

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Second Legislature

State of Maine

Daily Edition

Second Regular Session
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**STATE OF MAINE
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Thursday
January 5, 2006

Senate called to order by President Beth Edmonds of
Cumberland County.

Prayer by Pastor Edward Hatch of Palermo Christian Church.

PASTOR HATCH: I want to thank you for inviting me here. The last three years when I've come in January there has been a snowstorm every year. You might want to introduce a bill suggesting that Ed Hatch not be invited in the month of January ever, ever again. My wife said this would happen. Our annual business meeting is coming up next Wednesday and you might want to put in your calendar to see if it snows then because we always have a major snowstorm and have a hard time getting a quorum.

I thought I was late this morning, which obviously I was not, and I came at a rather quick rate of speed and forgot my notes and my little thing that says I'm a chaplain and can park in your spots. As I came here today, I came in a little faster than maybe conditions would have allowed. I have a real concern about that. In our church in Palermo we have a number of State Troopers who go to our church. As a matter of fact, on Easter Sunday they all came in their uniforms. A lady who was visiting, who is 90 years old, came up to the front. As they were driving home she said to the lady who brought her, 'Boy, the security at that church is pretty good.' My greatest fear is that one of them will pull me over sometime. I don't think they will give me a ticket; they might or they might not. It will make it very difficult for me to preach on Sunday against sin and all that type of stuff with them sitting in the back row with big grins on their faces, knowing that I'm probably the worse one in the whole church. It comes to be an issue of integrity. That is what I want to talk to you about momentarily.

Jesus said these words, 'What is the profit of man if he were to gain the whole world and lose his own soul?' In that passage he is talking specifically about the fact that he is encouraging people to trust him and to follow him. What it really speaks about is the tradeoff we make in life. In Jesus' view what happens for eternity is much more important than what happens in nature. I think about these tradeoffs that we have and I think that one of the things that Maine people are looking at from you folks is integrity in the decisions that you make. You, by nature, are people who compromise. Many of you have great ambitions.

One of the things that I have just thought about is that my wife and I don't agree on everything. She's usually right. We didn't agree on term limits. I think they are a bad idea, she thinks they are a great idea. As I thought about term limits I thought about one of the reasons why people are for term limits is there is a belief among many people that if you take time and add to that power that you are going to have people who will lose their integrity as they have power over a period of time. I think it is something that affects us all. I've been at the church for about 23

years and I find, in me, that I have to be very careful about this integrity issue because with that amount of time there comes greater responsibility.

I think, as we think about integrity, we need to ask ourselves what it is God wants us to do. Secondly, what is best for the people of Maine. Thirdly, we need to look at what is best for ourselves. It is my hope and prayer for you, as you make important decisions that will affect people such as myself and yourselves and your friends and your neighbors, that you will maintain your integrity and that you will have the courage to stand up and do what is right, even if there is a cost.

Let's bow for prayer. Our Heavenly Father, I thank You today for the privilege of coming before these people who have dedicated their time and energy and talents and abilities to work to help lead us here in the State of Maine. God, the decisions that they make every day effect our lives, whether economically or socially or in so many different ways. I thank You, God, for the work that they do and the effort they put in. It's my prayer, God, that You would show them right priorities and that when there comes the time of testing between being people of integrity or people who are not, that they would chose integrity and that You would give them the courage to do what is right. Lord, many of these people have pressures that are great, that are outside of what goes on within these chambers, whether in their families or personal lives or businesses. I just pray that You will give them the strength and the ability to sort these out so that what they do here will help us in the State of Maine and will glorify You. I ask that You would bless them and help them. In Jesus' name. Amen.

Reading of the Journal of Wednesday, January 4, 2006.

Out of order and under suspension of the Rules, on motion by Senator **BRENNAN** of Cumberland, the following Joint Order:
S.P. 745

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 10, 2006, at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Conserve Energy in Maine Homes"
H.P. 1346 L.D. 1905

Bill "An Act To Make Minor Technical Changes to Maine's
Spending Growth Benchmarks"
H.P. 1350 L.D. 1909

LEGISLATIVE RECORD - SENATE, THURSDAY, JANUARY 5, 2006

Bill "An Act To Provide Funding for Tribal Economic Development for the Penobscot Indian Nation and Other Federally Recognized Tribes" (EMERGENCY)

H.P. 1352 L.D. 1911

Bill "An Act To Increase Supervision of Red Tide on the Maine Coast" (EMERGENCY)

H.P. 1356 L.D. 1915

Bill "An Act To Provide an Energy Emergency Relief Fund To Provide Assistance for Home Heating Fuel Costs for Residents of This State, for Gasoline Costs for Service Providers and for Heating Fuel for Health Care Services Providers" (EMERGENCY)

H.P. 1363 L.D. 1940

Come from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Increase Wheelchair Van Services Reimbursement Rates"

H.P. 1355 L.D. 1914

Comes from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

On motion by Senator **ROTUNDO** of Androscoggin, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Amend the Laws Governing Real Estate Appraiser Licensing To Comply with Federal Law"

H.P. 1360 L.D. 1919

Comes from the House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

On motion by Senator **HOBBS** of York, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act To Establish Requirements and Standards for Health Savings Accounts for Small Businesses"

H.P. 1358 L.D. 1917

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **TAXATION**.

