980. He continued serving on the commission for almost 20 years. Time and time again Mr. Hurley demonstrated his ability to address and resolve misunderstandings and disagreements between the state and the tribes in a fair, partial, respectful and non-confrontational manner. Over the years Mr. Hurley has been a major contributor to the success of the Maine Indian Tribal State Commission. The Penobscot Nation thanks Mr. Hurley for his contribution.

Subsequently, **PASSED** and sent for concurrence.

Recognizing:

Carla Fearon, of Indian Island, for her loyalty and devotion to the children of the Penobscot Nation. Carla is the Director of the Indian Island Boys and Girls Club. We join the Penobscot Nation in extending our appreciation to Carla for her past and present service and untiring advocacy for Maine Indian people;

(HLS 424)

Presented by Representative LORING of the Penobscot Nation. Cosponsored by Senator CATHCART of Penobscot, Representative DUNLAP of Old Town.

On **OBJECTION** of Representative LORING of the Penobscot Nation, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **LORING**: Mr. Speaker, Men and Women of the House. Carla Fearon is the Director of the Boys and Girls Club and has given countless hours of her time and energy to make the program a success. She works very closely with others, in particular, her father, Dana Mitchell, who we are also honoring here today. She has brought in a number of grants and has created activities that keep the youth interested in learning about their culture. She is a real motivator. Her motivation is contagious to the youth and even the adults. She is an important part of the Boys and Girls Club and the Nation thanks her for her service. Also, every year the Boys and Girls Club choose a boy and girl who have shown leadership qualities and have been role models for other youth during the year. Alivia Moore, Gabe Hall and David Sapiel, Jr. were all honored as Boys and Girls Youth of the Year. The Nation thanks them for their service.

Subsequently, **PASSED** and sent for concurrence.

The **SPEAKER**: The Chair is pleased and honored to have so many of our friends and neighbors visiting from the various tribal nations to help us celebrate Wabanaki Day here at the

State House. Thank you all so much for coming. Would the House please stand and recognize all of our visitors?

CONSENT CALENDAR

First Day

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

(S.P. 191) (L.D. 551) Bill "An Act To Suspend Property Tax Abatement Appeals When the Taxpayer Fails To Pay Taxes" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass**

(H.P. 346) (L.D. 454) Bill "An Act To Clarify Campaign Finance Penalty Provisions" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass**

(H.P. 230) (L.D. 287) Bill "An Act To Amend the Home Construction Contracts Laws" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-88)**

(H.P. 461) (L.D. 631) Bill "An Act Concerning the Status of the Maine County Commissioners' Association and the Maine Sheriffs' Association as County Advisory Organizations" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-95)**

(H.P. 615) (L.D. 838) Bill "An Act Regarding Bail and Fines" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-90)**

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

CONSENT CALENDAR

Second Day

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

(S.P. 232) (L.D. 668) Resolve, Regarding the Reduction of Barriers to the Transmission of Electricity

(S.P. 325) (L.D. 984) Bill "An Act To Amend the Laws Governing Registers of Deeds"

(S.P. 23) (L.D. 37) Bill "An Act to Rename the Town of Westport" (C. "A" S-18)

(S.P. 45) (L.D. 122) Bill "An Act Regarding the Sampling of Products" (C. "A" S-19)

(S.P. 136) (L.D. 399) Bill "An Act To Increase Civil Process Fees" (C. "A" S-17)

(S.P. 272) (L.D. 793) Bill "An Act To Revise the Boundary between the Town of Harrison and the Town of Bridgton" (C. "A" S-16)

(H.P. 487) (L.D. 657) Bill "An Act To Repeal the Forest Products Antitrust Exemption"

(H.P. 76) (L.D. 68) Bill "An Act to Extend the Jurisdiction of the Maine Labor Relations Board to Employees of Public Higher Education Institutions Who Have Been Employed Less than Six Months" (C. "A" H-83)

(H.P. 127) (L.D. 168) Bill "An Act To Allow a Municipality To Donate Abandoned Bicycles to a Charitable Organization" (C. "A" H-80)

