

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

Volume III

Second Regular Session

March 7, 2002 – April 25, 2002

First Special Session

November 13, 2002 - November 14, 2002

Pages 1771-2574

Appendix
House Legislative Sentiments
Index

Resolves

Resolve, Regarding Legislative Review of Amendments to Chapter 127, Instructional Program, Assessment and Diploma Requirements, a Major Substantive Rule of the Department of Education

(H.P. 1633) (L.D. 2136)
(C. "A" H-954)

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

An Act to Address the Health Coverage Crisis for Maine's Small Businesses and Self-employed Persons

(H.P. 1324) (L.D. 1784)
(C. "A" H-970)

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

On motion of Representative COLWELL of Gardiner, was **SET ASIDE**.

The same Representative **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. 555

YEA - Andrews, Ash, Belanger, Berry DP, Berry RL, Blanchette, Bouffard, Bowles, Brannigan, Brooks, Bruno, Bryant, Buck, Bull, Bumps, Bunker, Canavan, Carr, Chase, Chick, Chizmar, Clark, Clough, Collins, Colwell, Cote, Cowger, Crabtree, Cresse, Cummings, Daigle, Davis, Desmond, Dorr, Dudley, Dugay, Duncan, Dunlap, Duplessie, Duprey, Estes, Etnier, Fisher, Foster, Fuller, Gagne, Gerzofsky, Glynn, Goodwin, Gooley, Green, Hall, Haskell, Hatch, Hawes, Heidrich, Honey, Hutton, Jacobs, Jodrey, Jones, Kane, Kasprzak, Koffman, Labrecque, Landry, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lundeen, MacDougall, Madore, Mailhot, Marley, Marrache, Mayo, McDonough, McGlocklin, McGowan, McKee, McKenney, McLaughlin, McNeil, Mendros, Michael, Michaud, Mitchell, Murphy E, Murphy T, Muse C, Muse K, Nass, Norbert, Norton, Nutting, O'Brien JA, O'Neil, Paradis, Patrick, Peavey, Perkins, Perry, Pineau, Pinkham, Quint, Richard, Richardson, Rines, Rosen, Savage, Schneider, Sherman, Shields, Simpson, Skoglund, Smith, Snowe-Mello, Stanley, Stedman, Sullivan, Tarazewich, Tessier, Thomas, Tobin D, Tobin J, Trahan, Treadwell, Tuttle, Twomey, Usher, Volenik, Waterhouse, Watson, Weston, Wheeler EM, Wheeler GJ, Winsor, Young, Mr. Speaker.

NAY - NONE.

ABSENT - Annis, Bagley, Baker, Bliss, Lovett, Matthews, Morrison, O'Brien LL, Povich, Tracy.

Yes, 141; No, 0; Absent, 10; Excused, 0.

141 having voted in the affirmative and 0 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act to Ensure the Safety of Maine Children While Riding in a Vehicle

(H.P. 1421) (L.D. 1867)
(C. "A" H-896)

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

On motion of Representative WATERHOUSE of Bridgton, was **SET ASIDE**.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. If you remember, this bill had to deal with child safety seats. The bill requires a child who weighs less than 40 pounds to be secured in a child safety seat. It also requires a child who weighs at least 40 pounds, but less than 80 pounds and who is less than eight years of age to be secured in any federally approved child restraint system when riding in a motor vehicle. It also says a child under 12 years of age or who weighs less than 100 pounds is required to be secured in the back seat of a vehicle if possible.

I will not go through all the arguments that we had, the pros and cons. Many of you had many calls from your constituents on this bill. This is your last chance to do the right thing. Mr. Speaker, I ask for the yeas and nays and hope that you will defeat this unnecessary and intrusive bill. Thank you.

The same Representative **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: The Chair recognizes the Representative from Poland, Representative Snowe-Mello.

Representative **SNOWE-MELLO**: Mr. Speaker, Honorable Members of the House. I also failed to stand up and debate this when it came around to us the first time. I really should have. I have kicked myself ever since for not debating this bill. I walked away feeling pretty terrible that we just passed a pretty incredibly bad bill. I am going to tell you why.

We voted on emotion and that is not the reason why we should be passing a bill in this House. We should be doing it with our thoughts and our minds. The reason that this is such a bad bill is because you have relatives that are coming into this state and they have flown in and they have to go out and they have to rent a car. They have to abide by this law also. That means that they have to run out and buy these booster seats. I think that is not really very friendly to tourists when we put this burden on them.

Another reason, I visited a couple of friends this weekend. They all had these booster seats. They know of this new law. They showed me that their child was in the weight that this bill refers to. That child sat in that booster seat and they closed it over them and they literally could not breath. Do we want to do this to our children? Another reason is it is faulty. The booster belt comes to your stomach right here when you are sitting down. If you have any kind of impact, you are going to fall over and you are not going to get the protection the child needs. I could really go on and on, but I am asking you to please think twice and do not support this bill.

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. 556

YEA - Andrews, Ash, Berry DP, Berry RL, Blanchette, Bouffard, Brannigan, Brooks, Bruno, Bull, Bumps, Canavan, Chick, Chizmar, Colwell, Cote, Cowger, Crabtree, Cummings, Davis, Desmond, Dorr, Dudley, Dugay, Duplessie, Duprey, Estes, Etnier, Fisher, Fuller, Gerzofsky, Glynn, Green, Hall, Hawes, Honey, Hutton, Jacobs, Jones, Kane, Koffman, Landry, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lundeen, Mailhot, Marley, Matthews, Mayo, McDonough,

McGowan, McKee, McLaughlin, McNeil, Michaud, Murphy E, Murphy T, Norbert, Norton, O'Brien JA, O'Neil, Paradis, Patrick, Perry, Pineau, Quint, Richard, Richardson, Rines, Simpson, Skoglund, Stanley, Sullivan, Tarazewich, Tessier, Thomas, Tobin D, Tobin J, Tuttle, Usher, Volenik, Weston, Wheeler GJ, Mr. Speaker.