On motion by Senator **HOBBS** of York, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act Concerning Energy Conservation in Schools"

H.P. 1343 L.D. 1902

Bill "An Act To Restore the Cost-sharing Agreement Established by the Voters of Maine School Administrative District No. 40" (EMERGENCY)

H.P. 1344 L.D. 1903

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Amend the Law Regarding Smoking in Private Clubs" (EMERGENCY)

H.P. 1342 L.D. 1901

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **BRENNAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Increase the Number of Moose Permits

H.P. 1336 L.D. 1895

Bill "An Act To Make License Requirements and Rules Consistent for Young Anglers"

H.P. 1337 L.D. 1896

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **BRENNAN** of Cumberland, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act To Prevent Price Gouging"

H.P. 1333 L.D. 1892

Bill "An Act To Protect Businesses from Unnecessary Eminent Domain Takings" (EMERGENCY)

H.P. 1345 L.D. 1904

Bill "An Act To Enhance the Laws Prohibiting Profiteering on Fuel"

H.P. 1361 L.D. 1920

LEGISLATIVE RECORD - SENATE, THURSDAY, JANUARY 5, 2006

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **HOBBS** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act To Amend the Law Governing DNA Testing"
H.P. 1348 L.D. 1907

Comes from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Protect the Employment Rights of Military Reserve and National Guard Personnel"
H.P. 1339 L.D. 1898

Bill "An Act To Enable Local Adult Education Programs To Play a Greater Role in Helping Dislocated Workers"
H.P. 1362 L.D. 1921

Come from the House, **REFERRED** to the Committee on **LABOR** and ordered printed.

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed, in concurrence.

Bill "An Act To Allow Independent Wineries To Serve Wine at Trade Shows"
H.P. 1335 L.D. 1894

Bill "An Act To Allow the Display of POW-MIA Flags at Courthouses"
H.P. 1340 L.D. 1899

Bill "An Act To Allow the Importation of Wine"
H.P. 1341 L.D. 1900

Bill "An Act To Require That the Costs Associated with Enacting a Direct Initiative Appear on the Ballot"
H.P. 1357 L.D. 1916

Come from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Increase the Salary of the Governor"
H.P. 1349 L.D. 1908

RESOLUTION, Amending the Constitution of Maine To Lower the Age of Eligibility for Election to the House of Representatives
H.P. 1353 L.D. 1912

Bill "An Act To Create a Self-insurance Pool for Land Crossing State-owned Railroad Tracks"
H.P. 1359 L.D. 1918

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act To Adjust the Excise Tax Filing Schedule for Wine and Beer Producers"
H.P. 1334 L.D. 1893

Come from the House, **REFERRED** to the Committee on **TAXATION** and ordered printed.

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

Bill "An Act To Create Employment Opportunities for People with Disabilities"
H.P. 1351 L.D. 1910

Committee on **TAXATION** suggested and ordered printed.

Come from the House, **REFERRED** to the Committee on **LABOR**.

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed, in concurrence.

Bill "An Act To Safeguard Maine's Highways"
H.P. 1347 L.D. 1906

Come from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

Bill "An Act To Protect Maine's Electricity Consumers"
H.P. 1338 L.D. 1897

Bill "An Act To Designate the Department of Health and Human Services as the Sole Entity Entitled To Use the 2-1-1 Telephone Number"

H.P. 1354 L.D. 1913

Come from the House, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

On motion by Senator **BARTLETT** of Cumberland, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed, in concurrence.

**Pursuant to Statute
Commission on Governmental Ethics and Election Practices**

The **Commission on Governmental Ethics and Election Practices**, pursuant to the Maine Revised Statutes, Title 21-A, section 1124, subsection 3 asked leave to report that the accompanying Bill "An Act To Provide Funding for the Maine Clean Election Fund" (EMERGENCY)

H.P. 1364 L.D. 1941

Be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**, in concurrence.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 747

**122nd MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

January 3, 2006

Sen. Scott W. Cowger
Senate Chair, Joint Standing Committee on Natural Resources
Rep. Theodore S. Koffman
House Chair, Joint Standing Committee on Natural Resources
122nd Legislature
Augusta, ME 04333

Dear Senator Cowger and Representative Koffman:

Please be advised that Governor John E. Baldacci has nominated David Littell of Portland for appointment as the Commissioner of the Maine Department of Environmental Protection.

Pursuant to Title 38 M.R.S.A. Ch. 2 § 341-A, this nomination will require review by the Joint Standing Committee on Natural Resources.

Sincerely,

S/Beth Edmonds
President of the Senate

S/John Richardson
Speaker of the House

READ and **REFERRED** to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

The Following Communication: H.P. 1205

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

September 12, 2005

Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333-0002

Dear Clerk MacFarland:

Pursuant to my authority under House Rule 201.1 (l) (a), I have temporarily appointed Representative Benjamin F. Dudley of Portland as a member of the Joint Standing Committee on Taxation for the duration of the absence of Representative Raymond G. Pineau of Jay.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

S/John Richardson
Speaker of the House

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

The Following Communication: H.P. 1228

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 15, 2005

Hon. John Richardson
Speaker of the House
122nd Legislature

Hon. Beth Edmonds
President of the Senate
122nd Legislature

Dear Mr. Speaker and Madam President:

On December 14, 2005, 22 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 14, 2005, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Make Revisions to the Maine Revised Statutes Relating to Agriculture" (H.P. 1227) (L.D. 1720) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Public Law 2005, chapter 382, Part G.)

Appropriations and Financial Affairs

Bill "An Act To Provide Supplemental Funding for Mileage Reimbursement for Volunteers for the Meals on Wheels Programs" (EMERGENCY) (H.P. 1210) (L.D. 1703) (Sponsored by Representative CAMPBELL of Newfield) (Cosponsored by Senator COURTNEY of York and Representatives: BOWLES of Sanford, CRAVEN of Lewiston, LEWIN of Eliot, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: MARTIN of Aroostook, NASS of York, ROSEN of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Business, Research and Economic Development

Bill "An Act To Require That Automobile Extended Service Warranties Purchased by Maine Citizens Provide for Arbitration in the State" (H.P. 1212) (L.D. 1705) (Sponsored by Representative SHERMAN of Hodgdon) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Criminal Justice and Public Safety

Bill "An Act To Provide for the Issuance of a Bench Warrant upon Failure To Appear for a Hearing on Nonpayment of a County Jail Reimbursement Fee" (H.P. 1216) (L.D. 1709) (Sponsored by Representative CROSTHWAITE of Ellsworth) (Cosponsored by Senator RAYE of Washington and Representatives: COLLINS of

