

# 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 Twenty-Fourth Legislature**  
**State of Maine**

**Volume I**

**First Regular Session**

December 3, 2008 – May 27, 2009

Pages 1-608

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
FIRST REGULAR SESSION  
8th Legislative Day  
Tuesday, February 3, 2009

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Robert Carlson, Penobscot Community Health Care, Bangor.

Pledge of Allegiance.

Doctor of the day, Barbara Moss, D.O., Manchester.

The Journal of Thursday, January 29, 2009 was read and approved.

---

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Protect the Safety of Maine Children by Requiring the Express Consent of a Legal Guardian To Dispense Prescription Medication to a Minor"

(H.P. 197) (L.D. 251)

**REFERRED** to the Committee on **JUDICIARY** in the House on January 27, 2009.

Came from the Senate **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

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

---

**COMMUNICATIONS**

The Following Communication: (H.C. 37)

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

January 30, 2009

Hon. Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Title 20-A, §12304 I am pleased to appoint the following Representatives to the Advisory Committee on Dental Education.

Representative Anne C. Perry of Calais

Representative Patricia Jones of Mount Vernon

If you have any questions regarding this appointment, please feel free to contact me.

Sincerely,

S/Hannah M. Pingree

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 38)

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

January 29, 2009

Hon. Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Title 7, §125, I am pleased to re-appoint Representative Wendy Pieh of Bremen to the Board of Agriculture.

If you have any questions regarding this appointment, please feel free to contact me.

Sincerely,

S/Hannah M. Pingree

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 39)

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

January 30, 2009

Hon. Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Title 10, §11, I am pleased to re-appoint Representative Jeffrey A. Gifford of Lincoln to the Citizen Trade Policy Commission.

If you have any questions regarding this appointment, please feel free to contact me.

Sincerely,

S/Hannah M. Pingree

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 40)

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

February 2, 2009

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 (I), I have temporarily appointed Representative David C. Burns of Whiting as ranking member of the Government Oversight Committee for the duration of the absence of Representative Everett W. McLeod of Lee.

Also pursuant to my authority under House Rule 201.1 (I), I have temporarily appointed Representative Philip A. Curtis of Madison as a member of the Government Oversight Committee.

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

Sincerely,

S/Hannah M. Pingree

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 36)

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
INTEGRATED ACCESS AND SUPPORT SERVICES  
268 WHITTEN ROAD  
11 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0011**

January 23, 2009

Hon. Joy J. O'Brien

Secretary of the Senate

3 State House Station, Room 327

Augusta, Maine 04333-0003

Hon. Millicent M. MacFarland

Clerk of the House

2 State House Station, Room 300

Augusta, Maine 04333-0002

**Re: Child Support Enforcement License Revocation Report:  
January 1, 2007 through December 31, 2008**

Dear Secretary O'Brien and Clerk MacFarland,

In accordance with 19-A MRSA §2201(15) and §2202(12) the Department of Health and Human Services, Office of Integrated Access and Support, Division of Support Enforcement and Recovery (DSER) is responsible for reporting biennially to the Legislature and the Governor regarding the license revocation process. In 1993, the elements of the Report were formulated at the Legislative Session prior to the actual implementation of the process. Unfortunately, the information required by statute does not reflect how the law is applied today. The following License Revocation Report best reflects the actual process, and gives an accurate portrayal of how DSER uses this law, and the periodic results. Also attached hereto is a national study completed by the Office of the Inspector General regarding the effectiveness of several States' license revocation laws.

For Professional and Recreational Licenses:

Requirement #1:

The following is a Report of the number of support obligors identified as holding licenses subject to this section. DSER must precede all enforcement actions by sending a Notice of Debt to all non-custodial parents. The Notice of Debt confirms the amount of support ordered and unpaid balances owed; and it lists the various types of enforcement remedies available to DSER to compel compliance with child support collections. For the reporting period ending December 31, 2008, DSER had an obligated caseload of 60,266. All of these cases become immediately eligible for license revocation if all steps have been unsuccessful to collect support, and there have been no payments in the last 60 days. DSER does not identify individual licenses that are held, but rather contacts all licensing agencies within Maine asking that all licenses held by non-paying non-custodial parents be suspended.