(H.P. 202) (L.D. 247) Bill "An Act To Increase the Value of Real and Personal Property Exempt from Attachment" (C. "A" H-81)

(H.P. 291) (L.D. 371) Bill "An Act To Require Review of Utility Rates Prior to Approval of Alternative Rate Plans" (C. "A" H-85)

(H.P. 404) (L.D. 519) Bill "An Act To Provide Testing for a Public Safety or Health Care Employee Exposed to Body Fluids in the Course of Employment" (C. "A" H-79)

(H.P. 547) (L.D. 741) Bill "An Act To Expand the Powers and Authority of Case Management Officers in the Family Division" (C. "A" H-82)

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

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

BILLS IN THE SECOND READING
Senate as Amended

Bill "An Act Restricting Telemarketers from Blocking Their Telephone Numbers When Making Solicitation Calls"
(S.P. 113) (L.D. 331)
(C. "A" S-15)

House as Amended

Bill "An Act To Prohibit Coyote Snaring and Eliminate the Coyote Snaring Program"
(H.P. 192) (L.D. 237)
(C. "A" H-75)

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

ENACTORS
Acts

An Act to Extend the Time to Pay a Premium to the Insured
(H.P. 9) (L.D. 2)
(C. "A" H-29)

An Act to Reduce Workers' Compensation Costs for Self-insured Public Utilities
(H.P. 72) (L.D. 64)
(C. "A" H-30)

An Act To Clarify the Authority of the Superintendent of Financial Institutions Regarding a Credit Union's Conversion of Its Field of Membership
(H.P. 130) (L.D. 171)
(C. "A" H-31)

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.

Resolves

Resolve, Regarding State Designation of Memorials Honoring Maine's Vietnam War Veterans
(H.P. 277) (L.D. 357)
(C. "A" H-26)

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

An Act To Provide Funding for the Downeast Institute for Applied Marine Research and Education
(H.P. 284) (L.D. 364)
(C. "A" H-33)

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

On motion of Representative RICHARDSON of Brunswick, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

ROLL CALL NO. 25

YEA - Adams, Andrews, Annis, Ash, Austin, Barstow, Bennett, Berry, Bierman, Blanchette, Bliss, Bowen, Bowles, Brannigan, Breault, Brown R, Browne W, Bruno, Bryant-Deschenes, 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, Duprey G, Earle, Eder, Faircloth, Finch, Fischer, Gagne-Friel, Glynn, Goodwin, Greeley, Grose, Hatch, Heidrich, Honey, Hotham, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Kane, Ketterer, Koffman, Laverriere-Boucher, Ledwin, Lemoine, Lerman, Lessard, Lewin, Lundeen, Mailhot, Makas, Marley, McCormick, McGlocklin, McGowan, McKee, McKenney, McLaughlin, McNeil, Millett, Mills J, Moody, Moore, Murphy, Muse, Norbert, Norton, Nutting, O'Brien J, O'Brien L, O'Neil, Paradis, Patrick, Peavey-Haskell, Pellon, Percy, Perry A, Perry J, Pineau, Pingree, Piotti, Rector, Richardson E, Richardson J, Richardson M, Rines, Rogers, Rosen, Sampson, Saviello, Sherman, Shields, Smith N, Smith W, Snowe-Mello, Stone, Sukeforth, Sullivan, Suslovic, Sykes, Thomas, Thompson, Tobin D, Tobin J, Trahan, Treadwell, Twomey, Usher, Vaughan, Walcott, Watson, Wheeler, Woodbury, Wotton, Young, Mr. Speaker.

NAY - Bull.

ABSENT - Berube, Dugay, Fletcher, Gerzofsky, Hutton, Landry, Maietta, Marraché, Mills S, Simpson, Tardy.

Yes, 139; No, 1; Absent, 11; Excused, 0.