Wells, DUGAY of Cherryfield, TRAHAN of Waldoboro, Senators: COURTNEY of York, ROSEN of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require Presentence Investigations of All Persons Convicted of a Sex Offense" (H.P. 1223) (L.D. 1716) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

Bill "An Act To Create Mandatory Minimum Sentences for Persons Convicted of Certain Sex Offenses against Victims under 12 Years of Age" (H.P. 1224) (L.D. 1717) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

Bill "An Act To Increase from a Class D Crime to a Class C Crime Violation of Privacy if the Victim Is under 16 Years of Age" (H.P. 1225) (L.D. 1718) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

Health and Human Services

Resolve, To Ensure the Coordination and Effectiveness in the Provision of Outpatient and Medication Management Services under Maine's Noncategorical Waiver (H.P. 1208) (L.D. 1701) (Sponsored by Representative BRANNIGAN of Portland) (Cosponsored by Representative GLYNN of South Portland and Representatives: DUDLEY of Portland, LERMAN of Augusta, Senators: ROSEN of Hancock, ROTUNDO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Directing the Commissioner of Health and Human Services To Develop Strategies To Keep Senior Citizens Safe from Falls (H.P. 1214) (L.D. 1707) (Sponsored by Representative CAMPBELL of Newfield) (Cosponsored by Senator COURTNEY of York and Representatives: BOWLES of Sanford, CRAVEN of Lewiston, LEWIN of Eliot, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: MARTIN of Aroostook, NASS of York, ROSEN of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Inland Fisheries and Wildlife

Bill "An Act To Amend the Laws Governing the Archery Hunting Season" (H.P. 1211) (L.D. 1704) (Sponsored by Representative WHEELER of Kittery) (Cosponsored by Senator STRIMLING of Cumberland and Representatives: BABBIDGE of Kennebunk, CUMMINGS of Portland, DUPLESSIE of Westbrook, JENNINGS of Leeds, LUNDEEN of Mars Hill, Speaker RICHARDSON of Brunswick, THOMPSON of China, TUTTLE of Sanford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Labor

Bill "An Act To Improve Workplace Safety" (H.P. 1206) (L.D. 1699) (Sponsored by Representative FISCHER of Presque Isle) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing Employees of the Workers' Compensation Board" (H.P. 1222) (L.D. 1715) (Submitted by the Workers' Compensation Board pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11.)

Bill "An Act To Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2007" (EMERGENCY) (H.P. 1226) (L.D. 1719) (Submitted by the Maine State Retirement System pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13.)

Legal and Veterans Affairs

Bill "An Act To Protect Military Families" (EMERGENCY) (H.P. 1207) (L.D. 1700) (Sponsored by Representative FISCHER of Presque Isle) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

State and Local Government

Bill "An Act To Allow the Buckfield Village Corporation To Be Dissolved and Combined with the Town of Buckfield" (EMERGENCY) (H.P. 1215) (L.D. 1708) (Sponsored by Representative HANLEY of Paris) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Restore the Funding to the Fund for the Efficient Delivery of Local and Regional Services" (EMERGENCY) (H.P. 1219) (L.D. 1712) (Submitted by the Intergovernmental Advisory Commission pursuant to the Maine Revised Statutes, Title 30-A, section 2181, subsection 4, paragraph F.)

Resolve, To Direct the State Planning Office To Establish a Working Group To Standardize Accounting Standards at All Levels of Government (H.P. 1220) (L.D. 1713) (Submitted by the Intergovernmental Advisory Commission pursuant to the Maine Revised Statutes, Title 30-A, section 2181, subsection 4, paragraph F.)

Bill "An Act To Increase Staffing for the Intergovernmental Advisory Commission" (H.P. 1221) (L.D. 1714) (Submitted by the Intergovernmental Advisory Commission pursuant to Maine Revised Statutes Title, 30-A, section 2181, subsection 4, paragraph F.)

Taxation

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (H.P. 1217) (L.D. 1710) (Sponsored by Representative WOODBURY of Yarmouth) (Cosponsored by Senator PERRY of Penobscot and Representative: McCORMICK of West Gardiner) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Make Minor Substantive Changes to the Tax Laws" (H.P. 1218) (L.D. 1711) (Sponsored by Representative WOODBURY of Yarmouth) (Cosponsored by Senator PERRY of Penobscot and Representative: McCORMICK of West Gardiner) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Transportation

Bill "An Act To Increase Efficiency in Truck Hauling" (EMERGENCY) (H.P. 1209) (L.D. 1702) (Sponsored by Representative CARR of Lincoln) (Cosponsored by Senator RAYE of Washington and Representatives: JODREY of Bethel, LUNDEEN of Mars Hill, McKENNEY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Prohibit Parking in Access Aisles" (EMERGENCY) (H.P. 1213) (L.D. 1706) (Sponsored by Representative MARLEY of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

The Following Communication: H.P. 1331

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 29, 2005

Hon. John Richardson
Speaker of the House
122nd Legislature

Hon. Beth Edmonds
President of the Senate
122nd Legislature

Dear Mr. Speaker and Madam President:

On December 28, 2005, 102 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 28, 2005, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Allow the Use of Fallen Apples in Apple Cider" (H.P. 1281) (L.D. 1841) (Sponsored by Representative TWOMEY of Biddeford) (Cosponsored by Representative SAVIELLO of Wilton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend Certain Animal Health Laws" (H.P. 1293) (L.D. 1853) (Sponsored by Representative PIOTTI of Unity) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.)

Bill "An Act To Permit Supplemental Environmental Projects for Forest Practices Violations" (H.P. 1303) (L.D. 1863) (Sponsored by Representative FLOOD of Winthrop) (Cosponsored by Representatives: BRYANT of Windham, JODREY of Bethel, Senator: BRYANT of Oxford) (Submitted by the Department of Conservation pursuant to Joint Rule 204.)