Requirement #2:

The following is a Report of the number of support obligors identified by the Department who are not in compliance with an order for support. During this reporting period, DSER suspended 16,305 professional business and recreational licenses of individuals who were not in compliance with their orders for support. Each case is reviewed individually to make certain it meets the requirements for suspension as provided by statute.

Requirement #3:

The following is a Report of the number of enforcement actions taken by the Department and the results of those enforcement actions. DSER records show 16,305 professional business and recreational licenses were suspended by licensing agencies in Maine. At the request of DSER 10,251 licenses were reinstated as a result of payment agreements entered into by non-custodial parents. It is important to note that future noncompliance with a

payment agreement may result in immediate suspension of all licenses held by the nonpaying obligor.

For Drivers Licenses:

Requirement #1:

The following is a Report of the number of notices served upon obligors by the Department. DSER issued in excess of 12,214 Notices of Debt during this reporting period. This number combined with DSER's obligated caseload is now the eligible caseload for drivers' licenses suspension. More than 7,751 drivers' licenses were suspended as a result of actions by DSER during this reporting period.

Requirement #2:

The following is a Report of the number of obligors served notice under this section who requested a hearing. DSER and the Office of the Administrative Hearings do not track the specific type of hearing request received from non-custodial parents. A poll of regional staff handling these hearings estimate less than 100 hearings were scheduled statewide to address this issue.

Requirement #3:

The following is a Report of the number of hearings held under this section, the results of the hearings, and the number of cases settled without the need for a hearing. DSER estimates that 50 of the scheduled hearings were settled prior to or during the administrative hearing, and the majority of the remainder were abandoned by the non-custodial parents. Several obligors were able to demonstrate circumstances that would warrant reinstatement of suspended licenses. Additionally, 4,907 suspension proceedings were settled shortly after certification, and statements of compliance were issued to the Bureau of Motor Vehicles as a direct result of payment agreements obtained by DSER.

Requirement #4:

The following is a Report of the number of support obligations certified to the Secretary of State for noncompliance with an order for support. 7,751 obligors were certified to the Secretary of State from January 1, 2007 through December 31, 2008 for noncompliance with an order for support.

Requirement #5:

The following is a Report of the costs incurred in the implementation and enforcement of this section and the Department's actions. DSER estimates direct costs under this section to be less than \$100,000 from January 1, 2007 through December 31, 2008.

Thank you for the opportunity to report on this valuable child support enforcement remedy. Our hope is to work together to develop the most informative Report that illustrates the effectiveness of the license revocation process to the child support program.

Sincerely,

S/Stephen L. Hussey

Director

Division of Support Enforcement and Recovery

**READ and with accompanying papers ORDERED PLACED  
ON FILE.**

The Following Communication: (S.P. 92)

**STATE OF MAINE  
124TH MAINE LEGISLATURE**

January 28, 2009

Sen. Deborah L. Simpson

Senate Chair, Joint Standing Committee on State and Local Government

Rep. Stephen R. Beaudette

House Chair, Joint Standing Committee on State and Local Government

124th Legislature

Augusta, ME 04333

Dear Senator Simpson and Representative Beaudette:

Please be advised that Governor John E. Baldacci has nominated Christopher E. Howard of Standish for reappointment to the Governmental Facilities Authority.

Pursuant to Title 4 M.R.S.A. §1602, this nomination will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell

President of the Senate

S/Hannah M. Pingree

Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

**READ** and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

---

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bills and Resolves were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

**AGRICULTURE, CONSERVATION AND FORESTRY**

Bill "An Act To Create a Large Game Shooting Area in Piscataquis County"

(H.P. 252) (L.D. 316)

Sponsored by Representative TUTTLE of Sanford.

Cosponsored by Representatives: CROCKETT of Bethel, DAVIS of Sangerville, HANLEY of Gardiner, JOHNSON of Greenville, Senator: SMITH of Piscataquis.

---

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act To Authorize a General Fund Bond Issue for Repairs to Traditional Meetinghouses"

(H.P. 220) (L.D. 280)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Senator DAMON of Hancock and Representatives: GIFFORD of Lincoln, SUTHERLAND of Chapman.

