

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
13th Legislative Day
Thursday, February 19, 2009

(H.P. 429) (L.D. 591)

REFERRED to the Committee on **TRANSPORTATION** in the House on February 17, 2009.

Came from the Senate **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE**.

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

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

Prayer by Pastor Earl Edgerley, Farmington Baptist Church.

Pledge of Allegiance.

Doctor of the day, Jo Linder, M.D., Falmouth.

The Journal of Tuesday, February 17, 2009 was read and approved.

SENATE PAPERS

Bill "An Act To Create Recreational Access to the Unorganized Territories"

(S.P. 218) (L.D. 603)

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.

Non-Concurrent Matter

Bill "An Act To Facilitate the Development of Ocean Wind Power"

(H.P. 306) (L.D. 418)

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in the House on February 10, 2009.

Came from the Senate **REFERRED** to the Committee on **UTILITIES AND ENERGY** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

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

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

REFERRED to the Committee on **JUDICIARY** and the Committee on **INSURANCE AND FINANCIAL SERVICES** in the House on February 12, 2009.

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

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

Non-Concurrent Matter

Bill "An Act To Regulate Foreclosure Negotiators"

(S.P. 198) (L.D. 503)

REFERRED to the Committee on **JUDICIARY** and the Committee on **INSURANCE AND FINANCIAL SERVICES** in the House on February 12, 2009.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act Regarding the Granting of a Work-restricted Driver's License for Travel to and from Work for Certain Persons with Suspended Licenses"

COMMUNICATIONS

The Following Communication: (H.C. 60)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

February 13, 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 Education and Cultural Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 98

Resolve, To Direct the Department of Education and the Department of Health and Human Services To Require the Teaching of Mental Health Awareness in Middle Schools Based on a National Curriculum

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

Sincerely,

S/Sen. Justin L. Alfond

Senate Chair

S/Rep. Patricia B. Sutherland

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 61)

STATE OF MAINE

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

February 13, 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. 143

An Act To Amend the Process for Secession from a County by a Municipality

We have also notified the sponsor and cosponsors 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.

The Following Communication: (H.C. 62)

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

February 13, 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 Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 133 An Act To Allow a Duplicate Vanity License Plate in a Different Classification of Plate
L.D. 145 An Act To Require the Secretary of State To Notify Vehicle Owners of Impending Registration Expiration

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

Sincerely,

S/Sen. Dennis S. Damon
Senate Chair
S/Rep. Edward J. Mazurek
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 63)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

February 13, 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 Utilities and Energy has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 146 An Act To Require Telephone Directories To Include Cellular Telephone Numbers for Businesses

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

Sincerely,

S/Sen. Barry J. Hobbins
Senate Chair
S/Rep. Jon Hinck
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 59)

**UNIVERSITY OF MAINE
MARGARET CHASE SMITH POLICY CENTER
5784 YORK COMPLEX, BLDG. #4
ORONO, MAINE 04469-5784**

February 13, 2009

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

RE: Maine State Government Summer Internship Program

Dear Clerk MacFarland:

In accordance with 1967 Public Law, Chapter 493, Section 294, Item 8, I am enclosing copies of the 2008 Maine State Government Summer Internship Report for distribution to the Members of the Maine House of Representatives.

The Maine State Government Summer Internship Program is a full-time, 12-week, paid work experience in a state agency. The Program combines work experience with an educational program designed to provide talented Maine college students the opportunity to participate in and contribute to Maine State Government. We are now accepting all applications through our website at <http://mcspolicycenter.umaine.edu/?q=MSGSSIP>.

Thank you for your assistance in making this report available to the Members of the House.

Yours truly,

S/Charles E. Morris, Director

Maine State Government Summer Internship Program

READ and with accompanying papers ORDERED PLACED ON FILE.

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 Allocate Prospective Federal Funding To Support Maine's Dairy Industry" (EMERGENCY)

(H.P. 442) (L.D. 628)

Sponsored by Representative McCABE of Skowhegan.

