

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
15th Legislative Day
Thursday, February 26, 2009

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

Prayer by Reverend Elizabeth J. Bachelder Smith, Highland Avenue United Methodist Church, Gardiner.

National Anthem by Lawrence High School Band, Fairfield.

Pledge of Allegiance.

Doctor of the day, Karyn Diamond, M.D., Standish.

The Journal of Tuesday, February 24, 2009 was read and approved.

SENATE PAPERS

Bill "An Act Concerning Domestic Violence and Firearms"
(S.P. 265) (L.D. 690)

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

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.

Non-Concurrent Matter

Resolve, To Return Two-thirds of the Purchase Cost of Sears Island to the People of Maine

(H.P. 382) (L.D. 537)

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in the House on February 12, 2009.

Came from the Senate with the Resolve and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On motion of Representative PIOTTI of Unity, the House voted to **ADHERE**.

Non-Concurrent Matter

Joint Order To Require the Joint Standing Committee on Natural Resources To Report Out a Bill Regarding Outdoor Wood Boilers

(H.P. 240)

READ and **PASSED** in the House on February 3, 2009.

Came from the Senate with the Joint Order and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (H.P. 526)

STATE OF MAINE

124TH MAINE LEGISLATURE

February 20, 2009

The Honorable Joy J. O'Brien

Secretary of the Senate

3 State House Station

Augusta, ME 04333

The Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Secretary O'Brien and Clerk MacFarland:

In accordance with Joint Rule 501, we hereby appoint the following staff members to jointly serve as the partisan staff assistants for nominations in the 124th Legislature.

Alex Pringle (Senate President's Office)

Kenneth Hardy (Speaker's Office)

Please let us know if you have any questions about these appointments.

Best Regards,

S/Hannah M. Pingree

Speaker of the House

S/Elizabeth H. Mitchell

President of the Senate

S/Philip Bartlett

Senate Majority Leader

S/John F. Piotti

House Majority Leader

S/Lisa Marraché

Senate Assistant Majority Leader

S/Seth A. Berry

House Assistant Majority Leader

READ and **ORDERED PLACED ON FILE**.

Sent for concurrence.

The Following Communication: (H.C. 71)

STATE OF MAINE

124TH MAINE LEGISLATURE

January 14, 2009

The Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to Joint Rule 501, we are pleased to appoint John Bott of the Senate Republican Office to serve as Partisan Staff Assistant for Nominations.

Please let me know if you have any questions.

Sincerely,

S/Kevin L. Raye

Senate Republican Leader

S/Joshua A. Tardy

House Republican Leader

S/Jon Courtney

Assistant Senate Republican Leader

S/Philip Curtis

Assistant House Republican Leader

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 72)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

February 24, 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 Business, Research and Economic Development has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 93 An Act To Amend the Laws Governing Construction Contracts

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

Sincerely,
S/Sen. Elizabeth M. Schneider
Senate Chair
S/Rep. Nancy E. Smith
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 77)

**MAINE SENATE
124TH MAINE LEGISLATURE
OFFICE OF THE SECRETARY**

February 24, 2009
Honorable Hannah M. Pingree
Speaker of the House
2 State House Station
Augusta, ME 04333-0002

Dear Speaker Pingree:
In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 124th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Judiciary, the nomination of Honorable E. Allen Hunter of Caribou for reappointment as a Superior Court Justice.

Upon the recommendation of the Committee on Judiciary, the nomination of Honorable Leigh Ingalls Saufley of Portland for reappointment as the Chief Justice of the Supreme Judicial Court.

Upon the recommendation of the Committee on Judiciary, the nomination of Honorable Joseph M. Jabar of Waterville for reappointment as a Superior Court Justice.

Upon the recommendation of the Committee on State and Local Government, the nomination of Christopher E. Howard of Standish for reappointment to the Maine Governmental Facilities Authority.

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

READ and 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:

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Authorize a General Fund Bond Issue for the Land for Maine's Future Board"

(H.P. 527) (L.D. 776)

Sponsored by Representative ADAMS of Portland.
Cosponsored by Representatives: BECK of Waterville, BLODGETT of Augusta, BOLDUC of Auburn, COHEN of Portland, CORNELL du HOUX of Brunswick, DOSTIE of Sabattus, EVES of North Berwick, FLAHERTY of Scarborough, FLEMINGS of Bar Harbor, GILBERT of Jay, GOODE of Bangor, HUNT of Buxton, WALSH INNES of Yarmouth, KENT of Woolwich, KRUGER of Thomaston, LEGG of Kennebunk, LOVEJOY of Portland, MARTIN of Orono, McCABE of Skowhegan, MORRISON of South Portland, NELSON of

