

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twentieth Legislature
State of Maine

Volume 2

First Regular Session (Continued)
May 24, 2001 to June 22, 2001

First Confirmation Session
October 24, 2001

Second Confirmation Session
December 6, 2001

Second Regular Session
January 2, 2002 to April 1, 2002

Pages 912 - 1844

ROLL CALL (#105)

YEAS: Senators: BROMLEY, CATHCART, DAGGETT, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, LONGLEY, MARTIN, MCALEVEY, MILLS, NUTTING, O'GARA, PENDLETON, RAND, ROTUNDO, TREAT, THE PRESIDENT - MICHAEL H. MICHAUD

NAYS: Senators: BENNETT, CARPENTER, DAVIS, SAVAGE, SAWYER, SHOREY, SMALL, TURNER, WOODCOCK, YOUNGBLOOD

ABSENT: Senators: ABROMSON, MITCHELL

23 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 2 Senators being absent, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Increase Access to Health Care" H.P. 979 L.D. 1303

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-639)**.

Signed:

Senators:
LONGLEY of Waldo
MARTIN of Aroostook
TURNER of Cumberland

Representatives:
FULLER of Manchester
BROOKS of Winterport
DUDLEY of Portland
LAVERRIERE-BOUCHER of Biddeford
DUGAY of Cherryfield
KANE of Saco
O'BRIEN of Augusta

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-640)**.

Signed:

Representatives:
SHIELDS of Auburn
NUTTING of Oakland

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639)**.

Reports **READ**.

Senator **LONGLEY** of Waldo moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639)** Report, in concurrence.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Longley.

Senator **LONGLEY:** Thank you, Mr. President, colleagues in the Senate. Every once in a very great while we get a very great bill and this is a very great bill. It addresses health care needs of our constituents out there and I would highly recommend that you consider voting in support of this bill. There will be more that will be said I'm sure. I'm just here to say we're in the presence of greatness at this moment and I encourage your yes vote. Thank you.

On motion by Senator **LONGLEY** of Waldo, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-639) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639)**, in concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Joint Order

On motion by Senator **MARTIN** of Aroostook, the following Joint Order:

S.P. 644

ORDERED, the House concurring, that the Joint Standing Committee on Education and Cultural Affairs report out to the Senate, or return to the Senate, Bill, "An Act to Repeal the Requirement that School Employees be Fingerprinted," S.P. 322, L.D. 1090, by June 5, 2001.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you very much, Mr. President, members of the Senate. There's been a lot of discussion in the last couple of days about a bill which has come from the Education Committee and subsequently has 2 House amendments attached to it. The intent of the bill, as I saw it, was to get the information as to why personnel in the educational field were being denied or could be denied certification and the rumors as to how many personnel out there potentially are in violation of some laws and still teaching and perhaps some are abusers somewhere at someplace, sometime. The two amendments that were adopted in the other body, added to the bill, repeals the bill, repeals the law under which the bill was intended, and then, at the same time, said that the files achieved under this law thus far were also to be destroyed or returned. My concern about the way it was being done and being proposed by some, was that the repeal, in fact, potentially could take place, the files destroyed, and there would be some personnel out there with a record that would, at some point, be disclosed and should not be teaching the youth in this state. So there was and there is a bill in the Education Committee which deals with the very question of repeal. The intent of the Education Committee, as I understand it, was to hold off until they got the information from the bill that we have on the table and then next year probably deal with the repeal bill. But listening to the members of this body and the other body, where a number of people say we've got the votes to repeal, let's do it, I became concerned that if we're going to be doing this we ought to separate the issues. The first issue remains with the bill and let's find out what the facts are. Then, we return this bill which, in my recollection, was actually sponsored by the Senator from Piscataquis, Senator Davis, and bring it to the floor and let's vote on the issue up or down. Let's not confuse the issue by what has taken place. So the order calls for bringing the bill out of committee on Tuesday, which I believe is the day that the Senator from Penobscot, the chair of the Education Committee, will be back, so I've been told. Then we can, at that time, deal with the question of repeal in its proper light. So I hope that you will vote for the order.

Senator **MARTIN** of Aroostook requested a Roll Call.

On motion by Senator **DAGGETT** of Kennebec, **TABLED** until Later in Today's Session, pending motion by Senator **MARTIN** of Aroostook to **PASS**. (Roll Call Requested)

On motion by President Pro Tem **BENNETT** of Oxford, **ADJOURNED**, pursuant to the Joint Order, to Monday, June 4, 2001, at 10:00 in the morning.