Cosponsored by Senator MILLS of Somerset and Representatives: CRAY of Palmyra, FLEMINGS of Bar Harbor, GIFFORD of Lincoln, GILBERT of Jay, HARVELL of Farmington, O'BRIEN of Lincolnville, SMITH of Monmouth.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Require That the 3 Branches of Government Be Listed Separately in Budget Documents and Budget Bills"

(H.P. 443) (L.D. 629)

Sponsored by Representative PRIEST of Brunswick.

Cosponsored by Senator BLISS of Cumberland and Representatives: CAIN of Orono, CROCKETT of Bethel, MILLER of Somerville, TREAT of Hallowell, WEBSTER of Freeport, Senator: HASTINGS of Oxford.

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Update and Streamline State Licensing Laws and Clarify the Process for Appealing Final Decisions of Certain Licensing Entities"

(H.P. 444) (L.D. 630)

Sponsored by Representative COHEN of Portland.

Cosponsored by Senator SCHNEIDER of Penobscot and Representative: BEAUDETTE of Biddeford, Senator: PERRY of Penobscot.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Clarify the Maine Uniform Building and Energy Code"

(H.P. 466) (L.D. 652)

Sponsored by Representative GILES of Belfast.
Cosponsored by Representatives: MacDONALD of Boothbay, STRANG BURGESS of Cumberland, THIBODEAU of Winterport.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Amend the Laws Relating to the Department of Corrections"

(H.P. 445) (L.D. 631)

Sponsored by Representative BURNS of Whiting.
Cosponsored by Senator DAVIS of Cumberland and Representatives: DAVIS of Sangerville, JOHNSON of Greenville, LEWIN of Eliot, SAVIELLO of Wilton, SHAW of Standish, TILTON of Harrington, WHEELER of Kittery.
Submitted by the Department of Corrections pursuant to Joint Rule 204.

Bill "An Act To Increase Payments to Victims of Crimes"

(H.P. 446) (L.D. 632)

Sponsored by Representative STEVENS of Bangor.
Cosponsored by Representative PIOTTI of Unity, Senator SIMPSON of Androscoggin and Representatives: CAIN of Orono, DILL of Cape Elizabeth, DOSTIE of Sabattus, HASKELL of Portland, HUNT of Buxton, MAGNAN of Stockton Springs, WELSH of Rockport.
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

Bill "An Act To Amend the Laws Pertaining to Refusing To Submit to Arrest or Detention"

(H.P. 447) (L.D. 633)

Sponsored by Representative HANLEY of Gardiner.
Cosponsored by Senator McCORMICK of Kennebec and Representatives: BOLAND of Sanford, BROWNE of Vassalboro, COTTA of China, DAVIS of Sangerville, HOGAN of Old Orchard Beach, LAJOIE of Lewiston, WEAVER of York.

Bill "An Act To Create a Mandatory Sentence for Repeat Offenders of Sex Offenses against Victims under 12 Years of Age"

(H.P. 448) (L.D. 634)

Sponsored by Representative CHASE of Wells.
Cosponsored by Senator DAVIS of Cumberland and Representatives: CEBRA of Naples, GILES of Belfast, KNAPP of Gorham, KNIGHT of Livermore Falls, LANGLEY of Ellsworth, STRANG BURGESS of Cumberland, THOMAS of Ripley, WEAVER of York.

Bill "An Act To Strengthen the Penalties for Leaving the Scene of an Accident"

(H.P. 467) (L.D. 653)

Sponsored by Representative WRIGHT of Berwick.
Cosponsored by Representatives: EVES of North Berwick, WHEELER of Kittery.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Provide Additional Time to Certain School Administrative Units To Comply with School Administrative Unit Reorganization Laws" (EMERGENCY)

(H.P. 449) (L.D. 635)

Sponsored by Representative FITTS of Pittsfield.
Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: AUSTIN of Gray, BEAULIEU of Auburn, BECK of Waterville, BICKFORD of Auburn, BROWNE of Vassalboro, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison,

