

# MAINE STATE LEGISLATURE

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**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  
9th Legislative Day  
Thursday, February 5, 2009

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

Prayer by Reverend Jonathan Stratton, Second Baptist Church of Bowdoinham.

National Anthem by Presque Isle Middle School Jazz Band.  
Pledge of Allegiance.

Doctor of the day, Harold Friedman, M.D., Chicago, Illinois.

The Journal of Tuesday, February 3, 2009 was read and approved.

Pursuant to her authority under House Rule 401.1, the Chair assigned Representative HAYES of Buckfield to seat 140, effective immediately.

The following item was taken up out of order by unanimous consent:

**COMMUNICATIONS**

The Following Communication: (H.C. 44)

**STATE OF MAINE  
OFFICE OF THE  
SECRETARY OF STATE  
BUREAU OF CORPORATIONS, ELECTIONS AND  
COMMISSIONS  
AUGUSTA, MAINE 04333-0101**

February 4, 2009  
Honorable Millicent M. MacFarland  
Clerk of the House  
Maine House of Representatives  
2 State House Station  
Augusta, Maine 04333-0002  
Dear Clerk MacFarland:  
Please find enclosed a certified copy of the final results from the February 3, 2009 Special Election held in State Representative District 89.  
Sincerely,  
S/Matthew Dunlap  
Secretary of State

**STATE OF MAINE  
OFFICE OF THE SECRETARY OF STATE**

February 4, 2009  
I, MATTHEW DUNLAP, Secretary of State, in accordance with the provisions of the proclamation issued by the Governor on December 15, 2008, calling for a Special Election to be held on February 3, 2009, to elect a State Representative in District 89 and having tabulated the return of votes cast; REPORT AS FOLLOWS; that Lance Evans Harvell of Farmington, having received a plurality of the votes cast, appears to have been elected a State Representative in the 124th Legislature in District 89:

**SPECIAL ELECTION – February 3, 2009  
STATE REPRESENTATIVE  
DISTRICT 89**

Harvell, Lance Evans, Farmington 1,235  
Haszko, Dennis Robert, Farmington 617  
I, MATTHEW DUNLAP, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast at the

Special Election for State Representative in District 89, as reported to me on the returns from the municipalities of Farmington and Industry.  
S/Matthew Dunlap  
Secretary of State  
Received by the Governor  
S/John Elias Baldacci  
Governor

**READ and ORDERED PLACED ON FILE.**

At this point, the Speaker announced the presence in the Hall of the House of Representative-Elect HARVELL of Farmington. The Speaker appointed the following Representatives to escort Representative-Elect HARVELL to the Office of the Governor to take and subscribe the oaths necessary to qualify him for the discharge of his official duties:

Representative CAREY of Lewiston  
Representative TREAT of Hallowell  
Representative BECK of Waterville  
Representative HUNT of Buxton  
Representative TARDY of Newport  
Representative FITTS of Pittsfield  
Representative DAVIS of Sangerville  
Representative CUSHING of Hampden

**SENATE PAPERS**

Bill "An Act Regarding Emergency Involuntary Admission of a Participant in the Department of Health and Human Services' Progressive Treatment Program to a State Mental Institute" (S.P. 101) (L.D. 337)

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

**COMMUNICATIONS**

The Following Communication: (H.C. 41)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON HEALTH AND HUMAN SERVICES**

February 3, 2009  
Honorable Elizabeth H. Mitchell, President of the Senate  
Honorable Hannah M. Pingree, Speaker of the House  
124th Legislature  
State House  
Augusta, Maine 04333  
Dear President Mitchell and Speaker Pingree:  
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bill out "Ought Not to Pass":  
L.D. 19                    An Act To Amend the Laws Regarding Public Rest Rooms

We have also notified the sponsor and cosponsors of the bill listed of the Committee's action.

Sincerely,  
S/Sen. Joseph C. Brannigan  
Senate Chair  
S/Rep. Anne C. Perry  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 42)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

February 3, 2009

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Legislature

State House

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 106 An Act To Prohibit Constitutional Officers from Endorsing Candidates for the Legislature

We have also notified the sponsor and cosponsors of the bill listed of the Committee's action.

