

# MAINE STATE LEGISLATURE

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**Legislative Record**  
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good chair of the committee, there is a provision in here to allow for the review of such documents by the local municipalities and legislative bodies. Currently on the books it is law enforcement agencies who are exempted from this freedom of information act. What this is is that it should be extended. Again, I really want to thank the committee for all their hard work. I just ask you to consider who it is we are here to represent and protect and what it is that is being sacrificed here. I say that exempting the security plans from terrorists is the higher call for us to do. I think there are good safeguards in here. I strongly encourage you support this reasonable measure to protect Maine's citizens.

The Chair ordered a division on the motion to **ACCEPT** the Majority **Ought to Pass as Amended Report**.

A vote of the House was taken. 82 voted in favor of the same and 18 against, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-1057)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1057)** and sent for concurrence.

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

#### **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.

Bill "An Act to Amend the Motor Vehicle Laws"

(H.P. 1406) (L.D. 1844)

- In House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-941) AND HOUSE AMENDMENT "A" (H-1009)** on March 26, 2002.

- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-941) AS AMENDED BY SENATE AMENDMENT "A" (S-524)** thereto in **NON-CONCURRENCE**.

**TABLED** - April 2, 2002 (Till Later Today) by Representative COLWELL of Gardiner.

**PENDING - FURTHER CONSIDERATION.**

Representative FISHER of Brewer moved that the House **RECEDE AND CONCUR**.

Representative WHEELER of Bridgewater **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**: The Chair recognizes the Representative from Bridgewater, Representative Wheeler.

Representative **WHEELER**: Mr. Speaker, Men and Women of the House. The other day we sat here and put an amendment on this bill that does several things. The thing that I was concerned about was the increase in fees for the sand and gravel people, truck weights and others who had to deal with overheight and overweight loads. On the low end it went from \$3 to \$6 and from the high end it went from \$15 to \$30. It brought in in the first year some \$279,000 and the second year it was about the same. You figure that out and there is a lot of people who are doing odd jobs around the State of Maine, your constituents and my constituents, that have to get these one-way permits. We voted the other day by a big margin, 80 to 60, to put the amendment

on. It went down to the other body and it was taken off. I would ask that you defeat the pending motion so that we can go on to Insist and Ask for a Committee of Conference. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Brewer, Representative Fisher.

Representative **FISHER**: Mr. Speaker, Men and Women of the House. I know that Committee of Conferences are not generally successful. Let me tell you some of the things that don't happen. Those of you who are concerned for the veterans, the \$5 fee on veterans plates will not be removed. The spouses of veterans who die lose their veterans plates. They will continue to lose their veterans plates. The Goodwill Auto Donation Program where folks who are indigent and trying to get back to work and get off the welfare rolls will be hindered by language in the present law. There are provisions for canceling driver's licenses will not be changed. Presently if you decide you are not able to drive anymore and surrender your driver's license, it is called a suspension, which looks bad on your records. Road exams for motorcycles will stay as they are instead of being improved by present language. Removal of social security numbers from non-driver's Ids will not occur. Many things will not occur.

The point that my good friend from Bridgewater mentioned, the special permits, he is right, there are a good number of people who use these special permits. Last year it was 35,000, which is an increase of 70 percent from fiscal years 95 to 99. The suggestion that these fees are excessive, well Vermont's fee is presently \$20, New York's fee \$40, Connecticut's fee \$23, Massachusetts has a \$15 fee, but the truck weight also must be registered at actual weight, New Hampshire, its rates are about the same as ours, but there is a \$2 fee for each additional 10,000 pounds. The Maine Overload Limit Fee generates about \$350,000, which barely pays for the cost of administering that fee. It does not pay for the cost of enforcement. It does not pay for the damage caused by these often grossly overweight trucks on the highway.

I would hope that you would not jeopardize all of the things in this bill by Adhering. I would hope that you would follow my light on the Recede and Concur motion. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Bridgewater, Representative Wheeler.

Representative **WHEELER**: Mr. Speaker, Men and Women of the House. I agree wholeheartedly with the good Representative from Brewer, Representative Fisher on the other items of this bill. That is exactly why we need a Committee of Conference to protect those issues. I think it is very important that we do not raise these fees on these people that are out there trying to make a living. We already hit this industry with other fines, tripling them in some cases and putting a burden on them is uncalled for. I wish that you would follow my light. Thank you.

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. 613**

**YEA** - Ash, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bull, Bunker, Canavan, Chick, Clark, Colwell, Cote, Cowger, Cummings, Desmond, Dudley, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Goodwin, Green, Hall, Hatch, Hawes, Hutton, Jacobs, Jones, Kane, Koffman, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Mailhot, Marley, Marrache, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McLaughlin, McNeil, Michaud, Mitchell, Norbert, Norton, O'Brien LL, O'Neil, Paradis, Patrick, Pineau, Povich, Richard, Richardson, Rines, Savage, Simpson, Smith,

Stanley, Sullivan, Tarazewich, Tessier, Thomas, Tuttle, Twomey, Usher, Volenik, Watson, Wheeler GJ, Mr. Speaker.