DAVIS of Sangerville, EATON of Sullivan, EDGECOMB of Caribou, FLETCHER of Winslow, FOSSEL of Alna, GILBERT of Jay, KRUGER of Thomaston, LANGLEY of Ellsworth, LEGG of Kennebec, LEWIN of Eliot, McFADDEN of Dennysville, McKANE of Newcastle, MILLER of Somerville, NELSON of Falmouth, PIEH of Bremen, Speaker PINGREE of North Haven, PIOTTI of Unity, RICHARDSON of Carmel, ROBINSON of Raymond, SAVIELLO of Wilton, SCHATZ of Blue Hill, TARDY of Newport, THERIAULT of Madawaska, WAGNER of Lewiston, WEAVER of York, WEBSTER of Freeport, Senators: BOWMAN of York, BRYANT of Oxford, COURTNEY of York, DAVIS of Cumberland, GOOLEY of Franklin, JACKSON of Aroostook, President MITCHELL of Kennebec, SHERMAN of Aroostook, SULLIVAN of York, WESTON of Waldo.

Bill "An Act To Control Education Administrative Costs"

(H.P. 450) (L.D. 636)

Sponsored by Representative BOLDUC of Auburn.

HEALTH AND HUMAN SERVICES

Bill "An Act To Ensure Services for Adults with Developmental Disabilities"

(H.P. 451) (L.D. 637)

Sponsored by Representative CAIN of Orono.
Cosponsored by Senator SCHNEIDER of Penobscot.

Resolve, To Review Statutes, Rules and Policies Regarding Mental Retardation, Pervasive Developmental Disorders and Other Cognitive and Developmental Disorders

(H.P. 468) (L.D. 654)

Sponsored by Representative WEBSTER of Freeport.
Cosponsored by Senator BRANNIGAN of Cumberland and Representatives: CAMPBELL of Newfield, EVES of North Berwick, JONES of Mount Vernon, PERRY of Calais, STRANG BURGESS of Cumberland, STUCKEY of Portland, Senators: MARRACHÉ of Kennebec, MILLS of Somerset.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Exempt Snowmobiles Operated at Demonstration Events from the Requirement of a Maine Registration"

(H.P. 452) (L.D. 638)

Sponsored by Representative THERIAULT of Madawaska.
Cosponsored by Senator JACKSON of Aroostook and Representatives: BROWNE of Vassalboro, CLARK of Millinocket, CRAY of Palmyra, DAVIS of Sangerville, GIFFORD of Lincoln, JOY of Crystal, SMITH of Monmouth, Senator: GOOLEY of Franklin.

Resolve, Directing the Department of Inland Fisheries and Wildlife To Conduct a Study To Enhance Maine's Recreational Fishing Economy

(H.P. 469) (L.D. 655)

Sponsored by Representative BERRY of Bowdoinham.
Cosponsored by Senator SHERMAN of Aroostook and Representatives: BRIGGS of Mexico, DOSTIE of Sabattus, HUNT of Buxton, PIOTTI of Unity, SHAW of Standish, THERIAULT of Madawaska, WILLETTE of Presque Isle, Senator: President MITCHELL of Kennebec.

Bill "An Act To Allow Members of the Armed Forces Who Are Not Residents but Own Property in this State To Obtain Resident Hunting and Fishing Licenses or Permits"

(H.P. 470) (L.D. 656)

Sponsored by Representative CLARK of Millinocket.
Cosponsored by Representatives: CEBRA of Naples, DAVIS of Sangerville, EBERLE of South Portland, SARTY of Denmark,

SHAW of Standish, Senator: JACKSON of Aroostook.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act Regarding the Computation of Workers' Compensation Rates Based on Past Claims"

(H.P. 453) (L.D. 639)

Sponsored by Representative BROWNE of Vassalboro.

Cosponsored by Senator COURTNEY of York and Representatives: AUSTIN of Gray, CHASE of Wells, CUSHING of Hampden, DRISCOLL of Westbrook, RICHARDSON of Warren, TARDY of Newport, THOMAS of Ripley, TUTTLE of Sanford.