Sincerely,

S/Sen. Deborah L. Simpson

Senate Chair

S/Rep. Stephen R. Beaudette

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 43)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND  
FORESTRY**

February 4, 2009

Honorable Elizabeth H. Mitchell, Senate President

Honorable Hannah M. Pingree, Speaker of the House

124th Maine Legislature

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor, Representative Schatz of Blue Hill, to report the following bill Leave to Withdraw. LD 183 An Act To Amend the Laws Concerning Genetically Engineered Plants and Seeds

Sincerely,

S/Senator John M. Nutting

Senate Chair

S/Representative Wendy Pieh

House Chair

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

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Subsequently, Representative TREAT reported that the necessary oaths had been taken by Representative HARVELL to qualify him to enter upon his official duties.

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Pursuant to her authority under House Rule 401.1, the Chair assigned Representative HARVELL of Farmington to seat 130.

The following Bills, Resolves and Resolutions 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:

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act To Reimburse Debra Bilodeau for Her Expenses Incurred in Connection with Her Petition for Appointment as a Foster Parent"

(H.P. 275) (L.D. 368)

Sponsored by Representative CROCKETT of Augusta.

Bill "An Act To Authorize a General Fund Bond Issue To Rebuild a Bulkhead and Wharf at the Gulf of Maine Research Institute"

(H.P. 276) (L.D. 369)

Sponsored by Representative EBERLE of South Portland.

Cosponsored by Senator MILLS of Somerset and Representatives: AUSTIN of Gray, CLEARY of Houlton, COHEN of Portland, EATON of Sullivan, MARTIN of Eagle Lake, RANKIN of Hiram, RICHARDSON of Carmel, STRANG BURGESS of Cumberland.

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Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, 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. 274) (L.D. 353)

Sponsored by Representative CAIN of Orono. (GOVERNOR'S BILL)

Cosponsored by Senator DIAMOND of Cumberland and Representatives: CONNOR of Kennebunk, FLOOD of Winthrop, MARTIN of Eagle Lake, MILLER of Somerville, MILLETT of Waterford, NUTTING of Oakland, ROBINSON of Raymond, ROTUNDO of Lewiston, WEBSTER of Freeport, Senators: CRAVEN of Androscoggin, ROSEN of Hancock.

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

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Cain.

Representative **CAIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. In regards to Item 3-1, this is the Biennial Budget. I wanted to draw members' attention to this item, as it is a major item that is before all of us, and it is 666 pages long. I am not going to comment on whether that is any kind of an omen, Madam Speaker, but I do want to draw your attention to the fact that that is a very large document and we are not going to be printing it and putting it on each of your desks. However, the documents are ready. They are ready for you to use them, to review them, to take them home with you and read them by the fire over the weekend, and you can reach all of those documents online.

There is a handout being distributed, it may be on your desks already, from the Clerk of the House with specific instructions on where you can find those documents. I encourage members, specifically of the State and Local Government Committee and the Judiciary Committee, to please take a look at them over the weekend because your hearings are Monday and Tuesday with us, followed by Criminal Justice on Wednesday and Thursday.

I would only add for reference that these are the same documents you used for the Supplemental Budget with two differences: First, they should have lengthier justification statements provided by the departments, and second, they will

have historical information from FY '08 and '09, including the revisions we just made in the Supplemental Budget.

While I have the opportunity, Madam Speaker, I would like to thank the Office of Fiscal and Program Review and the Revisor's Office for working very hard with the Office of Technology to make sure we got these documents, made available in their complete form, as soon as we possibly could. Thank you, Madam Speaker. Please, everyone, do your homework over the weekend, and with that, Madam Speaker, I move that this bill be referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent for concurrence.

On motion of Representative CAIN of Orono, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, ordered printed and sent for concurrence.

Bill "An Act To Ensure That All Toll and Intermodal Transportation Facilities and Roadway Lighting within the Maine Turnpike Corridor Are Consistent with Maine's Quality of Place Goals"

(H.P. 290) (L.D. 383)

Sponsored by Representative HILL of York.  
Cosponsored by Senator BOWMAN of York and Representatives: CLEARY of Houlton, CONNOR of Kennebunk, PILON of Saco, WEAVER of York, WRIGHT of Berwick, Senator: BARTLETT of Cumberland.

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative PIOTTI of Unity, **TABLED** pending **REFERENCE** and later today assigned.