NAY - Andrews, Annis, Belanger, Berry DP, Bowles, Bruno, Bryant, Buck, Bumps, Carr, Chase, Chizmar, Clough, Collins, Cressey, Daigle, Davis, Duncan, Foster, Glynn, Gooley, Haskell, Heidrich, Honey, Jodrey, Kasprzak, Labrecque, Ledwin, Lovett, Lundeen, MacDougall, Madore, McKenney, Mendros, Michael, Murphy E, Murphy T, Nass, Nutting, O'Brien JA, Peavey, Perkins, Pinkham, Quint, Rosen, Schneider, Sherman, Shields, Skoglund, Snowe-Mello, Stedman, Tobin D, Tracy, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Winsor, Young.

ABSENT - Bagley, Baker, Crabtree, Dorr, Dugay, Duprey, Landry, Morrison, Muse C, Muse K, Perry, Tobin J.

Yes, 79; No, 60; Absent, 12; Excused, 0.

79 having voted in the affirmative and 60 voted in the negative, with 12 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

(H.P. 1577) (L.D. 2083)

TABLED - April 2, 2002 (Till Later Today) by Representative COLWELL of Gardiner.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-1071)**.

Subsequently, **Committee Amendment "A" (H-1071)** was **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1071)** and sent for concurrence.

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

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

#### SENATE PAPERS

##### Non-Concurrent Matter

Bill "An Act to Implement the Recommendations of the Workers' Compensation Board Governance Study"

(S.P. 789) (L.D. 2133)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **LABOR READ** and **ACCEPTED** in the House on April 2, 2002.

Came from the Senate with that Body having **ADHERED** to its former action whereby the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-486)** in **NON-CONCURRENCE**.

Representative BUNKER of Kossuth Township moved that the House **ADHERE**.

Representative TREADWELL of Carmel moved that the House **RECEDE AND CONCUR**.

The **SPEAKER**: The Chair recognizes the Representative from Kossuth Township, Representative Bunker.

Representative **BUNKER**: Mr. Speaker, Men and Women of the House. Last night at 9:00 or so we had the debate on this very bill. I would say that the debate we had last night is equivalent or equal to the issues that we are going to vote on here today. I would ask your same support that we had last night and vote down the Recede and Concur and move on to Adhere.

Representative COLWELL of Gardiner **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. 614

YEA - Andrews, Annis, Belanger, Berry DP, Bowles, Bruno, Buck, Bumps, Carr, Chase, Clough, Collins, Cressey, Daigle, Duncan, Foster, Glynn, Gooley, Haskell, Heidrich, Honey, Jodrey, Kasprzak, Labrecque, Ledwin, Lovett, MacDougall, Madore, Mayo, McKenney, McNeil, Mendros, Murphy E, Murphy T, Nass, Nutting, O'Brien JA, Peavey, Perkins, Pinkham, Rosen, Schneider, Sherman, Shields, Snowe-Mello, Stedman, Tessier, Tobin D, Trahan, Treadwell, Waterhouse, Weston, Wheeler EM, Winsor, Young.

NAY - Ash, Berry RL, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Cummings, Davis, Desmond, Dorr, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Goodwin, Green, Hall, Hatch, Hawes, Hutton, Jacobs, Jones, Kane, Koffman, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Lundeen, Mailhot, Marley, Marrache, Matthews, McDonough, McGlocklin, McKee, McLaughlin, Michael, Michaud, Mitchell, Norbert, Norton, O'Brien LL, O'Neil, Paradis, Patrick, Pineau, Povich, Quint, Richard, Richardson, Rines, Savage, Simpson, Skoglund, Smith, Stanley, Sullivan, Tarazewich, Thomas, Tracy, Tuttle, Twomey, Usher, Volenik, Watson, Wheeler GJ, Mr. Speaker.

ABSENT - Bagley, Baker, Crabtree, Dudley, Dugay, Duprey, Landry, McGowan, Morrison, Muse C, Muse K, Perry, Tobin J.

Yes, 55; No, 83; Absent, 13; Excused, 0.

55 having voted in the affirmative and 83 voted in the negative, with 13 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, the House voted to **ADHERE**.

#### Non-Concurrent Matter

Bill "An Act to Supplement Maine's Academic Attainment and to Retain Talent"

(H.P. 1655) (L.D. 2162)

- In House, **PASSED TO BE ENGROSSED AS AMENDED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1055)** on April 2, 2002.

- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1055)** on April 2, 2002 in concurrence.

- **RECALLED** from the Engrossing Department pursuant to Joint Order (S.P. 831)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1055) AS AMENDED BY SENATE AMENDMENT "A" (S-558)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.