JUDICIARY

Bill "An Act To Ensure Public Access to Records Relating to Public Contracts for Personal Services"

(H.P. 454) (L.D. 640)

Sponsored by Representative BERRY of Bowdoinham.

Cosponsored by Senator McCORMICK of Kennebec and Representatives: BUTTERFIELD of Bangor, GILBERT of Jay, GOODE of Bangor, Speaker PINGREE of North Haven, PIOTTI of Unity, ROTUNDO of Lewiston, WRIGHT of Berwick, Senator: JACKSON of Aroostook.

Bill "An Act To Protect Parental Relationships during and after Divorce"

(H.P. 456) (L.D. 642)

Sponsored by Representative BLODGETT of Augusta.

Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: BEAUDOIN of Biddeford, BOLAND of Sanford, CAMPBELL of Newfield, CROCKETT of Augusta, GILBERT of Jay, HOGAN of Old Orchard Beach, MAGNAN of Stockton Springs, TUTTLE of Sanford.

Bill "An Act To Authorize a Court To Appoint a Parenting Coordinator To Assist in Domestic Relations Actions"

(H.P. 457) (L.D. 643)

Sponsored by Representative HAYES of Buckfield.

Bill "An Act To Allow the Award of Court Costs or Attorney's Fees in Protection from Harassment Actions"

(H.P. 471) (L.D. 657)

Sponsored by Representative CLEARY of Houlton. (BY REQUEST)

Cosponsored by Representatives: CONNOR of Kennebunk, CROCKETT of Bethel, EATON of Sullivan, MITCHELL of the Penobscot Nation, PILON of Saco, PRIEST of Brunswick, SCHATZ of Blue Hill.

Bill "An Act To Notify Municipal Assessors of Foreclosure Actions"

(H.P. 455) (L.D. 641)

Sponsored by Representative BEAUDETTE of Biddeford.

Cosponsored by Senator HOBBS of York and Representatives: BEAUDOIN of Biddeford, CASAVANT of Biddeford, CONNOR of Kennebunk, Senators: COURTNEY of York, NASS of York, SULLIVAN of York.

Committee on **JUDICIARY** suggested.

On motion of Representative PRIEST of Brunswick, the Bill was **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, ordered printed and sent for concurrence.

Bill "An Act To Require United States Occupational Safety and Health Administration Training for Government Construction Contracts"

(H.P. 472) (L.D. 658)

Sponsored by Representative WRIGHT of Berwick.

Cosponsored by Representatives: BUTTERFIELD of Bangor, WAGNER of Lyman, WHEELER of Kittery.

NATURAL RESOURCES

Bill "An Act To Allow the Sale and Use of Fuel Containing MTBE in a Vehicle in a Competitive Event"

(H.P. 458) (L.D. 644)

Sponsored by Representative LEWIN of Eliot.

Cosponsored by Senator NASS of York and Representatives: AYOTTE of Caswell, BURNS of Whiting, EDGECOMB of Caribou, HAMPER of Oxford, JOHNSON of Greenville.

Bill "An Act To Provide for Municipal Oversight and Authority over Groundwater Extraction"

(H.P. 459) (L.D. 645)

Sponsored by Representative SARTY of Denmark.

Cosponsored by Senator TRAHAN of Lincoln and Representatives: BROWNE of Vassalboro, CEBRA of Naples, CLARK of Millinocket, GIFFORD of Lincoln, ROBINSON of Raymond, SHAW of Standish, SYKES of Harrison, TARDY of Newport.

Bill "An Act To Improve the Water Quality of Maine's Rivers"

(H.P. 460) (L.D. 646)

Sponsored by Representative BOLDUC of Auburn.

Bill "An Act To Clarify A Municipality's Authority To Pass Ordinances That Govern the Extraction of Groundwater"

(H.P. 477) (L.D. 663)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representative CASAVANT of Biddeford, Senator BOWMAN of York and Representatives: CAMPBELL of Newfield, CORNELL du HOUX of Brunswick.