Bill "An Act To Provide Forest Certification Cost-share Incentives to Forest Landowners and Licensed Foresters" (H.P. 1312) (L.D. 1872) (Sponsored by Representative PIOTTI of Unity) (Cosponsored by Representatives: BRYANT of Windham, MAREAN of Hollis, Senator: BRYANT of Oxford) (Submitted by the Department of Conservation pursuant to Joint Rule 204.)

Bill "An Act Amending the Animal Welfare Laws" (H.P. 1321) (L.D. 1881) (Sponsored by Representative PIOTTI of Unity) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.)

Bill "An Act To Make Revisions to the Laws Governing Pesticide Control" (H.P. 1330) (L.D. 1890) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Public Law 2005, chapter 382, Part G, section 1.)

Business, Research and Economic Development

Bill "An Act To Exempt Platform Lifts from the Annual Elevator Inspection" (H.P. 1255) (L.D. 1815) (Sponsored by Representative JACOBSEN of Waterboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Prescription Drug Labels" (H.P. 1267) (L.D. 1827) (Sponsored by Representative THOMPSON of China) (Cosponsored by Representatives: ADAMS of Portland, BRAUTIGAM of Falmouth, BURNS of Berwick, FAIRCLOTH of Bangor, GROSE of Woolwich, HOGAN of Old Orchard Beach, SCHATZ of Blue Hill, Senator: PERRY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Accommodate Victims of Identity Theft" (H.P. 1274) (L.D. 1834) (Sponsored by Representative GROSE of Woolwich) (Cosponsored by Representatives: BRYANT of Windham, CUMMINGS of Portland, DUNN of Bangor, Senator: BRYANT of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Consumers from Credit Card and Debit Card Holds" (H.P. 1275) (L.D. 1835) (Sponsored by Representative ASH of Belfast) (Cosponsored by Senator NUTTING of Androscoggin and Representatives: ADAMS of Portland, BRYANT of Windham, BURNS of Berwick, CAIN of Orono, CUMMINGS of Portland, DUNN of Bangor, FARRINGTON of Gorham, JACKSON of Fort Kent, LUNDEEN of Mars Hill, PINGREE of North Haven, THOMPSON of China, WALCOTT of Lewiston, Senators: BRYANT of Oxford, PERRY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Small Payroll Processors" (H.P. 1318) (L.D. 1878) (Sponsored by Representative ROBINSON of Raymond) (Cosponsored by Senator DIAMOND of Cumberland and Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford, CROSBY of Topsham, JACOBSEN of Waterboro, RECTOR of Thomaston, Senators: BROMLEY of Cumberland, DOW of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Criminal Justice and Public Safety

Resolve, Creating a Forensic Board To Manage the Release of Certain Sex Offenders (H.P. 1229) (L.D. 1721) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

Bill "An Act To Expand the List of Prior Crimes That May Be Considered When Determining Whether a Person Is a Repeat Sexual Assault Offender" (H.P. 1230) (L.D. 1722) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

Bill "An Act Regarding Criminal History Record Checks" (H.P. 1250) (L.D. 1810) (Sponsored by Representative DUNN of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Facilitate Inspections of Heating Appliances and Chimneys" (H.P. 1265) (L.D. 1825) (Sponsored by Representative THOMAS of Ripley) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow Law Enforcement Agencies To Maintain Public Sex Offender Registry Websites" (H.P. 1271) (L.D. 1831) (Sponsored by Representative CURLEY of Scarborough) (Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: DUNN of Bangor, HANLEY of Gardiner) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Inform and Protect the Public Regarding State Employees with Certain Criminal Records" (H.P. 1299) (L.D. 1859) (Sponsored by Representative SMITH of Monmouth) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BARSTOW of Gorham, PERCY of Phippsburg, RECTOR of Thomaston, Senators: DAMON of Hancock, SCHNEIDER of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve the Ability of the Department of Corrections To Share Information Related to Clients in Order To Improve Treatment and Rehabilitative Services" (H.P. 1301) (L.D. 1861) (Sponsored by Representative GROSE of Woolwich) (Cosponsored by Representatives: MILLER of Somerville, WEBSTER of Freeport) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act To Eliminate Administrative Preliminary Hearings for Probationers" (H.P. 1308) (L.D. 1868) (Sponsored by Representative PLUMMER of Windham) (Cosponsored by Representatives: GROSE of Woolwich, RECTOR of Thomaston, Senator: MAYO of Sagadahoc) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act To Enhance Firefighter Safety" (H.P. 1319) (L.D. 1879) (Sponsored by Representative DUPLESSIE of Westbrook) (Cosponsored by Senator BRYANT of Oxford and Representatives: BROWN of South Berwick, BRYANT of Windham, GERZOFKY of Brunswick, GROSE of Woolwich, HANLEY of Gardiner, MAZUREK of Rockland, PATRICK of Rumford, SMITH of Monmouth, TUTTLE of Sanford, Senators: BARTLETT of Cumberland, NASS of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve the Prisoner Telephone System" (EMERGENCY) (H.P. 1324) (L.D. 1884) (Sponsored by Representative BLANCHETTE of Bangor) (Cosponsored by Representative: RECTOR of Thomaston) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act To Amend the Laws Pertaining to the Department of Corrections" (H.P. 1326) (L.D. 1886) (Sponsored by Representative BLANCHETTE of Bangor) (Cosponsored by Senator MAYO of Sagadahoc and Representative: GROSE of Woolwich) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Education and Cultural Affairs

