

MAINE STATE LEGISLATURE

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

Volume II

First Regular Session

May 27, 2003 – June 14, 2003

First Special Session

August 21, 2003 – August 23, 2003

Second Regular Session

January 7, 2004 - January 30, 2004

Second Special Session

February 3, 2004 - April 7, 2004

Pages 777-1562

The Resolve was **PASSED TO BE ENGROSSED** as Amended by Committee Amendment "A" (S-182) as Amended by House Amendment "A" (H-553) thereto and House Amendment "A" (H-590) in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

Resolve, To Establish a Task Force Concerning Speech-language Pathologists (EMERGENCY)

(S.P. 330) (L.D. 989)

(H. "A" H-552 to C. "A" S-185)

TABLED - June 11, 2003 (Till Later Today) by Representative RICHARDSON of Brunswick.

PENDING - **FINAL PASSAGE.**

On motion of Representative DUPLESSIE of Westbrook, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Resolve was **PASSED TO BE ENGROSSED.**

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (S-185) as Amended by House Amendment "A" (H-552)** thereto was **ADOPTED.**

The same Representative **PRESENTED House Amendment "B" (H-591) to Committee Amendment "A" (S-185)** which was **READ** by the Clerk and **ADOPTED.**

Committee Amendment "A" (S-185) as Amended by House Amendment "A" (H-552) and House Amendment "B" (H-591) thereto was **ADOPTED.**

The Resolve was **PASSED TO BE ENGROSSED** as Amended by Committee Amendment "A" (S-185) as Amended by House Amendment "A" (H-552) and House Amendment "B" (H-591) thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

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

(C. "A" H-568)

TABLED - June 12, 2003 (Till Later Today) by Representative RICHARDSON of Brunswick.

PENDING - Motion of same Representative to **RECONSIDER** whereby the **RESOLUTION FAILED OF FINAL PASSAGE.**

Representative O'NEIL of Saco moved that the **RESOLUTION** and all accompanying papers be **COMMITTED** to the Joint Select Committee on **HEALTH CARE REFORM.**

Representative RICHARDSON of Brunswick **REQUESTED** a roll call on the motion to **COMMIT** the **RESOLUTION** and all accompanying papers to the Joint Select Committee on **HEALTH CARE REFORM.**

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 **Commit** the **Resolution** and all accompanying papers to the Joint Select Committee on **Health Care Reform.** All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 246

YEA - Adams, Ash, Barstow, Bennett, Blanchette, Bliss, Bowen, Brannigan, Breault, Bull, Bunker, Canavan, Clark, Cowger, Craven, Cummings, Dudley, Dunlap, Duplessie, Duprey G, Earle, Eder, Faircloth, Finch, Fischer, Gagne-Friel, Gerzofsky, Grose, Hatch, Jackson, Jennings, Kane, Ketterer, Koffman, Landry, Laverriere-Boucher, Lemoine, Lerman, Lessard, Lundeen, Mailhot, Makas, Marley, Marraché, McGowan, McKee, McLaughlin, McNeil, Mills J, Moody, Norbert, Norton, O'Brien L, O'Neil, Paradis, Patrick, Pellon, Percy, Perry J, Pineau, Pingree, Piotti, Rector, Richardson J, Rines, Sampson, Saviello, Simpson, Smith N, Smith W, Sullivan, Suslovic, Thomas, Thompson, Trahan, Twomey, Usher, Walcott, Watson, Wheeler, Woodbury, Wotton, Mr. Speaker.

NAY - Andrews, Annis, Austin, Berry, Berube, Bierman, Bowles, Brown R, Browne W, Bruno, Bryant-Deschenes, Campbell, Carr, Churchill E, Churchill J, Clough, Collins, Courtney, Cressey, Crosthwaite, Curley, Daigle, Duprey B, Fletcher, Glynn, Goodwin, Greeley, Heidrich, Honey, Hotham, Jacobsen, Jodrey, Kaelin, Ledwin, Lewin, Maietta, McCormick, McKenney, Millett, Mills S, Murphy, Muse, O'Brien J, Peavey-Haskell, Richardson E, Rogers, Rosen, Sherman, Shields, Snowe-Mello, Stone, Sukeforth, Sykes, Tardy, Tobin D, Tobin J, Treadwell, Vaughan, Young.

ABSENT - Davis, Dugay, Hutton, Joy, McGlocklin, Moore, Nutting, Perry A, Richardson M.

Yes, 83; No, 59; Absent, 9; Excused, 0.

83 having voted in the affirmative and 59 voted in the negative, with 9 being absent, and accordingly the Bill and all accompanying papers were **COMMITTED** to the Joint Select Committee on **HEALTH CARE REFORM** and sent for concurrence.