TAXATION

Bill "An Act To Provide Tax Relief for Retired Veterans Operating Businesses in Maine"

(H.P. 461) (L.D. 647)

Sponsored by Representative CORNELL du HOUX of Brunswick.

Cosponsored by Senator PERRY of Penobscot and Representatives: BECK of Waterville, BERRY of Bowdoinham, BRYANT of Windham, CROCKETT of Bethel, DAVIS of Sangerville, FLEMINGS of Bar Harbor, KNIGHT of Livermore Falls, LANGLEY of Ellsworth, NASS of Acton, Speaker PINGREE of North Haven, PIOTTI of Unity, RUSSELL of Portland, TRINWARD of Waterville, WHEELER of Kittery, Senators: BARTLETT of Cumberland, GERZOFKY of Cumberland, GOODALL of Sagadahoc, NASS of York, NUTTING of Androscoggin, SULLIVAN of York.

Bill "An Act To Remove the Sales Tax on Watercraft"

(H.P. 473) (L.D. 659)

Sponsored by Representative PILON of Saco.

Cosponsored by Senator PERRY of Penobscot and Representatives: CONNOR of Kennebunk, FLEMINGS of Bar Harbor, LANGLEY of Ellsworth, Speaker PINGREE of North Haven, PIOTTI of Unity, SCHATZ of Blue Hill, WATSON of Bath, Senator: DAMON of Hancock.

Bill "An Act To Phase Out the Distribution of the Disproportionate Tax Burden Fund under the State-municipal Revenue Sharing Program over a 5-year Period"

(H.P. 476) (L.D. 662)

Sponsored by Representative SHAW of Standish.
Cosponsored by Senator DIAMOND of Cumberland and Representatives: BURNS of Whiting, CEBRA of Naples, CROCKETT of Bethel, DAVIS of Sangerville, EATON of Sullivan, FOSSEL of Alna, HUNT of Buxton, MacDONALD of Boothbay, MARTIN of Eagle Lake, McKANE of Newcastle, NASS of Acton, PIEH of Bremen, Speaker PINGREE of North Haven, PINKHAM of Lexington Township, ROBINSON of Raymond, SARTY of Denmark, SCHATZ of Blue Hill, THOMAS of Ripley, TILTON of Harrington, WEAVER of York, Senators: BLISS of Cumberland, GOOLEY of Franklin, McCORMICK of Kennebec, PLOWMAN of Penobscot, TRAHAN of Lincoln, WESTON of Waldo.

TRANSPORTATION

Bill "An Act To Allow the Operation of Low-speed Vehicles on Higher-speed Roads"

(H.P. 462) (L.D. 648)

Sponsored by Representative WALSH INNES of Yarmouth.
Cosponsored by Representatives: CONNOR of Kennebunk, ROSEN of Bucksport, SHAW of Standish, Senator: DAVIS of Cumberland.

Bill "An Act To Reimburse Communities That Have Constructed Sand and Salt Sheds Rated Priority 3 and 4"

(H.P. 463) (L.D. 649)

Sponsored by Representative PINKHAM of Lexington Township.
Cosponsored by Senator DAMON of Hancock and Representatives: GIFFORD of Lincoln, LANGLEY of Ellsworth, Speaker PINGREE of North Haven, WATSON of Bath, Senators: COURTNEY of York, HOBBS of York, MILLS of Somerset, ROSEN of Hancock.

Bill "An Act To Authorize a General Fund Bond Issue To Maintain Train Quiet Zone Status in Millinocket"

(H.P. 474) (L.D. 660)

Sponsored by Representative CLARK of Millinocket.

Resolve, To Provide Equitable Tolls on the Maine Turnpike

(H.P. 475) (L.D. 661)

Sponsored by Representative CHASE of Wells.
Cosponsored by Senator GOOLEY of Franklin and Representatives: BROWNE of Vassalboro, CEBRA of Naples, KNIGHT of Livermore Falls, MAZUREK of Rockland, SAVIELLO of Wilton, THOMAS of Ripley, WEAVER of York, Senator: NASS of York.