NAY - Belanger, Bowles, Bryant, Buck, Bunker, Carr, Chase, Clark, Clough, Collins, Cressey, Daigle, Duncan, Dunlap, Foster, Gagne, Goodwin, Gooley, Haskell, Hatch, Heidrich, Jodrey, Kasprzak, Labrecque, MacDougall, Madore, Marrache, McGlocklin, McKenney, Mendros, Michael, Mitchell, Muse C, Muse K, Nass, Nutting, Peavey, Perkins, Pinkham, Rosen, Savage, Schneider, Sherman, Shields, Smith, Snowe-Mello, Stedman, Trahan, Treadwell, Waterhouse, Winsor, Young.

ABSENT - Annis, Bagley, Baker, Bliss, Lovett, Morrison, O'Brien LL, Povich, Tracy, Twomey, Watson, Wheeler EM.

Yes, 87; No, 52; Absent, 12; Excused, 0.

87 having voted in the affirmative and 52 voted in the negative, with 12 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

ORDERS

On motion of Representative MENDROS of Lewiston, the following Joint Resolution: (H.P. 1706) (Cosponsored by Representative: MATTHEWS of Winslow)

JOINT RESOLUTION COMMEMORATING MARCH 25TH AS GREEK INDEPENDENCE DAY

WHEREAS, on March 25, 1821, the Feast Day of the Annunciation, the Greek nation reclaimed its ancient heritage as the "Cradle of Democracy" by throwing off the yoke of oppression that had enslaved its people since the fall of Constantinople in 1453. Conquered by the Ottoman Turks in the 15th century, Greece waged a successful War of Independence, 1821-1829, and reinstated a democratic form of government; and

WHEREAS, it was the genius of Greece that first ignited the flame of freedom in the 6th and 5th centuries B.C., when Athens introduced the idea of direct representative government to the world, thus ushering in a Golden Age of art, architecture, philosophy and drama under such giants of Western history as Pericles, Sophocles, Euripides, Socrates, Pythagoras, Hippocrates and Plato; and

WHEREAS, from a historical perspective, Greece was the host to the first modern Olympic Games in 1896 and is the home to the Theological School of Halki, an educational institution for Orthodox Christian leadership; and

WHEREAS, Greece is only one of 3 nations in the world, beyond the former British Empire, that have been allied with our nation in every major international conflict in the last 100 years; and

WHEREAS, America's founders drew heavily upon the political experience and philosophy of ancient Greece in forming our representational democracy, and these and other ideals have forged a close bond between our 2 modern nations; and

WHEREAS, the State of Maine would like to join its thousands of residents of Greek ancestry who are justly proud of their Greek heritage to recognize Greek Independence Day as a gesture of goodwill and recognition of the close bond between our 2 nations and their people; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature now assembled in the Second Regular Session, on behalf of the people of the State of Maine, commemorate March 25th as Greek Independence Day as we all celebrate Greek and American democracy; and be it further

RESOLVED: That on this day of national celebration, we pause to applaud all of the efforts involved in the reopening of the Theological School of Halki and extend our best wishes to the citizens of Greece as they prepare for the return of the Olympic Games to Athens in the year 2004; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Ambassador of Greece to the United States in Washington, D.C. and to the Consulate General of Greece in Boston, Massachusetts, as a symbol of our recognition of Greek Independence Day.

READ.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Mendros.

Representative MENDROS: Mr. Speaker, Ladies and Gentlemen of the House. I watched the Olympics earlier this year in Salt Lake City. It reminded me of how proud I am to be an American of Greek descent. The Greeks come out first and then the host country, the Americans, coming out last. It certainly filled me with pride in both the homeland of my ancestors and my current homeland. I am thinking every time I come in here in the Legislature and I think of my ancestors in Greece who invented democracy and my ancestors here in American who perfected it. What a great union. Every one of us should be proud as legislators of the democracy and where it was invented and perfected.

I would also like to point out to all of you that starting this fall at the University of Southern Maine there is going to be a modern Greek program so that when you hear it is all Greek to you, well I hear that often and I always say, I wish, because then I could understand it. Greek is being offered at the University of Southern Maine and I urge you all to take it and then maybe you would understand what I was talking about when I give my long speeches.

Finally, on a serious note, this is the fourth year we have recognized Greek Independence Day. Every other year I was always proud to have my father come up and take part in it. Unfortunately this year he is no longer with our family, but I think it is something he taught me, a Greek expression that he would always say. Ya'Hara. I say it every year, but it means a little more this year. It is a Greek expression of fellowship, hello, goodbye. Ya'Hara means health and happiness. Really in life that is all you need. I say that to each of you sincerely. Ya'Hara.

ADOPTED.

Sent for concurrence.

ENACTORS

Emergency Measure

An Act to Conform Maine Tax Law to the Federal Mobile Telecommunications Sourcing Act

(S.P. 667) (L.D. 1871)

(C. "A" S-481)

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. 120 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.