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

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

SENATE PAPERS
Non-Concurrent Matter

An Act To Provide Affordable Health Insurance to Small Businesses and Individuals and To Control Health Care Costs (EMERGENCY)

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

(C. "A" H-565)

FAILED of **PASSAGE TO BE ENACTED** in the House on June 12, 2003.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-565) AS AMENDED BY SENATE AMENDMENT "B" (S-288)** thereto in **NON-CONCURRENCE.**

Representative COLWELL of Gardiner moved that the House **RECEDE AND CONCUR.**

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

Representative **GLYNN:** Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to rise to point out a piece of information to the members of the House. I understand the first check for an installment of the \$116 million in aid for Maine that Senator Collins and President Bush secured as part of the Jobs for Growth Package legislation, that \$25 million in aid. It is coming to the State of Maine and part of that money will be used to fund the Dirigo. I thought that piece of information might be

valuable to the members voting. Mr. Speaker, I request the yeas and nays.

Representative GLYNN of South Portland **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

ROLL CALL NO. 247

YEA - Adams, Annis, Ash, Barstow, Bennett, Bierman, Blanchette, Bliss, Brannigan, Breault, Brown R, Browne W, Bruno, Bull, Bunker, Campbell, Canavan, Carr, Churchill E, Churchill J, Clark, Collins, Cowger, Craven, Cummings, Daigle, Dudley, Dugay, Dunlap, Duplessie, Duprey G, Earle, Eder, Faircloth, Finch, Fischer, Gagne-Friel, Gerzofsky, Glynn, Greeley, Grose, Hatch, Hotham, Jackson, Jennings, Jodrey, Kaelin, Kane, Ketterer, Koffman, Landry, Laverriere-Boucher, Lemoine, Lerman, Lessard, Lundeen, Maietta, Mailhot, Makas, Marley, Marraché, McCormick, McGowan, McKee, McLaughlin, Millett, Mills J, Mills S, Moody, Norbert, Norton, O'Brien L, O'Neil, Paradis, Patrick, Pellon, Percy, Perry J, Pineau, Pingree, Piotti, Richardson J, Rines, Rosen, Sampson, Saviello, Simpson, Smith N, Smith W, Sullivan, Suslovic, Sykes, Tardy, Thomas, Thompson, Trahan, Twomey, Usher, Walcott, Watson, Wheeler, Woodbury, Wotton, Young, Mr. Speaker.

NAY - Andrews, Austin, Berry, Berube, Bowen, Bowles, Bryant-Deschenes, Clough, Courtney, Cressey, Crosthwaite, Curley, Duprey B, Fletcher, Goodwin, Heidrich, Honey, Jacobsen, Ledwin, Lewin, McKenney, McNeil, Murphy, Muse, O'Brien J, Peavey-Haskell, Rector, Richardson E, Rogers, Sherman, Shields, Snowe-Mello, Stone, Sukeforth, Tobin D, Tobin J, Treadwell, Vaughan.

ABSENT - Davis, Hutton, Joy, McGlocklin, Moore, Nutting, Perry A, Richardson M.

Yes, 105; No, 38; Absent, 8; Excused, 0.

105 having voted in the affirmative and 38 voted in the negative, with 8 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

UNFINISHED BUSINESS

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

Resolve, To Establish the Committee To Study Compliance with Maine's Freedom of Access Laws (EMERGENCY)

(H.P. 797) (L.D. 1079)

(S. "A" S-280 to C. "A" H-326)

TABLED - June 13, 2003 (Till Later Today) by Representative RICHARDSON of Brunswick.

PENDING - FINAL PASSAGE. (Roll Call Ordered)

On motion of Representative KOFFMAN of Bar Harbor, the House **RECONSIDERED** its action whereby the Resolve was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-326) Amended by Senate Amendment "A" (S-280)** thereto was **ADOPTED**.

The same Representative **PRESENTED** House Amendment **"A" (H-592)** to **Committee Amendment "A" (H-326)** which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (H-326) as Amended by **House Amendment "A" (H-592)** and **Senate Amendment "A" (S-280)** thereto was **ADOPTED**.

The Resolve was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-326)** as Amended by **House Amendment "A" (H-592)** and **Senate Amendment "A" (S-280)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

Representative DUNLAP of Old Town assumed the Chair. The House was called to order by the Speaker Pro Tem.

SENATE PAPERS

Bill "An Act Concerning Illegal Introduction of Fish into Maine Waters" (EMERGENCY)

(S.P. 592) (L.D. 1635)

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

Came from the Senate, under suspension of the rules and **WITHOUT REFERENCE** to a Committee, the Bill **READ TWICE** and **PASSED TO BE ENGROSSED**.

Under suspension of the rules and **WITHOUT REFERENCE** to a Committee, the Bill was **READ TWICE** and **PASSED TO BE ENGROSSED** in concurrence. **ORDERED SENT FORTHWITH**.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Limit the Growth of Government Spending"

(S.P. 453) (L.D. 1383)

Signed:

Senators:

CATHCART of Penobscot
ROTUNDO of Androscoggin

Representatives:

BRANNIGAN of Portland
MAILHOT of Lewiston
COWGER of Hallowell
DUDLEY of Portland
PINGREE of North Haven
FAIRCLOTH of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-283)** on same Bill.

Signed:

Senator:

TURNER of Cumberland

Representatives:

ROSEN of Bucksport
MILLS of Cornville
O'BRIEN of Augusta
MILLETT of Waterford

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.