UTILITIES AND ENERGY

Bill "An Act To Create a Sustainable Funding Mechanism for Water and Wastewater Infrastructure in the State"

(H.P. 464) (L.D. 650)

Sponsored by Representative BERRY of Bowdoinham.
Cosponsored by Senator BARTLETT of Cumberland and Representatives: FITTS of Pittsfield, FLOOD of Winthrop, HINCK of Portland, Speaker PINGREE of North Haven, VAN WIE of New Gloucester, WEBSTER of Freeport, WRIGHT of Berwick, Senator: GOODALL of Sagadahoc.

Bill "An Act To Amend the Wind Energy Rebate Program Eligibility Requirements"

(H.P. 465) (L.D. 651)

Sponsored by Representative BROWNE of Vassalboro.
Cosponsored by Senator SHERMAN of Aroostook and Representatives: CHASE of Wells, CLARK of Millinocket,

GIFFORD of Lincoln, SARTY of Denmark, SAVIELLO of Wilton, SCHATZ of Blue Hill.

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

ORDERS

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 14)

ORDERED, that Representative Herbert Adams of Portland be excused February 12 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Michael E. Carey of Lewiston be excused February 3 and 5 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Kathleen D. Chase of Wells be excused February 12 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Peggy A. Pendleton of Scarborough be excused February 10 and 12 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Leila J. Percy of Phippsburg be excused February 10 and 12 for health reasons.

READ and PASSED.

REPORTS OF COMMITTEE

Change of Committee

Representative ADAMS from the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Facilitate Wind Power Siting" (H.P. 164) (L.D. 199)

Reporting that it be **REFERRED** to the Committee on **NATURAL RESOURCES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **NATURAL RESOURCES**.

Sent for concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 11) (L.D. 2) Bill "An Act To Provide Rule-making Authority to the Maine Library Commission" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(H.P. 32) (L.D. 37) Bill "An Act To Allow a Weight Tolerance for Vehicle Auxiliary Power Units" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 95) (L.D. 111) Resolve, To Name Part of Route 16 the Alton E. Worcester Highway Committee on **TRANSPORTATION** reporting **Ought to Pass**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

CONSENT CALENDAR
Second Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the Second Day:

(H.P. 67) (L.D. 77) Resolve, Regarding Legislative Review of Portions of Chapter 181: Child Development Services System: Regional Provider Advisory Boards, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 71) (L.D. 81) Resolve, Regarding Legislative Review of Portions of Chapter 10: Exemptions to the Ban on Flavored Cigarettes and Cigars, a Major Substantive Rule of the Office of the Attorney General (EMERGENCY)

No objections having been noted at the end of the Second Legislative Day, the House Papers were **PASSED TO BE ENGROSSED** and sent for concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 237)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 24, 2009, at 10:00 the morning.

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

REPORTS OF COMMITTEE
Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Allow the Use of Only 2 Studded Tires on Front-wheel-drive Vehicles"

(H.P. 33) (L.D. 38)

Signed:

Senators:

DAMON of Hancock

GOOLEY of Franklin

Representatives:

MAZUREK of Rockland

HOGAN of Old Orchard Beach

PEOPLES of Westbrook

THERIAULT of Madawaska

HARLOW of Portland

CAREY of Lewiston

CEBRA of Naples

BROWNE of Vassalboro

ROSEN of Bucksport

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representative:

THOMAS of Ripley

READ.

On motion of Representative PIOTTI of Unity, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Resolve, Relating to Federal Stimulus Funds for Energy Programs

(H.P. 394) (L.D. 556)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

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

On motion of Representative WEBSTER of Freeport, the House adjourned at 10:52 a.m., until 10:00 a.m., Tuesday, February 24, 2009 pursuant to the Joint Order (S.P. 237) and in honor and lasting tribute to Rita Langlois, of Brunswick and Maxine Walls Clark, of Millinocket.

ENACTORS
Emergency Measure