139 having voted in the affirmative and 1 voted in the negative, with 11 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

SENATE PAPERS

Bill "An Act To Establish Fee Caps under the Maine Insurance Code"

(S.P. 510) (L.D. 1522)

Came from the Senate, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act To Change the Tax Laws as They Apply to Combat Troops"

(S.P. 511) (L.D. 1523)

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

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

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

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 Wednesday, April 2, 2003, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act to Require Flashing Lights for Private Snow Plows"

(H.P. 156) (L.D. 197)

TABLED - March 27, 2003 (Till Later Today) by Representative RICHARDSON of Brunswick.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-25)**.

Representative DAIGLE of Arundel **PRESENTED House Amendment "A" (H-78) to Committee Amendment "A" (H-25)**, 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. I know it is difficult during this intense legislative session to remember things that happened yesterday, let alone last week. The bill at issue right now is the one requiring flashing lights when one is operating a snowplow. As it stands now, all situations where people are operating snowplows would have to have flashing lights on their truck. The House Amendment that I am proposing and asking you to adopt would limit that to exempt cases where a person is not doing it for compensation. Let me briefly outline my reasons why I think that is important. First of all, here in Maine I think we all have a tradition of independence. Some of us have very long driveways and, frankly, we want to take care of our own property. We may put a plow on the end of our truck and simply wish to take care of our own land. I think asking for the state to regulate that activity by requiring a flashing light and modifying the truck to do so, is something that is a bit onerous and, frankly, just unnecessary.

Secondly, I think we have a tradition here in Maine of helping our neighbors. We earlier talked about an exemption when a person would do their own driveway. If a person wants to do their driveway and just their neighbors or whatever, I think there is nothing wrong with that. We don't want to inhibit that ability here in Maine.

I have some vested interest in feeling this way because in Arundel I have a long driveway. I do not have a snowplow, but I have a neighbor who does and, frankly, I think there is nothing

wrong with giving him a plate of brownies once in a while to give me a hand. I don't want to discourage that.

The issue that we are trying to fix here is a safety issue. I understand that. The whole point of the original bill was saying it was an unsafe activity and we should make it safer by putting a flashing light on. I know the concern for many here is if it is important to have a flashing light on for the commercial snowplow driver, then everybody should have it.

I want to explain briefly why I think that that is not the case here. The difference between a person plowing because they are just a good friend or doing their own driveway versus commercial are several. First of all, the number of driveways, doing one driveway versus doing 30. There is a very big difference in that in the safety aspect of the public.

Secondly, I think the sense of urgency involved. If all I am doing is plowing my own driveway, I wait until the snow stops falling, the sun is shining and I get out there and I can do it at my leisure. A commercial snowplow operator has a contract. He has a commitment. He is out there plowing 30 driveways or more in a single storm. He is out there in the middle of the night doing it. He is out there while the storm is still raging, doing it because he has to, that is his job. Obviously I think it is a different approach to the public from that kind of world versus the guy doing his own or doing his neighbors the following day when everything is calm.

Finally, I would say just the fact that there is a difference between doing it commercially and privately and that is the business you are in and that is how you are making money and you should gear up to do it safely, especially when you are doing quantity. I believe there is precedent for this in public policy. I draw an analogy to boating. We require recreational boaters to obey certain safety functions. We require commercial boaters to do an entirely different additional amount of safety requirements. We recognize that the commercial boater is going to be out there in all weather conditions far more frequently and taking passengers and so forth versus the recreational who can just say that it is a bad day and I am going to stay in port. That is the analogy here. I hope for those reasons you support my amendment and make this a reasonable and a safety improvement for the state. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Caribou, Representative Bennett.

Representative **BENNETT**: Mr. Speaker, Men and Women of the House. This started out and I think it is still my bill. It has had some amendments to it. Over the past week or so I have heard some comments from people and they are laying some of their concerns about the bill. The good gentleman's amendment I think addresses some of those concerns. I hope it is the majority of those concerns. Therefore, I rise in support of this amendment and hope you also support it. I urge its movement. Thank you.

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

Representative **MCKENNEY**: Mr. Speaker, Ladies and Gentlemen of the House. I think the amendment kind of shoots down the safety argument. If it is unsafe for someone to drive out of their driveway without a light on, then it is unsafe for everyone to do that. I don't know how this would be enforced anyway. Is the policeman going to stop the plow driver that doesn't have a light on his truck and ask him if he is getting paid? How is going to know if he is getting paid? That is just unenforceable. No matter how you dress up this bill, it just is not going to be acceptable to let out into the public.

