

# MAINE STATE LEGISLATURE

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

**Volume II**

**First Regular Session**

May 18, 2001 – June 22, 2001

**Second Regular Session**

January 2, 2002 – March 6, 2002

Pages 890-1770

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

**ENACTORS**

**Emergency Measure**

An Act to Permit the Salvage of Pulpwood

(S.P. 628) (L.D. 1811)

(C. "A" S-307)

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. 102 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

Resolve, to Establish the Commission to Study Ways to Eliminate Cigarette Litter in Maine

(H.P. 1314) (L.D. 1778)

(C. "A" H-549)

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

Representative KASPRZAK of Newport **REQUESTED** a roll call on **FINAL 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 Final Passage. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 341**

**YEA** - Ash, Bagley, Baker, Berry RL, Blanchette, Bliss, Bouffard, Brooks, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Cote, Cowger, Cummings, Desmond, Dorr, Dudley, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Green, Hatch, Hutton, Jones, Kane, Koffman, Landry, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Mailhot, Marley, Marrache, Matthews, McKee, McLaughlin, Michaud, Mitchell, Murphy E, Muse C, Norbert, Norton, O'Brien LL, Paradis, Patrick, Pineau, Quint, Richard, Richardson, Rines, Savage, Simpson, Smith, Stanley, Sullivan, Tarazewich, Thomas, Tuttle, Twomey, Usher, Volenik, Watson, Mr. Speaker.

**NAY** - Andrews, Annis, Belanger, Berry DP, Bruno, Buck, Bumps, Carr, Chase, Clough, Collins, Crabtree, Cressey, Daigle, Davis, Dugay, Duncan, Duprey, Foster, Glynn, Goodwin, Gooley, Haskell, Heidrich, Honey, Jacobs, Jodrey, Kasprzak, Labrecque, Ledwin, Lundeen, MacDougall, Madore, Mayo, McDonough, McGlocklin, McGowan, McKenney, McNeil, Michael, Morrison, Muse K, Nass, Nutting, O'Brien JA, Peavey, Perkins, Pinkham, Povich, Rosen, Schneider, Sherman, Shields, Snowe-Mello, Stedman, Tobin D, Tracy, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Wheeler GJ, Winsor, Young.

**ABSENT** - Bowles, Brannigan, Colwell, Hall, Hawes, Lovett, Mendros, Murphy T, O'Neil, Perry, Skoglund, Tessier, Tobin J.

Yes, 73; No, 65; Absent, 13; Excused, 0.

73 having voted in the affirmative and 65 voted in the negative, with 13 being absent, and accordingly the Resolve **FAILED FINALLY PASSAGE** and was sent to the Senate.

**Emergency Measure**

Resolve, to Establish the Blue Ribbon Commission on Postsecondary Educational Attainment

(S.P. 616) (L.D. 1797)

(C. "A" S-314)

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. 107 voted in favor of the same and 20 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**ENACTORS**

**Acts**

An Act to Provide Health Insurance Coverage for General Anesthesia and Associated Facility Charges for Dental Procedures for Certain Vulnerable Persons

(S.P. 127) (L.D. 403)

(C. "A" S-300)

An Act to Establish the Maine Research and Development Evaluation Fund

(H.P. 988) (L.D. 1325)

(C. "A" H-372; S. "A" S-316)

An Act to Transfer Administration of Certain Reimbursement Functions of the Workers' Compensation Employment Rehabilitation Fund to a Voluntary Coalition of Parties in Interest

(S.P. 433) (L.D. 1413)

(C. "A" S-309)

An Act to Protect Consumers of Health Care Services

(H.P. 1167) (L.D. 1567)

(C. "A" H-661)

An Act to Offer Businesses and the Technical Colleges Incentives for Providing Workforce Health Care Training

(S.P. 505) (L.D. 1592)

(C. "A" S-312)

An Act to Amend the Laws Pertaining to the Department of Corrections

(S.P. 580) (L.D. 1758)

(C. "A" S-280)

An Act to Implement the Recommendations of the Committee to Study Access to Private and Public Lands in Maine

(H.P. 1353) (L.D. 1810)

(C. "A" H-658)

An Act to Amend the Business Equipment Tax Reimbursement Program

(H.P. 1365) (L.D. 1822)

An Act Related to the Suspension of Property Tax Abatement Appeals When the Taxpayer is Delinquent in Paying Taxes

(H.P. 1367) (L.D. 1824)

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

An Act to Amend the Maine Clean Election Laws

(S.P. 553) (L.D. 1711)

(C. "A" S-308)

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

On motion of Representative **TRAHAN** of Waldoboro, was **SET ASIDE**.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Trahan.

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

The SPEAKER: The Representative may pose his question.

Representative **TRAHAN**: Mr. Speaker, Men and Women of the House. Could we have an explanation of what this bill does, please?