Falmouth, O'BRIEN of Lincolnville, PETERSON of Rumford, ROTUNDO of Lewiston, RUSSELL of Portland, SANBORN of Gorham, SHAW of Standish, STEVENS of Bangor, STUCKEY of Portland, VAN WIE of New Gloucester, WAGNER of Lyman, WELSH of Rockport, WILLETTE of Presque Isle, Senators: GOODALL of Sagadahoc, JACKSON of Aroostook, SIMPSON of Androscoggin, TRAHAN of Lincoln.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Increase Split Sentencing Alternatives"
(H.P. 506) (L.D. 747)

Sponsored by Representative SCHATZ of Blue Hill.
Cosponsored by Representatives: CLEARY of Houlton, SOCTOMAH of the Passamaquoddy Tribe.

Bill "An Act To Adjust the Assessment for Correctional Services from Sagadahoc County" (EMERGENCY)
(H.P. 507) (L.D. 748)

Sponsored by Representative WATSON of Bath.
Cosponsored by Senator GOODALL of Sagadahoc and Representatives: BERRY of Bowdoinham, KENT of Woolwich, PERCY of Phippsburg.

Bill "An Act To Require Due Process and To Establish Expiration Dates for Criminal Trespass and Harassment Notices"
(H.P. 528) (L.D. 777)

Sponsored by Representative STRANG BURGESS of Cumberland.

Cosponsored by Senator MILLS of Somerset and Representatives: BEAULIEU of Auburn, CROCKETT of Bethel, DILL of Cape Elizabeth, MILLETT of Waterford, NASS of Acton, SAVIELLO of Wilton, TARDY of Newport, Senator: HASTINGS of Oxford.

EDUCATION AND CULTURAL AFFAIRS

Resolve, Directing the Department of Education To Take Measures To Assist Blind and Visually Impaired Students
(H.P. 508) (L.D. 749)

Sponsored by Representative PENDLETON of Scarborough.
Bill "An Act To Exempt Certain Municipalities from the Requirement To Hold Referenda on School Budgets"
(H.P. 509) (L.D. 750)

Sponsored by Representative EBERLE of South Portland.
Cosponsored by Representative ADAMS of Portland, Senator GOODALL of Sagadahoc.

Bill "An Act To Exempt Certain Isolated Rural Communities from the Minimum Student Enrollment Requirements in the Laws Governing the Reorganization of School Administrative Units" (EMERGENCY)
(H.P. 529) (L.D. 778)

Sponsored by Representative MacDONALD of Boothbay.
Cosponsored by Representatives: AYOTTE of Caswell, EDGECOMB of Caribou, HUNT of Buxton, McKANE of Newcastle, PRATT of Eddington, SCHATZ of Blue Hill, Senator: GOODALL of Sagadahoc.

HEALTH AND HUMAN SERVICES

Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Stamps for the Purchase of Soft Drinks
(H.P. 511) (L.D. 752)

Sponsored by Representative PENDLETON of Scarborough.
Cosponsored by Representative WILLETTE of Presque Isle, Senator TRAHAN of Lincoln and Representatives: BICKFORD of

Auburn, RICHARDSON of Warren, ROSEN of Bucksport, WHEELER of Kittery.

Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Stamps for the Purchase of Taxable Food Items

(H.P. 512) (L.D. 753)

Sponsored by Representative BICKFORD of Auburn.

Cosponsored by Representative DOSTIE of Sabattus, Senator MILLS of Somerset and Representatives: BEAUDOIN of Biddeford, BEAULIEU of Auburn, FOSSEL of Alna, LAJOIE of Lewiston, MARTIN of Orono, NASS of Acton, PENDLETON of Scarborough, WAGNER of Lewiston.

Bill "An Act To Improve the Transparency of Certain Hospitals"

(H.P. 516) (L.D. 757)

Sponsored by Representative GOODE of Bangor.

Cosponsored by Senator PERRY of Penobscot and Representatives: BUTTERFIELD of Bangor, CAMPBELL of Newfield, CHASE of Wells, HINCK of Portland, KNIGHT of Livermore Falls, O'BRIEN of Lincolnville, ROSEN of Bucksport, SANBORN of Gorham.

INLAND FISHERIES AND WILDLIFE

Resolve, To Transfer the Phillips Fish Hatchery to the Sandy River Land Trust

(H.P. 510) (L.D. 751)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Senator GOOLEY of Franklin and Representatives: CRAY of Palmyra, GIFFORD of Lincoln, HANLEY of Gardiner, McFADDEN of Dennysville.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act Regarding Subrogation of Medical Payments Coverage"

(H.P. 513) (L.D. 754)

Sponsored by Representative LEGG of Kennebunk.