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Bill "An Act To Allow Mixed Martial Arts Competitions in Maine"

(H.P. 277) (L.D. 370)

Sponsored by Representative TUTTLE of Sanford.  
Cosponsored by Senator PERRY of Penobscot, Senator DIAMOND of Cumberland and Representatives: GREELEY of Levant, HANLEY of Gardiner, HASKELL of Portland, WHEELER of Kittery, Senators: DAVIS of Cumberland, GERZOFKY of Cumberland.

Bill "An Act To Amend the Laws Governing the Cap on the Tax Assessment for Correctional Services in Lincoln County and Sagadahoc County"

(H.P. 291) (L.D. 384)

Sponsored by Representative MacDONALD of Boothbay.  
Cosponsored by Senator TRAHAN of Lincoln and Representatives: FOSSEL of Aina, McKANE of Newcastle, MILLER of Somerville, PIEH of Bremen.

Bill "An Act To Ensure a Uniform Comprehensive State Policy Regarding Residency Restrictions for Sex Offenders"

(H.P. 292) (L.D. 385)

Sponsored by Representative HASKELL of Portland.  
Cosponsored by Senator SHERMAN of Aroostook and Representatives: HILL of York, SYKES of Harrison, Senators: DIAMOND of Cumberland, GERZOFKY of Cumberland.

**JUDICIARY**

Bill "An Act To Authorize the Administration of Epinephrine Autoinjectors and Asthma Inhalers in Emergencies"

(H.P. 279) (L.D. 372)

Sponsored by Representative VALENTINO of Saco.

Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: CAMPBELL of Newfield, EVES of North Berwick, HANLEY of Gardiner, PERRY of Calais, SANBORN of Gorham, Senator: JACKSON of Aroostook.

Bill "An Act To Clarify the Amount of a Contract for Small Claim Purposes"

(H.P. 282) (L.D. 375)

Sponsored by Representative WALSH INNES of Yarmouth.  
Cosponsored by Senator DAVIS of Cumberland and Senator: HOBBS of York.

Bill "An Act To Remove Domestic Court Cases from the Probate Court"

(H.P. 283) (L.D. 376)

Sponsored by Representative WAGNER of Lewiston.  
Cosponsored by Senator CRAVEN of Androscoggin and Representatives: BLODGETT of Augusta, COHEN of Portland, EVES of North Berwick, GILBERT of Jay, HAYES of Buckfield, LAJOIE of Lewiston, PEOPLES of Westbrook, PINKHAM of Lexington Township.

Bill "An Act To Amend the Procedure for Foreclosure Regarding Timing and Sale"

(H.P. 284) (L.D. 377)

Sponsored by Representative TREAT of Hallowell.  
Cosponsored by Senator ALFOND of Cumberland and Representatives: DILL of Cape Elizabeth, LOVEJOY of Portland, PETERSON of Rumford, PRIEST of Brunswick, RUSSELL of Portland, Senators: BRYANT of Oxford, GERZOFKY of Cumberland, McCORMICK of Kennebec.

Committee on **JUDICIARY** suggested.

On motion of Representative PRIEST of Brunswick, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Establish a Process for the Determination of a Reasonable Price in the Use of Eminent Domain by the Maine Turnpike Authority"

(H.P. 293) (L.D. 386)

Sponsored by Representative HILL of York.  
Cosponsored by Senator BOWMAN of York and Representatives: CLEARY of Houlton, WEAVER of York, WRIGHT of Berwick, Senator: BARTLETT of Cumberland.

Committee on **JUDICIARY** suggested.

On motion of Representative PRIEST of Brunswick, **TABLED** pending **REFERENCE** and later today assigned.

**LABOR**

Bill "An Act To Facilitate Lactation at the Workplace by New Mothers"

(H.P. 280) (L.D. 373)

Sponsored by Representative WALSH INNES of Yarmouth.  
Cosponsored by Representatives: CORNELL du HOUX of Brunswick, MCCABE of Skowhegan.

**LEGAL AND VETERANS AFFAIRS**

Bill "An Act To Allow One Registration Fee for Multiple-town Poker Runs"

(H.P. 278) (L.D. 371)

Sponsored by Representative SAVIELLO of Wilton.  
Cosponsored by Senator GOOLEY of Franklin and Representatives: CLARK of Millinocket, FITTS of Pittsfield,

GILBERT of Jay, HANLEY of Gardiner, Senators: PLOWMAN of Penobscot, TRAHAN of Lincoln.