The SPEAKER: The Representative from Waldoboro, Representative Trahan has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative **TUTTLE**: Mr. Speaker, Ladies and Gentlemen of the House. If the members of the body would find Senate Amendment (S-308), this was an issue that the Committee on Legal and Veterans Affairs worked on all session. Essentially the compromise language was agreed to by all parties that we worked with over the session. It said the amendment removed the provision in the original bill that created the definition of independent electioneering and established reporting requirements for independent electioneering expenditures. It removed that section out. We thought that was too controversial and it changed the distribution amount that the original bill provided for clean election candidates and uncontested general elections, which are presently from one-third to 40 percent of the amount distributed in the Maine Clean Election campaign in contested general elections. We have received a lot of input on that and a lot of people had agreed that that should go up a little bit.

The amendment specifies that the rules of the commission governing qualifying contributions, certification of the Maine Clean Election candidates, distribution of fund revenues to certified candidates and disposition of equipment purchased with clean election funds are major substantial rules. This amendment makes some technical changes that were recommended in the bill. This amendment also adds a fiscal note to the bill. I hope that answers the gentleman's question.

Representative **DUPREY** of Hampden **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. 342**

YEA - Annis, Ash, Bagley, Baker, Berry DP, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bruno, Bryant, Bull, Bunker, Canavan, Carr, Chick, Chizmar, Clark, Clough, Collins, Colwell, Cote, Cowger, Crabtree, Cummings, Daigle, Desmond, Dorr, Dudley, Dugay, Duncan, Dunlap, Duplessie, Estes, Etnier, Fisher, Foster, Fuller, Gagne, Gerzofsky, Glynn, Goodwin, Gooley, Green, Hall, Hatch, Heidrich, Honey, Hutton, Jacobs, Jodrey, Kane, Koffman, Labrecque, Landry, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lundeen, Mailhot, Marley, Marrache, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McLaughlin, McNeil, Michael, Michaud, Mitchell, Murphy E, Muse C, Nass, Norbert, Norton, O'Brien LL, Paradis, Patrick, Peavey, Perkins, Pineau, Pinkham, Povich, Quint, Richard, Richardson, Rines, Rosen, Savage, Simpson, Smith, Snowe-Mello, Stanley, Sullivan, Tarazewich, Thomas, Tobin D, Tracy, Trahan, Treadwell, Tuttle, Twomey, Usher, Volenik, Watson, Weston, Wheeler EM, Wheeler GJ, Winsor, Young, Mr. Speaker.

NAY - Andrews, Belanger, Buck, Bumps, Chase, Cressey, Davis, Duprey, Haskell, Kasprzak, MacDougall, Madore,

McKenney, Morrison, Muse K, Nutting, O'Brien JA, Schneider, Sherman, Shields, Stedman, Waterhouse.

ABSENT - Bowles, Hawes, Jones, Lovett, Mendros, Murphy T, O'Neil, Perry, Skoglund, Tessier, Tobin J.

Yes, 118; No, 22; Absent, 11; Excused, 0.

118 having voted in the affirmative and 22 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.

**SENATE PAPERS**

**Non-Concurrent Matter**

An Act to Amend the State's Overtime Law

(S.P. 314) (L.D. 1082)

(S. "A" S-137 to C. "A" S-114)

**PASSED TO BE ENACTED** in the House on May 14, 2001.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-323)** in **NON-CONCURRENCE**.

On motion of Representative **BUNKER** of Kossuth Township, the House voted to **RECEDE AND CONCUR**.

**UNFINISHED BUSINESS**

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

An Act to Facilitate the Implementation of the Enhanced 9-1-1 Emergency System

(H.P. 1098) (L.D. 1467)

(C. "A" H-442)

- In House, **PASSED TO BE ENACTED** on May 17, 2001.

- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-442) AS AMENDED BY SENATE AMENDMENT "A" (S-315)** thereto and **SENATE AMENDMENTS "A" (S-252), "B" (S-292) AND "C" (S-306)** in **NON-CONCURRENCE**.

TABLED - June 5, 2001 (Till Later Today) by Representative **COLWELL** of Gardiner.

PENDING - **FURTHER CONSIDERATION**.

On motion of Representative **GOODWIN** of Pembroke, the House voted to **RECEDE**.

The same Representative presented **House Amendment "A" (H-687)** to **Committee Amendment "A" (H-442)** which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Pembroke, Representative Goodwin.

Representative **GOODWIN**: Mr. Speaker, Men and Women of the House. This amendment just establishes accountability. The bureau came forward with a surcharge, which has been corrected. The committee did not accept it. We have also amended the bill to include privacy rights in allowing any county to opt in or out of municipalities. That amendment takes us through a full scale review in one year with the Utility and Energy Committee and a drop back to 32 cents after the first full session of the 121<sup>st</sup> Legislature. I would hope that the body would accept the amendment. I thank the committee.

**House Amendment "A" (H-687) to Committee Amendment "A" (H-442) was ADOPTED.**

**Committee Amendment "A" (H-442) as Amended by House Amendment "A" (H-687) thereto was ADOPTED.**