Bill "An Act To Renovate and Expand the Boat Launch on Long Lake in St. Agatha"

(H.P. 241) (L.D. 305)

Sponsored by Representative THERIAULT of Madawaska.

Cosponsored by Senator JACKSON of Aroostook and Representatives: CLARK of Millinocket, CLEARY of Houlton, DILL of Cape Elizabeth, WALSH INNES of Yarmouth, MARTIN of Eagle Lake, SHAW of Standish, WHEELER of Kittery, Senator: BRYANT of Oxford.

Bill "An Act To Facilitate Repairs to the Saco River Retaining Wall"

(H.P. 253) (L.D. 317)

Sponsored by Representative BEAUDETTE of Biddeford.

Cosponsored by Senator SULLIVAN of York and Representatives: BEAUDOIN of Biddeford, CASAVANT of Biddeford, CROCKETT of Augusta, VALENTINO of Saco, Senators: HOBBS of York, MARRACHÉ of Kennebec.

---

Bill "An Act To Amend the Laws Governing the Fund for the Efficient Delivery of Local and Regional Services"

(H.P. 219) (L.D. 279)

Sponsored by Representative HAYES of Buckfield.

Cosponsored by Representative: JOY of Crystal.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

On motion of Representative CAIN of Orono, the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, ordered printed and sent for concurrence.

---

**BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**

Bill "An Act To Amend the Licensing Requirements for Speech-language Pathology Assistants" (EMERGENCY)

(H.P. 221) (L.D. 281)

Sponsored by Representative FLOOD of Winthrop.

Cosponsored by Senator GOOLEY of Franklin.

Bill "An Act To Amend the Laws Governing Payment for Prearranged Funeral Services"

(H.P. 243) (L.D. 307)

Sponsored by Representative VALENTINO of Saco.

Cosponsored by Representatives: BEAUDOIN of Biddeford, CONNOR of Kennebunk.

---

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Bill "An Act Regarding the Requirement That the Treatment of a Gunshot Wound Be Reported"

(H.P. 222) (L.D. 282)

Sponsored by Representative DAVIS of Sangerville.

Resolve, Regarding the Cost of Telephone Calls Made by Incarcerated Persons

(H.P. 223) (L.D. 283)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representatives: ADAMS of Portland, EATON of Sullivan.

Bill "An Act Regarding the Period of Time for Which an Incarcerated Person Is Eligible To Earn Good Time"

(H.P. 224) (L.D. 284)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Senator: DAMON of Hancock.

---

**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act To Amend the Laws Governing the Consolidation of School Administrative Units To Delay All Penalties for 2 Years"

(H.P. 225) (L.D. 285)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: CLARK of Millinocket, GIFFORD of Lincoln.

Bill "An Act Regarding Rockport College" (EMERGENCY)

(H.P. 254) (L.D. 318)

Sponsored by Representative WELSH of Rockport.

Cosponsored by Senator RECTOR of Knox and Representatives: EATON of Sullivan, KRUGER of Thomaston, MAZUREK of

Rockland, MILLER of Somerville, O'BRIEN of Lincolnville, Speaker PINGREE of North Haven, RICHARDSON of Warren.

**HEALTH AND HUMAN SERVICES**

Resolve, Directing the Department of Health and Human Services and the Department of Agriculture, Food and Rural Resources To Develop a Plan To Facilitate the Procurement of Local Produce by Food Stamp Recipients

(H.P. 251) (L.D. 315)

Sponsored by Representative LANGLEY of Ellsworth. Cosponsored by Senator SHERMAN of Aroostook and Representatives: CLARK of Easton, EATON of Sullivan, SCHATZ of Blue Hill.

Bill "An Act To Track the Prevalence of Childhood Obesity in Maine"

(H.P. 255) (L.D. 319)

Sponsored by Representative RANKIN of Hiram. Cosponsored by Senator ALFOND of Cumberland and Representatives: BEAUDOIN of Biddeford, BRIGGS of Mexico, CAIN of Orono, HAYES of Buckfield, PEOPLES of Westbrook, PETERSON of Rumford, Speaker PINGREE of North Haven, SANBORN of Gorham.

