

# 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

There being no objection, the House Papers were **ADOPTED, PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence. **ORDERED SENT FORTHWITH.**

**CONSENT CALENDAR**

**First Day**

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

(H.P. 951) (L.D. 1297) Bill "An Act To Amend the Subdivision Laws" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-330)**

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. **ORDERED SENT FORTHWITH.**

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

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (S-85)** - Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Prevent Abuse of Elephants"

(S.P. 109) (L.D. 327)

Which was **TABLED** by Representative McKEE of Wayne pending her motion to **ACCEPT** the Minority **Ought to Pass as Amended** Report.

Subsequently, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

On motion of Representative WHEELER of Kittery, the House **RECONSIDERED** its action whereby the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought to Pass as Amended** Report.

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 Wayne, Representative McKEe.

Representative **McKEE**: Mr. Speaker, Men and Women of the House. In order for us to go on to the Senate Amendment, I would urge you to pass the Minority Ought to Pass as Amended Report so that we can get to that action of compromise. Thank you.

Although I cannot speak of the Senate Amendment, I think you have your notebooks and you can certainly look it up. We have talked about this this morning. Right now, in order to get to that Senate Amendment of compromise, which we have talked about, we must go ahead and pass this in order to do it. Action in the amendment will get rid of this. I hope that is clear.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 90**

**YEA** - Adams, Annis, Austin, Barstow, Bennett, Berry, Blanchette, Bliss, Bowen, Bowles, Brannigan, Breault, Brown R, Browne W, Bruno, Bull, Bunker, Canavan, Courtney, Cowger, Craven, Cummings, Daigle, Davis, Dudley, Duplessie, Duprey B, Earle, Eder, Faircloth, Finch, Fischer, Fletcher, Gagne-Friel,

Gerzofsky, Glynn, Grose, Hatch, Jackson, Kaelin, Ketterer, Koffman, Ledwin, Lemoine, Lerman, Lessard, Lundeen, Mailhot, Makas, Marley, McCormick, McGlocklin, McKee, McLaughlin, McNeil, Mills J, Mills S, Moody, Moore, Murphy, Norbert, Norton, O'Brien J, O'Brien L, O'Neil, Paradis, Patrick, Perry A, Pineau, Pingree, Piotti, Rector, Richardson J, Richardson M, Rines, Rosen, Saviello, Simpson, Sukeforth, Sullivan, Suslovic, Tardy, Thomas, Thompson, Trahan, Twomey, Walcott, Watson, Woodbury, Young, Mr. Speaker.

**NAY** - Andrews, Ash, Berube, Bryant-Deschenes, Campbell, Carr, Churchill E, Churchill J, Clark, Clough, Collins, Cressey, Crosthwaite, Dunlap, Goodwin, Greeley, Heidrich, Honey, Hotham, Jacobsen, Jennings, Jodrey, Joy, Landry, McKenney, Millett, Nutting, Peavey-Haskell, Pellon, Percy, Richardson E, Rogers, Sampson, Sherman, Smith N, Smith W, Snowe-Mello, Stone, Sykes, Tobin D, Tobin J, Treadwell, Usher, Vaughan, Wheeler, Wotton.

**ABSENT** - Bierman, Curley, Dugay, Duprey G, Hutton, Kane, Laverriere-Boucher, Lewin, Maietta, Marraché, McGowan, Muse, Perry J, Shields.

Yes, 91; No, 46; Absent, 14; Excused, 0.

91 having voted in the affirmative and 46 voted in the negative, with 14 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-85)** was **READ** by the Clerk.

**Senate Amendment "A" (S-120)** to **Committee Amendment "A" (S-85)** was **READ** by the Clerk and **ADOPTED**.

**Committee Amendment "A" (S-85)** as **Amended by Senate Amendment "A" (S-120)** thereto was **ADOPTED**.

The Bill was assigned for **SECOND READING** Tuesday, May 13, 2003.

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

Bill "An Act To Provide Affordable Health Insurance to Small Businesses and Individuals and To Control Health Care Costs"

(H.P. 1187) (L.D. 1611)

Which was **TABLED** by Representative RICHARDSON of Brunswick pending **REFERENCE**. (Roll Call Ordered)

Subsequently, Representative MILLS of Cornville **WITHDREW** his **REQUEST** for a roll call.

The **SPEAKER**: The Chair recognizes the Representative from Cornville, Representative Mills.

Representative **MILLS**: Mr. Speaker, Men and Women of the House. I wish to withdraw my request for a roll call on reference of this bill and wish to say that I appreciate your efforts to generate a process by which the other members of the committees would be included in this very important legislation. Thank you very much.

Subsequently, the Bill was **REFERRED** to the Joint Select Committee on **HEALTH CARE REFORM**, ordered printed and sent for concurrence.

The Chair laid before the House the following item:

**RESOLUTION**, Proposing an Amendment to the Constitution of Maine to Preserve the Fund for a Healthy Maine

(H.P. 1188) (L.D. 1612)

Sponsored by Speaker COLWELL of Gardiner. (**GOVERNOR'S BILL**)

Cosponsored by Senator YOUNGBLOOD of Penobscot and Representatives: DUDLEY of Portland, MOODY of Manchester, PERRY of Calais, RICHARDSON of Brunswick, YOUNG of