Bill "An Act To Amend the Laws Concerning Campaign Report Exemptions"

(H.P. 281) (L.D. 374)

Sponsored by Representative VALENTINO of Saco.

Cosponsored by Representatives: BEAULIEU of Auburn, CORNELL du HOUX of Brunswick, HANLEY of Gardiner, NASS of Acton, TRINWARD of Waterville.

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### MARINE RESOURCES

Bill "An Act To Prohibit Dragging for Bait Fish in Certain Territorial Waters"

(H.P. 285) (L.D. 378)

Sponsored by Representative VALENTINO of Saco.

Cosponsored by Representatives: ADAMS of Portland, BLANCHARD of Old Town, HANLEY of Gardiner, MacDONALD of Boothbay, MAZUREK of Rockland, PENDLETON of Scarborough, Senator: HOBBS of York.

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### NATURAL RESOURCES

Bill "An Act To Protect Groundwater and Surface Water from Contamination"

(H.P. 294) (L.D. 387)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Senator GOODALL of Sagadahoc and Representatives: BOLDUC of Auburn, WALSH INNES of Yarmouth.

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### STATE AND LOCAL GOVERNMENT

Bill "An Act To Amend the Notary Public Laws"

(H.P. 286) (L.D. 379)

Sponsored by Representative PRIEST of Brunswick.

Cosponsored by Senator BLISS of Cumberland and Representatives: BERRY of Bowdoinham, BRYANT of Windham, CROCKETT of Bethel, DILL of Cape Elizabeth, HILL of York, NASS of Acton, Senators: HASTINGS of Oxford, HOBBS of York.

Submitted by the Secretary of State pursuant to Joint Rule 204.

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Bill "An Act To Ensure That Fair and Actual Funds from Maine Turnpike Authority Toll Receipts Be Given to the Department of Transportation Annually"

(H.P. 295) (L.D. 388)

Sponsored by Representative HILL of York.

Cosponsored by Senator BOWMAN of York and Representatives: CLEARY of Houlton, CONNOR of Kennebunk, HASKELL of Portland, MARTIN of Eagle Lake, PILON of Saco, WEAVER of York, WRIGHT of Berwick, Senator: BARTLETT of Cumberland.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative BEAUDETTE of Biddeford, **TABLED** pending **REFERENCE** and later today assigned.

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### TAXATION

Bill "An Act To Require Residents of the Unorganized Territories To Pay Excise Taxes To Agents and Not Directly to the Secretary of State"

(H.P. 287) (L.D. 380)

Sponsored by Representative McFADDEN of Dennysville. (BY REQUEST)

Cosponsored by Senator SHERMAN of Aroostook and Representatives: AYOTTE of Caswell, CRAY of Palmyra, EDGECOMB of Caribou, GIFFORD of Lincoln, JOY of Crystal, PINKHAM of Lexington Township, SAVIELLO of Wilton, TILTON of Harrington.

Bill "An Act To Base the Motor Vehicle Excise Tax on the Documented Actual Sale Price Rather than on the Maker's List Price"

(H.P. 288) (L.D. 381)

Sponsored by Representative MacDONALD of Boothbay.

Cosponsored by Representative PIEH of Bremen.

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Bill "An Act To Clarify the Meaning of Prudent Speed"

(H.P. 289) (L.D. 382)

Sponsored by Representative FITTS of Pittsfield.

Committee on **TRANSPORTATION** suggested.

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

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### UTILITIES AND ENERGY

Bill "An Act To Facilitate the State's Existing Commitment to the Production of Liquid Biofuels"

(H.P. 296) (L.D. 389)

Sponsored by Representative BUTTERFIELD of Bangor.

Cosponsored by Senator BRYANT of Oxford and Representative: BERRY of Bowdoinham.