Bill "An Act To Establish the Penobscot Language Preservation Fund in the Department of Education" (EMERGENCY) (H.P. 1247) (L.D. 1807) (Sponsored by Representative SOCKALEXIS of the Penobscot Nation) (Cosponsored by Representative: BLANCHARD of Old Town) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow School Districts To Recover Certain Funds" (H.P. 1258) (L.D. 1818) (Sponsored by Representative RINES of Wiscasset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Authorize Flexibility in School Attendance Requirements in Emergencies" (EMERGENCY) (H.P. 1261) (L.D. 1821) (Sponsored by Representative MILLS of Farmington) (Cosponsored by Representative: NORTON of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Provisions Governing Technical Education" (H.P. 1266) (L.D. 1826) (Sponsored by Representative THOMAS of Ripley) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require Legislative Approval of Changes Made to the Educational Assessment Testing" (H.P. 1283) (L.D. 1843) (Sponsored by Representative SAVIELLO of Wilton) (Cosponsored by Representative CLARK of Millinocket and Representatives: Speaker RICHARDSON of Brunswick, TARDY of Newport, Senator: BRENNAN of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Relating to the Flanders Bay Community School District" (EMERGENCY) (H.P. 1291) (L.D. 1851) (Sponsored by Representative BIERMAN of Sorrento) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Elementary School Closing Process for School Administrative Districts and Community School Districts" (H.P. 1307) (L.D. 1867) (Sponsored by Representative STEDMAN of Hartland) (Cosponsored by Representative: FINCH of Fairfield) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Bill "An Act To Inform Parents of Students' Privacy Rights" (H.P. 1316) (L.D. 1876) (Sponsored by Representative FARRINGTON of Gorham) (Cosponsored by Senator BROMLEY of Cumberland and Representatives: ADAMS of Portland, BRAUTIGAM of Falmouth, HARLOW of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Health and Human Services

Bill "An Act To Streamline MaineCare Billing" (EMERGENCY) (H.P. 1248) (L.D. 1808) (Sponsored by Representative FISCHER of Presque Isle) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Strengthen and Improve Review Procedures in the Certificate of Need Program" (H.P. 1254) (L.D. 1814) (Sponsored by Representative MILLER of Somerville) (Cosponsored by Senator MAYO of Sagadahoc and Representative: PINGREE of North Haven, Senators: BRENNAN of Cumberland, MARTIN of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Accountability of Advanced Practice Registered Nurses" (H.P. 1279) (L.D. 1839) (Sponsored by Representative PERRY of Calais) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Maintain Prescription Drug Benefits for Senior Citizens and People with Disabilities" (EMERGENCY) (H.P. 1288) (L.D. 1848) (Sponsored by Representative PINGREE of North Haven) (Cosponsored by Representatives: ASH of Belfast, BRYANT of Windham, CAMPBELL of Newfield, CUMMINGS of Portland, GROSE of Woolwich, HARLOW of Portland, SCHATZ of Blue Hill, Senator: BRYANT of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing Permanency Guardians" (H.P. 1292) (L.D. 1852) (Sponsored by Representative PINGREE of North Haven) (Submitted by the Department of the Attorney General pursuant to Joint Rule 204.)

Bill "An Act To Expand the Alternative Aid Program" (H.P. 1294) (L.D. 1854) (Sponsored by Representative WEBSTER of Freeport) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: ASH of Belfast, BURNS of Berwick, PINGREE of North Haven, Senator: ROSEN of Hancock) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act To Improve Substance Abuse Rehabilitation Services" (H.P. 1315) (L.D. 1875) (Sponsored by Representative MILLETT of Waterford) (Cosponsored by Senator HASTINGS of Oxford and Representatives: HAMPER of Oxford, HANLEY of Paris) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Update Licensing and Certification Requirements for Child Care Facilities and Family Child Care Providers" (H.P. 1327) (L.D. 1887) (Sponsored by Representative PELLETIER-SIMPSON of Auburn) (Cosponsored by Senator MAYO of Sagadahoc and Senator: GAGNON of Kennebec) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Inland Fisheries and Wildlife

Bill "An Act To Control Alcohol in the Maine Woods" (H.P. 1232) (L.D. 1724) (Sponsored by Representative JOY of Crystal) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Enhance the Integrity of the Moose Lottery" (EMERGENCY) (H.P. 1233) (L.D. 1725) (Sponsored by Representative MOODY of Manchester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow Smelt Dipping in Long Lake in Aroostook County" (H.P. 1253) (L.D. 1813) (Sponsored by Representative SMITH of Van Buren) (Cosponsored by Senator MARTIN of Aroostook and Representative: PARADIS of Frenchville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Volunteer-earned Funds of the Maine Wildlife Park" (H.P. 1259) (L.D. 1819) (Sponsored by Representative AUSTIN of Gray) (Cosponsored by Senator TURNER of Cumberland and Representatives: BRYANT of Windham, CROSBY of Topsham, DUPLESSIE of Westbrook, HAMPER of Oxford, HANLEY of Paris, MILLETT of Waterford, O'BRIEN of Lewiston, RECTOR of Thomaston, ROBINSON of Raymond, SMITH of Monmouth, Senators: BROMLEY of Cumberland, DOW of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve Water Skiing Safety" (H.P. 1264) (L.D. 1824) (Sponsored by Representative FLETCHER of Winslow) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Prevent the Introduction of Chronic Wasting Disease" (EMERGENCY) (H.P. 1272) (L.D. 1832) (Sponsored by Representative WATSON of Bath) (Cosponsored by Senator PERRY of Penobscot and Representatives: HANLEY of Gardiner, JACKSON of Fort Kent, LUNDEEN of Mars Hill, MILLER of Somerville, MILLS of Farmington, MOODY of Manchester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect the Water Quality of Colcord Pond and Bickford Pond in Porter" (H.P. 1317) (L.D. 1877) (Sponsored by Representative MUSE of Fryeburg) (Cosponsored by Representatives: EBERLE of South Portland, KOFFMAN of Bar Harbor, Senator: SNOWE-MELLO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Insurance and Financial Services

Bill "An Act To Address Benefits for Employees and Officers of Credit Unions" (H.P. 1231) (L.D. 1723) (Sponsored by Representative PERRY of Calais) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BRAUTIGAM of Falmouth, LINDELL of Frankfort, PILON of Saco, RICHARDSON of Warren, VAUGHAN of Durham) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Increase Accessibility to Health Insurance" (H.P. 1242) (L.D. 1734) (Sponsored by Representative GLYNN of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Increase Access to Health Insurance Products" (H.P. 1285) (L.D. 1845) (Sponsored by Representative BRYANT of Windham) (Cosponsored by Senator BRYANT of Oxford and Representatives: DUPLESSIE of Westbrook, PATRICK of Rumford, PERRY of Calais) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Establish the Securities Investor Education and Training Fund" (H.P. 1295) (L.D. 1855) (Sponsored by Representative PERRY of Calais) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BOWLES of Sanford, PELLETIER-SIMPSON of Auburn, PILON of Saco, VAUGHAN of Durham) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Judiciary