Resolve, Regarding the Use of MaineCare for Catastrophic Illness

(H.P. 256) (L.D. 320)

Sponsored by Representative TUTTLE of Sanford. Bill "An Act To Impose a State Residency Requirement for Eligibility for General Assistance"

(H.P. 257) (L.D. 321)

Sponsored by Representative KNIGHT of Livermore Falls. Cosponsored by Representative CRAFTS of Lisbon, Senator TRAHAN of Lincoln and Representatives: BROWNE of Vassalboro, CHASE of Wells, FINCH of Fairfield, GILES of Belfast, HANLEY of Gardiner, SHAW of Standish, SIROIS of Turner, THIBODEAU of Winterport.

Bill "An Act To Clarify the Prohibition on Payment for Health Care Facility Mistakes or Preventable Adverse Events"

(H.P. 258) (L.D. 322)

Sponsored by Representative CROCKETT of Augusta. Cosponsored by Senator BOWMAN of York and Representatives: BLANCHARD of Old Town, JONES of Mount Vernon, MILLER of Somerville, PERRY of Calais, PRIEST of Brunswick, WHEELER of Kittery, Senators: RAYE of Washington, SIMPSON of Androscoggin.

**INLAND FISHERIES AND WILDLIFE**

Bill "An Act To Encourage Young Hunters by Providing Them with Complimentary Licenses and Permits"

(H.P. 226) (L.D. 286)

Sponsored by Representative DAVIS of Sangerville. Cosponsored by Senator TRAHAN of Lincoln and Representatives: BURNS of Whiting, CLARK of Millinocket, CROCKETT of Bethel, HANLEY of Gardiner, HASKELL of Portland, JOHNSON of Greenville, SAVIELLO of Wilton, SHAW of Standish.

Bill "An Act To Survey Anglers Annually"

(H.P. 227) (L.D. 287)

Sponsored by Representative SAVIELLO of Wilton. Cosponsored by Representatives: AYOTTE of Caswell, CRAY of Palmyra, DAVIS of Sangerville, GIFFORD of Lincoln, HANLEY of Gardiner, JOY of Crystal, McFADDEN of Dennysville.

Bill "An Act To Expand Super Pack License Opportunities"

(H.P. 228) (L.D. 288)

Sponsored by Representative HANLEY of Gardiner. Cosponsored by Senator JACKSON of Aroostook and Representatives: AYOTTE of Caswell, CRAY of Palmyra, DAVIS of Sangerville, GIFFORD of Lincoln, JOY of Crystal, McFADDEN of Dennysville, SAVIELLO of Wilton, THIBODEAU of Winterport.

Bill "An Act To Require Boating Safety Education"

(H.P. 229) (L.D. 289)

Sponsored by Representative WATSON of Bath. Cosponsored by Senator PERRY of Penobscot and Representatives: DUCHESNE of Hudson, EBERLE of South Portland, PERCY of Phippsburg, WEBSTER of Freeport, WHEELER of Kittery, WRIGHT of Berwick.

Bill "An Act To Clarify Standards by Which Game Wardens May Stop All-terrain Vehicles"

(H.P. 244) (L.D. 308)

Sponsored by Representative MARTIN of Eagle Lake. Cosponsored by Senator BRYANT of Oxford and Representatives: CLARK of Millinocket, TARDY of Newport, Senators: DIAMOND of Cumberland, JACKSON of Aroostook.

**INSURANCE AND FINANCIAL SERVICES**

Bill "An Act To Allow Maine Residents To Purchase Health Insurance from Out-of-state Insurers"

(H.P. 230) (L.D. 290)

Sponsored by Representative McKANE of Newcastle. Cosponsored by Representatives: CROCKETT of Bethel, DAVIS of Sangerville, Senators: COURTNEY of York, DIAMOND of Cumberland, SMITH of Piscataquis, Senator MARRACHÉ of Kennebec and Representatives: BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, PILON of Saco, RICHARDSON of Warren, Senator: McCORMICK of Kennebec.