I talked to the sponsor out in the hall a little while ago, briefly. He told me he had secured the approval of the Maine Chiefs of Police Association. I thought to myself, I wonder if he has the

approval of the Maine Plow Trucks Association? Wait a minute, there is no such thing as the Maine Plow Trucks Association. They don't know what we are doing here. We are going to do something to them that they don't know what is going to happen until they get a fine next winter. The proper thing to do is to vote against this. Mr. Speaker, I would request a roll call.

Representative McKENNEY of Cumberland **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-78) to Committee Amendment "A" (H-25)**.

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 Adoption of House Amendment "A" (H-78) to Committee Amendment "A" (H-25). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 26

YEA - Adams, Annis, Bennett, Bliss, Brannigan, Breault, Canavan, Carr, Churchill J, Clark, Cowger, Cummings, Daigle, Dudley, Dunlap, Duplessie, Duprey G, Eder, Faircloth, Finch, Fischer, Jackson, Joy, Kane, Ketterer, Koffman, Laverriere-Boucher, Lemoine, Makas, Marley, McGlocklin, McKee, Millett, Mills J, Norbert, O'Brien L, O'Neil, Paradis, Patrick, Pellon, Percy, Perry A, Pingree, Piotti, Richardson E, Richardson J, Sampson, Smith N, Stone, Sukeforth, Sullivan, Suslovic, Thompson, Tobin J, Usher, Vaughan, Walcott, Watson, Wheeler, Woodbury, Wotton, Young, Mr. Speaker.

NAY - Andrews, Ash, Austin, Barstow, Berry, Bierman, Blanchette, Bowen, Bowles, Brown R, Browne W, Bruno, Bryant-Deschenes, Bull, Bunker, Campbell, Churchill E, Clough, Collins, Courtney, Craven, Cressey, Crosthwaite, Curley, Davis, Duprey B, Earle, Gagne-Friel, Glynn, Greeley, Grose, Hatch, Heidrich, Honey, Hotham, Jacobsen, Jennings, Jodrey, Kaelin, Landry, Ledwin, Lessard, Lewin, Lundeen, Mailhot, McCormick, McGowan, McKenney, McLaughlin, McNeil, Mills S, Moody, Moore, Murphy, Muse, Norton, Nutting, O'Brien J, Peavey-Haskell, Perry J, Pineau, Rector, Richardson M, Rines, Rogers, Rosen, Saviello, Sherman, Shields, Smith W, Snowe-Mello, Sykes, Thomas, Tobin D, Trahan, Treadwell, Twomey.

ABSENT - Berube, Dugay, Fletcher, Gerzofsky, Goodwin, Hutton, Lerman, Maietta, Marraché, Simpson, Tardy.

Yes, 63; No, 77; Absent, 11; Excused, 0.

63 having voted in the affirmative and 77 voted in the negative, with 11 being absent, and accordingly the motion to **ADOPT House Amendment "A" (H-78) to Committee Amendment "A" (H-25) FAILED**.

Subsequently, **Committee Amendment "A" (H-25) was ADOPTED**.

Representative COLLINS of Wells moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative Bennett.

Representative **BENNETT**: Mr. Speaker, Ladies and Gentlemen of the House. I strongly believe in this bill. I truly think it is a safety measure or I wouldn't have put it in. I heard sometime this morning that this was perhaps a feel good bill. It is far, far from being a feel good bill. It is a safety issue. I have my Chief of Police tell me that he has between a half a dozen to a dozen calls a year from people saying, can't you do something about this? I almost hit that man. I didn't see that truck. I didn't see that plow. The Chief of Police says he can't do anything. This is my only shot at this. I have to impress upon you that I think one of the basic tenants that we are down here for is to protect the well being and the rights of our citizenry. If we are not down here for that, then I don't know what we are down here for. That is a very basic tenant of democracy at least in my opinion. If

I have an opportunity to save a life, I am going to give it my best shot to do so. I would hate to think that this body does not pass this bill and then a day or two later I will read in the paper where somebody didn't see that plow.