Bill "An Act To Allocate Child Support Appropriately" (H.P. 1234) (L.D. 1726) (Sponsored by Representative FLOOD of Winthrop) (Cosponsored by Representative: FLETCHER of Winslow) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

LEGISLATIVE RECORD - SENATE, THURSDAY, JANUARY 5, 2006

Bill "An Act To Provide Adult Adoptees Access to Their Original Birth Certificates" (H.P. 1245) (L.D. 1805) (Sponsored by Representative DAVIS of Falmouth) (Cosponsored by Senator TURNER of Cumberland and Representatives: BRAUTIGAM of Falmouth, CUMMINGS of Portland, DAVIS of Augusta, FAIRCLOTH of Bangor, FLOOD of Winthrop, HAMPER of Oxford, TUTTLE of Sanford, Senator: SNOWE-MELLO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Regarding Child Custody Evaluations" (H.P. 1251) (L.D. 1811) (Sponsored by Representative DUNN of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Correct Deficiencies in the Divorce Laws" (H.P. 1252) (L.D. 1812) (Sponsored by Representative MILLS of Farmington) (Cosponsored by Representative: PELLETIER-SIMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Access to Social Security Numbers" (H.P. 1257) (L.D. 1817) (Sponsored by Representative HOTHAM of Dixfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Retirement Funds" (H.P. 1277) (L.D. 1837) (Sponsored by Representative SMITH of Van Buren) (Cosponsored by Senator MARTIN of Aroostook and Representative: PARADIS of Frenchville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing Living Wills of Terminally Ill Persons" (H.P. 1282) (L.D. 1842) (Sponsored by Representative GROSE of Woolwich) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Laws Governing Eminent Domain" (H.P. 1310) (L.D. 1870) (Sponsored by Representative PELLETIER-SIMPSON of Auburn) (Cosponsored by Representatives: FLETCHER of Winslow, JOY of Crystal, LINDELL of Frankfort, MAKAS of Lewiston, Senator TURNER of Cumberland and Representatives: BRYANT of Windham, CUMMINGS of Portland, DUNN of Bangor, SCHATZ of Blue Hill, Senators: BRYANT of Oxford, HOBBS of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Regarding Sexual Assault Forensic Examinations" (H.P. 1313) (L.D. 1873) (Sponsored by Representative PELLETIER-SIMPSON of Auburn) (Cosponsored by Representative: PINGREE of North Haven) (Submitted by the Department of the Attorney General pursuant to Joint Rule 204.)

Bill "An Act To Amend the Laws Relating to Corporations, Limited Partnerships, Limited Liability Companies and Limited Liability Partnerships" (H.P. 1314) (L.D. 1874) (Sponsored by Representative PELLETIER-SIMPSON of Auburn) (Cosponsored by Representative: Speaker RICHARDSON of Brunswick) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Protect Drivers' Privacy by Clarifying Ownership of Data Recorded by Motor Vehicle Data Recorders" (H.P. 1325) (L.D. 1885) (Sponsored by Representative PELLETIER-SIMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Labor

Bill "An Act To Clarify Maine State Retirement System Benefits for Certain Legislators" (H.P. 1246) (L.D. 1806) (Sponsored by Representative NORTON of Bangor) (Cosponsored by Representatives: BLANCHETTE of Bangor, DAVIS of Augusta, FINCH of Fairfield, PARADIS of Frenchville, Senator: MITCHELL of Kennebec) (Submitted by the Maine State Retirement System pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Unemployment Laws Relating to Subcontractors" (H.P. 1287) (L.D. 1847) (Sponsored by Representative MILLS of Farmington) (Cosponsored by Representative: MOODY of Manchester, Senators: BARTLETT of Cumberland, BROMLEY of Cumberland, President EDMONDS of Cumberland, SNOWE-MELLO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Change of Beneficiary Provision in the Maine State Retirement System Laws" (H.P. 1290) (L.D. 1850) (Sponsored by Representative MILLETT of Waterford) (Cosponsored by Representative: DUPREY of Hampden) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Legal and Veterans Affairs

Bill "An Act To Extend the Lobbyist Reporting Requirements to Executive Branch Lobbying Activities" (H.P. 1235) (L.D. 1727) (Sponsored by Representative CANAVAN of Waterville) (Cosponsored by President EDMONDS of Cumberland and Representatives: BRAUTIGAM of Falmouth, BRYANT of Windham, CUMMINGS of Portland, DUPLESSIE of Westbrook, Senator: SAVAGE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow Small Businesses To Participate in Liquor Sales" (H.P. 1260) (L.D. 1820) (Sponsored by Representative MILLS of Farmington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require the Commission on Governmental Ethics and Election Practices To Produce a Register of All Registered Lobbyists" (H.P. 1262) (L.D. 1822) (Sponsored by Representative CANAVAN of Waterville) (Cosponsored by Representative WEBSTER of Freeport and Representatives: BRYANT of Windham, CUMMINGS of Portland, DUPLESSIE of Westbrook, Senators: BRYANT of Oxford, MITCHELL of Kennebec, SAVAGE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Provisions of the Alcoholic Beverage Laws Regarding Promotions" (H.P. 1270) (L.D. 1830) (Sponsored by Representative PATRICK of Rumford) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: DUPLESSIE of Westbrook, HOTHAM of Dixfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Create Fairness in Liquor Licensing Fees" (H.P. 1278) (L.D. 1838) (Sponsored by Representative WEBSTER of Freeport) (Cosponsored by Representative PERCY of Phippsburg and Representative: PATRICK of Rumford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Liquor Laws" (H.P. 1323) (L.D. 1883) (Sponsored by Representative PATRICK of Rumford) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Amend the Election Laws" (EMERGENCY) (H.P. 1329) (L.D. 1889) (Sponsored by Representative FISHER of Brewer) (Cosponsored by Representatives: PATRICK of Rumford, Speaker RICHARDSON of Brunswick, TARDY of Newport) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Marine Resources