Bill "An Act To Improve Transparency in the Health Insurance Markets"

(H.P. 259) (L.D. 323)

Sponsored by Representative TREAT of Hallowell. Cosponsored by Senator BOWMAN of York and Representatives: FOSSEL of Alna, GOODE of Bangor, LEGG of Kennebunk, PRIEST of Brunswick, RICHARDSON of Warren. Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

**JUDICIARY**

Bill "An Act To Exempt Breast-feeding Mothers from Jury Duty"

(H.P. 231) (L.D. 291)

Sponsored by Representative WALSH INNES of Yarmouth. Cosponsored by Representatives: BEAUDOIN of Biddeford, BUTTERFIELD of Bangor, GOODE of Bangor, KNIGHT of Livermore Falls, MCCABE of Skowhegan, SHAW of Standish.

Bill "An Act To Allow Limited Information Sharing in Domestic Violence Cases"

(H.P. 260) (L.D. 324)

Sponsored by Representative HASKELL of Portland. Cosponsored by Senator SIMPSON of Androscoggin and Representatives: BLANCHARD of Old Town, CLARK of Millinocket, FLOOD of Winthrop, KNAPP of Gorham, PETERSON of Rumford, WATSON of Bath, WEBSTER of Freeport, Senator: JACKSON of Aroostook.

Bill "An Act To Allow the Request for and Granting of Permanent Protection from Abuse Orders"

(H.P. 262) (L.D. 326)

Sponsored by Representative CAMPBELL of Newfield.

Cosponsored by Senator CRAVEN of Androscoggin and Representatives: DILL of Cape Elizabeth, Speaker PINGREE of North Haven, ROSEN of Bucksport, ROTUNDO of Lewiston, STRANG BURGESS of Cumberland, TARDY of Newport, WEBSTER of Freeport, Senator: COURTNEY of York.

---

Resolve, To Direct the Emergency Medical Services' Board To Examine the Licensure Procedures for Emergency Medical Services Persons

(H.P. 245) (L.D. 309)

Sponsored by Representative TUTTLE of Sanford.

Cosponsored by Senator NASS of York and Representatives: CHASE of Wells, HILL of York.

Committee on **JUDICIARY** suggested.

On motion of Representative PRIEST of Brunswick, the Resolve was **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, ordered printed and sent for concurrence.

---

Bill "An Act To Authorize the Resentencing of Certain Prisoners Who Have Served Consecutive Sentences of 20 or More Years"

(H.P. 261) (L.D. 325)

Sponsored by Representative TUTTLE of Sanford.

Cosponsored by Senator ROSEN of Hancock and Representatives: BOLAND of Sanford, MacDONALD of Boothbay, MAGNAN of Stockton Springs, O'BRIEN of Lincolnville, Speaker PINGREE of North Haven, SCHATZ of Blue Hill, WEBSTER of Freeport, Senator: GERZOFKY of Cumberland.

Committee on **JUDICIARY** suggested.

On motion of Representative PRIEST of Brunswick, the Bill was **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, ordered printed and sent for concurrence.

---

### LABOR

Bill "An Act To Restore Equity to the Maine Public Employees Retirement System"

(H.P. 232) (L.D. 292)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Senator DAMON of Hancock and Representatives: CLARK of Millinocket, GIFFORD of Lincoln, HOGAN of Old Orchard Beach, SUTHERLAND of Chapman, THERIAULT of Madawaska.

---

### LEGAL AND VETERANS AFFAIRS

Bill "An Act To Provide Project Support for Veterans' Cemeteries"

(H.P. 233) (L.D. 293)

Sponsored by Representative EDGECOMB of Caribou.

Cosponsored by Senator DAVIS of Cumberland and Representatives: AYOTTE of Caswell, COTTA of China.

Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"

(H.P. 242) (L.D. 306)

Sponsored by Representative MAGNAN of Stockton Springs.

Cosponsored by Senator WESTON of Waldo and Representatives: GILBERT of Jay, JONES of Mount Vernon.

Bill "An Act Regarding Grassroots Lobbying"

(H.P. 246) (L.D. 310)

Sponsored by Representative TRINWARD of Waterville.