I will tell you my Chief of Police can't tell me that he has had an accident in my community of Caribou because of not having a light on the truck, but he has had a half a dozen to a dozen close calls a year. What does it take? Some day they are going to make a connection. Some day somebody is going to get terribly hurt. Will this be a panacea? Absolutely not. Will it be a help? Absolutely yes. I urge you not to kill this vehicle that has the potentiality to save lives. It is not a feel good bill. It is a very, very serious bill. Mr. Speaker, I thank you.

Representative BENNETT of Caribou **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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

Representative **PARADIS**: Mr. Speaker, Men and Women of the House. It is too bad that sometimes we have really good bills that get muddied in the waters by amendments. It was very direct to start with. It is a safety issue, no two ways about it. The argument, I think, that you can't police it or anything, hey, we have different laws that apply to different situations already on the books. The bottom line is safety. I would recommend a nay vote on the motion to Indefinitely Postpone.

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

Representative **LESSARD**: Mr. Speaker, Men and Women of the House. I may not speak for the Maine Chief's of Police Association, but I was a police chief at one time for a long time. Any time the bill comes up involving safety, I am all for it. They are also. A while back I served a bit of time in the North Country. I used to put the fluorescent balls on the top of our antennas on private cars. That was a help. Now we have well intended individuals driving plow trucks in and out of driveways. If you are on your own property doing this function, there is no problem. This bill doesn't call for that. It does call for if you are going onto a public way, back and forth, you should have some kind of indication. It is a caution light. Remember blue lights and red lights yield the right of way. A caution light is just what it is, a caution light. I will be voting against this amendment to kill it.

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 Indefinite Postponement of this bill and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 27

YEA - Andrews, Annis, Ash, Austin, Berry, Bierman, Blanchette, Bowen, Bowles, Brown R, Browne W, Bruno, Bryant-Deschenes, Campbell, Carr, Clough, Collins, Courtney, Cowger, Cressey, Crosthwaite, Curley, Daigle, Davis, Dudley, Duprey B, Duprey G, Gagne-Friel, Glynn, Greeley, Grose, Hatch, Heidrich, Honey, Hotham, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Landry, Ledwin, Lewin, Lundeen, Mailhot, McCormick, McGlocklin, McGowan, McKee, McKenney, Millett, Mills S, Moore, Murphy, Muse, Nutting, O'Brien J, O'Brien L, Peavey-Haskell, Pineau, Rector, Richardson E, Richardson M, Rines, Rogers, Rosen, Saviello, Sherman, Shields, Smith W, Snowe-Mello, Sykes, Thomas, Tobin D, Tobin J, Trahan, Treadwell, Twomey, Vaughan, Watson, Woodbury.

NAY - Adams, Barstow, Bennett, Bliss, Brannigan, Breault, Bull, Bunker, Canavan, Churchill E, Churchill J, Clark, Craven, Cummings, Dunlap, Duplessie, Earle, Eder, Faircloth, Finch,

Fischer, Jackson, Kane, Ketterer, Koffman, Laverriere-Boucher, Lemoine, Lessard, Makas, Marley, McLaughlin, McNeil, Mills J, Moody, Norbert, Norton, O'Neil, Paradis, Patrick, Pellon, Percy, Perry A, Perry J, Pingree, Piotti, Richardson J, Sampson, Smith N, Stone, Sukeforth, Sullivan, Suslovic, Thompson, Usher, Walcott, Wheeler, Wotton, Young, Mr. Speaker.

ABSENT - Berube, Dugay, Fletcher, Gerzofsky, Goodwin, Hutton, Lerman, Maietta, Marraché, Simpson, Tardy.

Yes, 81; No, 59; Absent, 11; Excused, 0.

81 having voted in the affirmative and 59 voted in the negative, with 11 being absent, and accordingly the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

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

On motion of Representative BUNKER of Kossuth Township, the House adjourned at 12:11 p.m., until 10:00 a.m., Tuesday, April 8, 2003.