Bill "An Act To Improve Water Monitoring at Clam Flats" (EMERGENCY) (H.P. 1268) (L.D. 1828) (Sponsored by Representative EMERY of Cutler) (Cosponsored by Senator RAYE of Washington and Representatives: McFADDEN of Dennysville, PERRY of Calais) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Natural Resources

Bill "An Act To Promote Recycling of Cellular Telephones" (H.P. 1280) (L.D. 1840) (Sponsored by Representative BABBIDGE of Kennebunk) (Cosponsored by Representatives: BRYANT of Windham, CUMMINGS of Portland, EBERLE of South Portland, FAIRCLOTH of Bangor, HARLOW of Portland, PERRY of Calais, Senators: BRYANT of Oxford, SULLIVAN of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Concerning Certain Provisions Regarding Protection of Natural Resources Related to Activities in Coastal Areas" (H.P. 1300) (L.D. 1860) (Sponsored by Representative KOFFMAN of Bar Harbor) (Cosponsored by Representative: PERCY of Phippsburg, Senator: NASS of York) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Bill "An Act To Amend Certain Laws Administered by the Department of Environmental Protection" (H.P. 1328) (L.D. 1888) (Sponsored by Representative KOFFMAN of Bar Harbor) (Cosponsored by Senator COWGER of Kennebec) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

State and Local Government

Resolve, Directing the Cumberland County Commissioners To Establish a Task Force To Establish New County Commissioner Districts (H.P. 1236) (L.D. 1728) (Sponsored by Representative BARSTOW of Gorham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Enter into Long-term Ground Leases of Real Property and To Convey the Stone Buildings, the Administrative Building and the Center Building Formerly Occupied by the Augusta Mental Health Institute (H.P. 1241) (L.D. 1733) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Authorize Chebeague Island To Secede from the Town of Cumberland" (H.P. 1243) (L.D. 1735) (Sponsored by Representative McKENNEY of Cumberland) (Cosponsored by Senator DAMON of Hancock and Representatives: BARSTOW of Gorham, McKANE of Newcastle, PERCY of Phippsburg, PINGREE of North Haven, Senators: DOW of Lincoln, SAVAGE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Streamline Criteria for Municipal General Assistance for Heating and Utility Assistance" (H.P. 1286) (L.D. 1846) (Sponsored by Representative SCHATZ of Blue Hill) (Cosponsored by Senator DAMON of Hancock and Representatives: HOGAN of Old Orchard Beach, PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Expand Notification Requirements for Internal Control Inquiries Made by Nonstate Organizations" (H.P. 1302) (L.D. 1862) (Sponsored by Representative BARSTOW of Gorham) (Submitted by the Department of Audit pursuant to Joint Rule 204.)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located on State Highway 191 in East Machias; U.S. Route 1 in Thomaston; U.S. Route 2 in Skowhegan; Hospital Street in Augusta; and the Presumpscot River in Falmouth (H.P. 1304) (L.D. 1864) (Sponsored by Representative RECTOR of Thomaston) (Cosponsored by Senator SAVAGE of Knox and Representative: BOWEN of Rockport) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Time Period in Which Municipalities Must File Notices of Intent with the State for Purposes of Issuing Building Permits" (H.P. 1305) (L.D. 1865) (Sponsored by Representative BARSTOW of Gorham) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

LEGISLATIVE RECORD - SENATE, THURSDAY, JANUARY 5, 2006

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey the Department of Labor Building at 19 Union Street in Augusta (H.P. 1311) (L.D. 1871) (Sponsored by Representative BARSTOW of Gorham) (GOVERNOR'S BILL) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Promote Youth Involvement in County and Local Government" (H.P. 1320) (L.D. 1880) (Sponsored by Representative CAIN of Orono) (Cosponsored by Representatives: BRYANT of Windham, CUMMINGS of Portland, McFADDEN of Dennysville, MUSE of Fryeburg, PINGREE of North Haven, Senators: BARTLETT of Cumberland, BRYANT of Oxford, ROTUNDO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Expand the Auditing Powers of the Department of Audit and To Clarify the Confidentiality of Audit Working Papers and Information" (H.P. 1322) (L.D. 1882) (Sponsored by Representative BARSTOW of Gorham) (Cosponsored by Representatives: CUMMINGS of Portland, MUSE of Fryeburg, Senator: SCHNEIDER of Penobscot) (Submitted by the Department of Audit pursuant to Joint Rule 204.)

Taxation

Bill "An Act To Promote College Savings Accounts" (H.P. 1237) (L.D. 1729) (Sponsored by Representative DRISCOLL of Westbrook) (Cosponsored by Senator BARTLETT of Cumberland and Representative: DUPLESSIE of Westbrook, Senator: STRIMLING of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide Additional Property Tax Relief to Maine Citizens" (H.P. 1249) (L.D. 1809) (Sponsored by Representative CUMMINGS of Portland) (Cosponsored by Representatives: EBERLE of South Portland, LERMAN of Augusta, MILLER of Somerville, PERCY of Phippsburg, SMITH of Monmouth, Senators: BRYANT of Oxford, DAMON of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Exempt Vegetable Seeds for Home Gardens from the Sales Tax" (EMERGENCY) (H.P. 1263) (L.D. 1823) (Sponsored by Representative PIOTTI of Unity) (Cosponsored by Representatives: CARR of Lincoln, LUNDEEN of Mars Hill, SCHATZ of Blue Hill, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing the Assessment of Property Taxes in the Event of a Change of Ownership of the Property" (H.P. 1276) (L.D. 1836) (Sponsored by Representative CRAVEN of Lewiston) (Cosponsored by Representative PERRY of Calais, Senator ROTUNDO of Androscoggin and Representative: MOODY of Manchester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing the Excise Tax on New Automobiles" (H.P. 1284) (L.D. 1844) (Sponsored by Representative SCHATZ of Blue Hill) (Cosponsored by Speaker RICHARDSON of Brunswick and Representatives: HOGAN of Old Orchard Beach, PINGREE of North Haven, Senator: DAMON of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Conform the Maine Tax Laws for 2005 to the United States Internal Revenue Code" (EMERGENCY) (H.P. 1296) (L.D. 1856) (Sponsored by Representative WOODBURY of Yarmouth) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Clarify Municipal Valuations of Resort Property" (H.P. 1297) (L.D. 1857) (Sponsored by Representative DUPLESSIE of Westbrook) (Cosponsored by Representatives: CLOUGH of Scarborough, KOFFMAN of Bar Harbor, Senators: COURTNEY of York, DAMON of Hancock, MAYO of Sagadahoc, PERRY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Transportation