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

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### ORDERS

On motion of Representative PIEH of Bremen, the following Joint Resolution: (H.P. 273)

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ALLOCATE FULL FUNDING FOR THE NATIONAL VETERINARY MEDICAL SERVICES ACT**

WE, your Memorialists, the Members of the One Hundred and Twenty-fourth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, the State of Maine and the United States are currently experiencing a shortage of food animal veterinarians in rural agricultural areas, in certain population groups and in certain disciplines, such as public health, regulatory veterinary medicine and diagnostic laboratory medicine; and

WHEREAS, the financial constraints of servicing debt loads averaging \$120,000 for veterinarian graduates in 2008 resulting in loan repayment obligations approaching \$1,381 per month, assuming a standard interest rate and a standard 10-year repayment term, prevent many new veterinary school graduates from choosing to work in underserved areas and disciplines; and

WHEREAS, the shortage of food animal veterinarians has critical homeland security ramifications since these individuals act as "agricultural first responders" in the early detection of foreign animal diseases, and the early detection of these diseases is of utmost importance in limiting widespread dissemination of these

potentially devastating diseases such as foot and mouth disease and avian influenza, known as "bird flu"; and

WHEREAS, a food animal veterinary needs assessment commissioned by the Maine Veterinary Medical Association in 2007 has identified many underserved geographic areas for food animal veterinary services in Maine; and

WHEREAS, the food animal veterinary needs assessment identified student loan repayment as the primary obstacle to recent graduates deciding to enter food animal veterinary practice; and

WHEREAS, an adequate supply of food animal veterinarians is a key component in the continued assurance of a safe, wholesome food supply, in the prevention of foreign animal disease incursions and in monitoring and reporting diseases of human health concern; and

WHEREAS, the National Veterinary Medical Services Act, which passed in the United States Senate by unanimous consent in November 2003 and was signed by former President George W. Bush on December 6, 2003, authorized "such sums as necessary" to provide student loan repayment to veterinary school graduates who agree to work in underserved areas, has not been fully implemented by the United States Department of Agriculture; and

WHEREAS, funding of this important Act has the potential to alleviate the food animal veterinary shortage and stimulate small business growth in the State of Maine and in the Nation; now, therefore be it

RESOLVED: That We, your Memorialists, respectfully urge and request that all steps be taken to allocate full funding for the National Veterinary Medical Services Act as part of the 2009 economic stimulus plan; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Bremen, Representative Pieh.

Representative PIEH: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. You will find on page 15 of today's Calendar a very important resolution that is a unanimous report from the Agriculture, Conservation and Forestry Committee. We feel that this needs to go to the President of the United States, Congress, and our congressional delegation. I know that you all have animals, large animals, and you have a real problem getting a vet.

Some folks are really lucky in western Maine: They have a veterinarian named Dr. Cooper. Dr. Cooper comes on your farm and takes care of your animals, does it well, and we completely rely on him, those folks that use him. The only problem is that Dr. Cooper is 88. He is 88 years old, he still practices veterinary medicine and there is nobody to take his place.

One of the reasons for this, the shortage—and it is national, it is throughout the country—is that when you finish veterinary school you will have an average debt load of \$120,000. That is a daunting kind of debt for someone to take on coming out of school, so when you go to pick what practice you are going to do, it is almost a no-brainer to decide you would rather do six cats and neuter or spay them in a day than help one cow give birth. The amount of money you bring in is very, very different.

So in December 2003, Congress unanimously, and with the support of the past President, created the National Veterinary Medical Services Act, which is an act that provides funding so

that if someone is willing to serve in an underserved area such as Maine, they can get help repaying their student loans. The only problem is they never put any money in it, so it is an act sitting and waiting for funding, and our committee unanimously thought that this might be a good time to attempt, at least, to bring that to the notice of the folks who are deciding what goes in the stimulus package. We thank you very much, and we hope for your support on this resolution.

Subsequently, This Joint Resolution was **ADOPTED**.  
Sent for concurrence.

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On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 12)

ORDERED, that Representative Andrea M. Boland of Sanford be excused January 7th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Everett W. McLeod, Sr. of Lee be excused for the duration of his illness.

AND BE IT FURTHER ORDERED, that Representative Sharon Anglin Treat of Hallowell be excused January 29th for legislative business.

**READ and PASSED.**

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**REPORTS OF COMMITTEE**

**Change of Committee**

Representative HINCK from the Committee on **UTILITIES AND ENERGY** on Bill "An Act Regarding Construction and Excavation near Burial Sites"

(H.P. 97) (L.D. 113)

Reporting that it be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent for concurrence.

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

**SENATE PAPERS**

The following Joint Order: (S.P. 117)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 10, 2009, at 10:00 the morning.

Came from the Senate, **READ** and **PASSED**.