Cosponsored by Senator SULLIVAN of York and Representatives: BEAUDOIN of Biddeford, BOLAND of Sanford, CAREY of Lewiston, CROCKETT of Augusta, MORRISON of South Portland, RUSSELL of Portland, TUTTLE of Sanford.

Bill "An Act Concerning Late Rent Fee Charges in Residential Tenancies"

(H.P. 247) (L.D. 311)

Sponsored by Representative TUTTLE of Sanford.

Bill "An Act To Require Campaign Finance Reports of Independent Expenditures To Contain a Copy of an Advertisement"

(H.P. 248) (L.D. 312)

Sponsored by Representative MAGNAN of Stockton Springs.

Bill "An Act To Require Economic Research Organizations To Report Financial Matters to the Commission on Governmental Ethics and Election Practices"

(H.P. 264) (L.D. 328)

Sponsored by Representative TUTTLE of Sanford.

Bill "An Act To Increase the Prize Limit on Beano"

(H.P. 265) (L.D. 329)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Senator GOOLEY of Franklin and Representatives: CRAY of Palmyra, CROCKETT of Bethel, GIFFORD of Lincoln, HANLEY of Gardiner, JOY of Crystal, LEWIN of Eliot, THIBODEAU of Winterport, Senator: NUTTING of Androscoggin.

---

### MARINE RESOURCES

Bill "An Act To Require the Department of Marine Resources To Enforce Conditions in an Aquaculture Lease"

(H.P. 234) (L.D. 294)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representative: CLEARY of Houlton.

---

### NATURAL RESOURCES

Bill "An Act To Change the Classification of Certain Waters of the State"

(H.P. 266) (L.D. 330)

Sponsored by Representative EBERLE of South Portland.

Cosponsored by Senator SIMPSON of Androscoggin.

Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

---

### STATE AND LOCAL GOVERNMENT

Bill "An Act To Contract Out the State Single Audit"

(H.P. 235) (L.D. 295)

Sponsored by Representative McKANE of Newcastle.

Cosponsored by Senator COURTNEY of York and Representatives: COTTA of China, CRAY of Palmyra, GILES of Belfast, JOY of Crystal, MILLETT of Waterford, ROBINSON of Raymond, Senators: SHERMAN of Aroostook, TRAHAN of Lincoln.

Bill "An Act To Strengthen Maine Small Business by Establishing a Preference Percentage for State Contract Bids"

(H.P. 263) (L.D. 327)

Sponsored by Representative BUTTERFIELD of Bangor.

Cosponsored by Representatives: AYOTTE of Caswell, SAVIELLO of Wilton, Senator JACKSON of Aroostook and Representatives: GOODE of Bangor, TUTTLE of Sanford.

Bill "An Act To Clarify the Duties of Municipal Treasurers, Clerks and Tax Collectors"

(H.P. 267) (L.D. 331)

Sponsored by Representative TILTON of Harrington.  
Cosponsored by Senator RECTOR of Knox and Representatives: CROCKETT of Bethel, DAVIS of Sangerville, HAYES of Buckfield, JOHNSON of Greenville, PERRY of Calais, Senators: COURTNEY of York, RAYE of Washington.

---

**TAXATION**

Bill "An Act To Add a Fuel Oil Benefit to the Circuitbreaker Program"

(H.P. 249) (L.D. 313)

Sponsored by Representative TUTTLE of Sanford.  
Cosponsored by Senator BARTLETT of Cumberland and Representatives: ADAMS of Portland, BERRY of Bowdoinham, BUTTERFIELD of Bangor, Speaker PINGREE of North Haven, PIOTTI of Unity, TREAT of Hallowell, TRINWARD of Waterville, Senator: BRYANT of Oxford.

Bill "An Act To Amend the Penalty for Withdrawal of Land from the Maine Tree Growth Tax Law Program"

(H.P. 268) (L.D. 332)

Sponsored by Representative WEAVER of York.  
Cosponsored by Senator BOWMAN of York and Representatives: BICKFORD of Auburn, CRAY of Palmyra, GIFFORD of Lincoln, HAYES of Buckfield, JOY of Crystal, PINKHAM of Lexington Township, SARTY of Denmark, Senator: PLOWMAN of Penobscot.