Bill "An Act To Ensure Business Equity in Commercial Vehicle Registration" (H.P. 1238) (L.D. 1730) (Sponsored by Representative BLANCHARD of Old Town) (Cosponsored by Senator PERRY of Penobscot and Representatives: CARR of Lincoln, DUCHESNE of Hudson, FISHER of Brewer, JACKSON of Fort Kent, ROSEN of Bucksport, Senator: SCHNEIDER of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require That New Road Construction or Repair Include Sidewalks or Bikeways or Both" (H.P. 1239) (L.D. 1731) (Sponsored by Representative CRAVEN of Lewiston) (Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: FAIRCLOTH of Bangor, O'BRIEN of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Real Estate Values Impaired by Railroad Operations" (H.P. 1240) (L.D. 1732) (Sponsored by Representative FINCH of Fairfield) (BY REQUEST) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Intent of the Law That Allows Retired Firefighters To Retain Their Firefighter License Plates" (EMERGENCY) (H.P. 1256) (L.D. 1816) (Sponsored by Representative JACKSON of Fort Kent) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Update the Charter of the Lewiston and Auburn Railroad Company" (H.P. 1289) (L.D. 1849) (Sponsored by Representative SAMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Motor Vehicle Laws" (H.P. 1306) (L.D. 1866) (Sponsored by Representative FISHER of Brewer) (Cosponsored by Senator DIAMOND of Cumberland and Representatives: BRYANT of Windham, DUPLESSIE of Westbrook, PATRICK of Rumford, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: BRYANT of Oxford, MAYO of Sagadahoc) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Allow Businesses To Place a Sign at the Topsham Mall Exit on Interstate 295" (H.P. 1309) (L.D. 1869) (Sponsored by Representative CROSBY of Topsham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Utilities and Energy

Bill "An Act To Amend the Charter of the Boothbay Harbor Sewer District" (EMERGENCY) (H.P. 1244) (L.D. 1736) (Sponsored by Representative BISHOP of Boothbay) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow for Access to Digital Phone Service for Customers in Rural Areas" (H.P. 1269) (L.D. 1829) (Sponsored by Representative ROBINSON of Raymond) (Cosponsored by Senator DIAMOND of Cumberland and Representatives: AUSTIN of Gray, CEBRA of Naples) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Change the Charter of the Saint Francis Water District" (H.P. 1273) (L.D. 1833) (Sponsored by Representative JACKSON of Fort Kent) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve Cell Phone Service in the State" (EMERGENCY) (H.P. 1298) (L.D. 1858) (Sponsored by Representative THOMAS of Ripley) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

SENATE PAPERS

Bill "An Act To Ensure the Continued Ability of the Maine Economic Growth Council To Produce the Measures of Growth Report"

S.P. 744 L.D. 1946

Sponsored by Senator BROMLEY of Cumberland.
Cosponsored by Representative RECTOR of Thomaston and Senators: DOW of Lincoln, HOBBS of York, Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford, O'BRIEN of Lewiston, SMITH of Monmouth.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Save the Marine Technology Center and Strengthen Maine's Boatbuilding Workforce"
S.P. 746 L.D. 1948

Sponsored by Senator RAYE of Washington.
Cosponsored by Representative EMERY of Cutler and Senators: ANDREWS of York, DAMON of Hancock, Representatives: DUGAY of Cherryfield, McFADDEN of Dennysville, McLEOD of Lee.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act Providing for Regulation of the Cable Television Industry by the Public Utilities Commission"
H.P. 156 L.D. 205

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
BARTLETT of Cumberland
COWGER of Kennebec

Representatives:
BLISS of South Portland
CURTIS of Madison
BRAUTIGAM of Falmouth
FLETCHER of Winslow
RICHARDSON of Skowhegan
McLEOD of Lee

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-727)**.

Signed:

Representative:
BABBIDGE of Kennebunk

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **BARTLETT** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Senate

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Amend the Maine Tree Growth Tax Law To Encourage Public Access"

S.P. 455 L.D. 1328

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
PERRY of Penobscot
COURTNEY of York
STRIMLING of Cumberland

Representatives:
HANLEY of Paris
McCORMICK of West Gardiner
WOODBURY of Yarmouth
CLOUGH of Scarborough
DUDLEY of Portland
HUTTON of Bowdoinham
SEAVEY of Kennebunkport
WATSON of Bath

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-429)**.

Signed:

Representative:
CLARK of Millinocket

Reports **READ**.

Senator **PERRY** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

Senate As Amended

Bill "An Act To Limit the Early Release of Persons Convicted of Certain Crimes"

S.P. 405 L.D. 1177
(C "A" S-428)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Protect Children from the Onset of Autism"
H.P. 1366 L.D. 1947

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **MAYO** of Sagadahoc, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Senator **SCHNEIDER** of Penobscot was granted unanimous consent to address the Senate off the Record.

On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, January 10, 2006, at 10:00 in the morning.