**READ and PASSED** in concurrence.

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Bill "An Act To Protect Residential Consumers of Home Heating Fuel"

(S.P. 119) (L.D. 355)

Bill "An Act To Protect Confidential Consumer Records in Self-service Storage Facilities"

(S.P. 130) (L.D. 366)

Bill "An Act To Amend the Laws Governing Bottle Redemption and To Establish the Department of Agriculture, Food and Rural Resources as the Agent in the State for the Purposes of Bottle Redemption"

(S.P. 139) (L.D. 397)

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.

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Bill "An Act Relating to Death Benefits for Certain Law Enforcement Officers"

(S.P. 135) (L.D. 393)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

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Bill "An Act To Require the Teaching of Acadian History as Part of Maine History"

(S.P. 121) (L.D. 357)

Resolve, Requiring the Department of Education To Amend Rules Relating to School Construction

(S.P. 122) (L.D. 358)

Bill "An Act To Eliminate Schools' Responsibility for Transportation of Preschool Students"

(S.P. 128) (L.D. 364)

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.

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Bill "An Act To Transfer Ownership and Management of Swan Island and Little Swan Island in Perkins Township, Sagadahoc County to the Department of Conservation"

(S.P. 140) (L.D. 398)

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.

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Bill "An Act To Ensure That MaineCare Reimbursements to Hospitals Do Not Pay For Hospital Advertisements"

(S.P. 123) (L.D. 359)

Bill "An Act To Require a Birth Certificate for a Stillborn Child"

(S.P. 125) (L.D. 361)

Bill "An Act To Support New Mothers Who Are in Substance Abuse Treatment Programs"

(S.P. 126) (L.D. 362)

Resolve, To Further Regulate the Use of Tanning Booths by Minors

(S.P. 137) (L.D. 395)

Bill "An Act To Implement the Recommendations of the Blue Ribbon Commission To Study Long-term Home-based and Community-based Care" (EMERGENCY)

(S.P. 142) (L.D. 400)

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.

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Bill "An Act To Clarify Guaranteed Fund Protection for Deferred Compensation Accounts"

(S.P. 132) (L.D. 390)

Bill "An Act To Reduce Minimum Participation to 60% for Group Health Insurance"

(S.P. 134) (L.D. 392)

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

**REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

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Bill "An Act To Amend the Laws Governing MaineCare Estate Recovery Undertaken by the Department of Health and Human Services"

(S.P. 129) (L.D. 365)

Bill "An Act To Amend the Law Concerning Adverse Possession"

(S.P. 133) (L.D. 391)

Bill "An Act To Protect Nonprofit Organizations from Embezzlement"

(S.P. 136) (L.D. 394)

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

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

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Bill "An Act To Reduce the Amount of Plastic Introduced into the Waste Stream"

(S.P. 131) (L.D. 367)

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

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

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Bill "An Act To Notify a Lienholder before Property Is Withdrawn from Assessment under the Maine Tree Growth Tax Law"

(S.P. 124) (L.D. 360)

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

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

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Bill "An Act To Increase the Safety of Automobile Drivers"

(S.P. 120) (L.D. 356)

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

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

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Bill "An Act Regarding Installation of Solar Energy Systems under the Solar and Wind Energy Rebate Program"

(S.P. 138) (L.D. 396)

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.

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**COMMUNICATIONS**

The Following Communication: (H.C. 45)

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

On motion of Representative HARVELL of Farmington, the House adjourned at 11:05 a.m., until 10:00 a.m., Tuesday, February 10, 2009 pursuant to the Joint Order (S.P. 117) and in honor and lasting tribute to Anthony C. Murphy, of Millinocket, Daniel J. Budreau, of Millinocket, Charles George Katsiaficas, of Ellsworth and Ada Y. Greenblatt, of Bath.

February 4, 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 am rescinding the appointment of Henry L. Joy of Crystal to the Joint Standing Committee on State and Local Government and replacing him with Representative Lance Harvell of Farmington. Also, I am appointing Representative H. David Cotta as the ranking member of the Joint Standing Committee on State and Local Government.

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.**

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The Following Communication: (H.C. 46)

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

February 4, 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 am appointing Representative Henry L. Joy of Crystal to the Joint Standing Committee on Health and Human Services.

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.**

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**SENATE PAPERS**

Bill "An Act To Increase Child Support Collections"

(S.P. 141) (L.D. 399)

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

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

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

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

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