---

**TRANSPORTATION**

Resolve, To Name the Gorham Bypass

(H.P. 236) (L.D. 296)

Sponsored by Representative KNAPP of Gorham.  
Cosponsored by Representatives: HASKELL of Portland, MAZUREK of Rockland, PEOPLES of Westbrook, PLUMMER of Windham, SANBORN of Gorham, WEAVER of York, Senators: BARTLETT of Cumberland, GOOLEY of Franklin.

Bill "An Act To Ensure That Medical Equipment Found in a Repossessed Vehicle Is Returned to the Owner"

(H.P. 237) (L.D. 297)

Sponsored by Representative CRAY of Palmyra.  
Cosponsored by Senator SHERMAN of Aroostook and Representatives: AYOTTE of Caswell, BEAULIEU of Auburn, GIFFORD of Lincoln, HANLEY of Gardiner, JOY of Crystal, McFADDEN of Dennysville, SAVIELLO of Wilton, THIBODEAU of Winterport.

Bill "An Act Making Unified Highway Fund and Other Funds Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011" (EMERGENCY)

(H.P. 269) (L.D. 333)

Sponsored by Representative MAZUREK of Rockland. (GOVERNOR'S BILL)

Cosponsored by Senator DAMON of Hancock and Representative: BROWNE of Vassalboro, Senator: GOOLEY of Franklin.

---

**UTILITIES AND ENERGY**

Resolve, Directing the Public Utilities Commission To Study the Feasibility of the Merger of Certain Utilities

(H.P. 250) (L.D. 314)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by Senator JACKSON of Aroostook and Representatives: EDGECOMB of Caribou, THERIAULT of Madawaska.

Bill "An Act To Clarify the So-called Dig Safe Law"

(H.P. 270) (L.D. 334)

Sponsored by Representative SYKES of Harrison.

---

Bill "An Act Regarding the Labeling of Wood Pellet and Biomass Heating Fuel Sold in the State"

(H.P. 238) (L.D. 298)

Sponsored by Representative PINKHAM of Lexington Township.

Committee on **UTILITIES AND ENERGY** suggested.

On motion of Representative HINCK of Portland, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES**, ordered printed and sent for concurrence.

---

**Pursuant to Statute**

**Department of Public Safety**

Representative HASKELL for the **Department of Public Safety** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 4: Water-based Fire Protection Systems, a Major Substantive Rule of the Office of the State Fire Marshal (EMERGENCY)

(H.P. 239) (L.D. 299)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

---

**Pursuant to Statute**

**Energy and Carbon Savings Trust**

Representative HINCK for the **Energy and Carbon Savings Trust** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 2: Administration of Trust, Budgeting, Project Selection Criteria and Procedures, Monitoring and Evaluation Requirements, a Major Substantive Rule of the Energy and Carbon Savings Trust (EMERGENCY)

(H.P. 271) (L.D. 335)

Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

---

**Pursuant to Statute**

**Public Utilities Commission**

Representative HINCK for the **Public Utilities Commission** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 313: Net Energy Billing Rule To Allow Shared Ownership, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

(H.P. 272) (L.D. 336)



Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

#### ORDERS

On motion of Representative DUCHESNE of Hudson, the following Joint Order: (H.P. 240)

**ORDERED**, the Senate concurring, that the Joint Standing Committee on Natural Resources shall report out, to the House, a bill regarding outdoor wood boilers.

**READ** and **PASSED**.

Sent for concurrence.

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

#### UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, January 29, 2009, 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 Laws Regarding Overnight Parking of Recreational Vehicles"

(H.P. 98) (L.D. 114)

- In House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on January 13, 2009.

- In Senate, **REFERRED** to the Committee on **NATURAL RESOURCES** in **NON-CONCURRENCE**.

**TABLED** - January 21, 2009 (Till Later Today) by Representative CLEARY of Houlton.

**PENDING - FURTHER CONSIDERATION.**

On motion of Representative PINGREE of North Haven, the House voted to **RECEDE**.

Subsequently, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE** and sent for concurrence.

The **SPEAKER**: The Chair recognizes the Representative from Harrison, Representative Sykes, who wishes to address the House on the record.

Representative **SYKES**: Thank you, Madam Speaker. I need to correct the record: Last Thursday, I made an announcement that the session had lasted 13 minutes. By way of announcements, we were able to extend that for another 6 minutes, so last session was 19 minutes. Thank you.

#### SENATE PAPERS

Bill "An Act Regarding the Regulation of Agricultural Composting Operations"

(S.P. 115) (L.D. 351)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion of Representative DUCHESNE of Hudson, **TABLED** pending **REFERENCE** in concurrence and later today assigned.

Bill "An Act To Require Review by the Joint Standing Committee on Appropriations and Financial Affairs of Transfers of MaineCare Funds" (EMERGENCY)

(S.P. 98) (L.D. 302)

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

**REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Improve Elevator Safety"

(S.P. 110) (L.D. 346)

Bill "An Act To Reduce Regulatory Costs for Maine Businesses"

(S.P. 111) (L.D. 347)

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

**REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Encourage Veterinary Practice in Maine"

(S.P. 116) (L.D. 352)

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

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Amend the Department of Health and Human Services' Progressive Treatment Program"

(S.P. 105) (L.D. 341)

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

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act To Amend the Laws Governing Deer Hunting and To Extend the Coyote Hunting Season"

(S.P. 99) (L.D. 303)

Bill "An Act To Provide Greater Access to ATVs by Lowering the Minimum Operating Age"

(S.P. 104) (L.D. 340)

Bill "An Act To Allow Smelting on Certain Brooks on Long Lake in Aroostook County"

(S.P. 108) (L.D. 344)

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

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act To Increase Child Support Collection by Expanding the New Hire Reporting Requirements"

(S.P. 96) (L.D. 300)

Bill "An Act To Require Home Sellers To Disclose Energy Usage Data"

(S.P. 97) (L.D. 301)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

**REFERRED** to the Committee on **JUDICIARY** in concurrence.

---

Bill "An Act To Promote Ethics in Campaign Fund Solicitation"

(S.P. 103) (L.D. 339)

RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting

(S.P. 114) (L.D. 350)

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

**REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

---

Bill "An Act To Bring Equity to the Sea Urchin License Fees"

(S.P. 95) (L.D. 278)

Bill "An Act To Regulate the Rockweed Harvest in Cobscook Bay"

(S.P. 109) (L.D. 345)

Came from the Senate, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

**REFERRED** to the Committee on **MARINE RESOURCES** in concurrence.

---

Resolve, To Establish a Commission To Support, Preserve and Maintain Maine Monuments in Gettysburg, Pennsylvania

(S.P. 100) (L.D. 304)

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

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

---

Bill "An Act To Eliminate the Income-producing Requirement for Land in the Farm and Open Space Tax Program"

(S.P. 94) (L.D. 277)

Bill "An Act To Exempt Annuities from Taxation"

(S.P. 106) (L.D. 342)

Bill "An Act To Authorize Arbitration of Property Tax Valuation Disputes"

(S.P. 113) (L.D. 349)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

**REFERRED** to the Committee on **TAXATION** in concurrence.

---

Bill "An Act To Improve the Visibility of Automobiles"

(S.P. 102) (L.D. 338)

Bill "An Act To Establish a Specialty License Plate To Increase Funding for Autism Programs"

(S.P. 107) (L.D. 343)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

**REFERRED** to the Committee on **TRANSPORTATION** in concurrence.

---

Bill "An Act To Protect the Integrity of the State's Carbon Dioxide Budget Trading Program and Auction Process and To

Provide Allocations to the Energy and Carbon Savings Trust Fund" (EMERGENCY)

(S.P. 93) (L.D. 276)

Came from the Senate, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

**REFERRED** to the Committee on **UTILITIES AND ENERGY** in concurrence.

---

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

---

On motion of Representative CLARK of Millinocket, the House adjourned at 10:44 a.m., until 10:00 a.m., Thursday, February 5, 2009 and in honor and lasting tribute to Tyler "Buzzy" Emerson, of Millinocket and Allan L. Benner, of Hampden.