Cosponsored by Representatives: BECK of Waterville, BERRY of Bowdoinham, CASAVANT of Biddeford, WRIGHT of Berwick.

Bill "An Act To Require Health Insurers To Provide Coverage for Nutritional Wellness and Prevention Measures and Products"

(H.P. 533) (L.D. 782)

Sponsored by Representative BOLAND of Sanford.

Cosponsored by Senator JACKSON of Aroostook and Representatives: CRAY of Palmyra, HOGAN of Old Orchard Beach, LAJOIE of Lewiston, LEGG of Kennebunk, MORRISON of South Portland, SOCTOMAH of the Passamaquoddy Tribe, Senators: ALFOND of Cumberland, BOWMAN of York.

Bill "An Act To Protect the Privacy of Consumer Financial Information"

(H.P. 534) (L.D. 783)

Sponsored by Representative LEGG of Kennebunk.

Cosponsored by Senator BARTLETT of Cumberland and Representatives: ADAMS of Portland, AYOTTE of Caswell, BEAUDETTE of Biddeford, BERRY of Bowdoinham, CONNOR of Kennebunk, CROCKETT of Augusta, DILL of Cape Elizabeth, DOSTIE of Sabattus, EBERLE of South Portland, EVES of North Berwick, FLAHERTY of Scarborough, FLEMINGS of Bar Harbor, FOSSEL of Alna, GOODE of Bangor, HARLOW of Portland, HINCK of Portland, WALSH INNES of Yarmouth, JONES of Mount Vernon, MacDONALD of Boothbay, McCABE of Skowhegan, MORRISON of South Portland, NELSON of Falmouth, O'BRIEN of Lincolnville, PENDLETON of Scarborough, PERCY of Phippsburg, PETERSON of Rumford,

PRESCOTT of Topsham, RICHARDSON of Warren, RUSSELL of Portland, SANBORN of Gorham, SMITH of Monmouth, TREAT of Hallowell, VALENTINO of Saco, VAN WIE of New Gloucester, WAGNER of Lyman, WEBSTER of Freeport, Senators: ALFOND of Cumberland, BRYANT of Oxford, GERZOFKY of Cumberland, SCHNEIDER of Penobscot, SIMPSON of Androscoggin.

JUDICIARY

Bill "An Act To Discourage the Misuse of the Process for Obtaining Protection from Abuse"

(H.P. 515) (L.D. 756)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representative: CLEARY of Houlton.

Bill "An Act To Improve the Process for Recovering Personal Property"

(H.P. 535) (L.D. 784)

Sponsored by Representative DILL of Cape Elizabeth.

Cosponsored by Representatives: CLEARY of Houlton, HILL of York, PRIEST of Brunswick.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Allow Municipalities and Counties To Require Bartender Training for Liquor Licensees"

(H.P. 517) (L.D. 758)

Sponsored by Representative HARLOW of Portland.

Cosponsored by Representatives: ADAMS of Portland, BERRY of Bowdoinham, LOVEJOY of Portland, PETERSON of Rumford, Senator: ALFOND of Cumberland.

Bill "An Act To Require Closed-captioning for Certain Political Advertisements"

(H.P. 530) (L.D. 779)

Sponsored by Representative ADAMS of Portland.

Bill "An Act To Increase the Amount and Number of Qualifying Contributions under the Maine Clean Election Act"

(H.P. 531) (L.D. 780)

Sponsored by Representative FLAHERTY of Scarborough.

Cosponsored by Senator HOBBS of York and Representatives: BEAUDETTE of Biddeford, BLANCHARD of Old Town, EVES of North Berwick, GOODE of Bangor, MARTIN of Orono, PETERSON of Rumford, THIBODEAU of Winterport.

Bill "An Act To Designate a Specialty State Lottery Ticket To Benefit Cancer Education and Awareness"

(H.P. 532) (L.D. 781)

Sponsored by Representative STRANG BURGESS of Cumberland.

Cosponsored by Senator SULLIVAN of York and Representatives: BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BICKFORD of Auburn, BLODGETT of Augusta, BOLAND of Sanford, CHASE of Wells, CLARK of Millinocket, CONNOR of Kennebunk, CURTIS of Madison, DILL of Cape Elizabeth, FLEMINGS of Bar Harbor, GILES of Belfast, GREELEY of Levant, HASKELL of Portland, HOGAN of Old Orchard Beach, WALSH INNES of Yarmouth, JONES of Mount Vernon, KNAPP of Gorham, LEWIN of Eliot, MAGNAN of Stockton Springs, MILLER of Somerville, MITCHELL of the Penobscot Nation, NASS of Acton, PEOPLES of Westbrook, PERCY of Phippsburg, PERRY of Calais, PRESCOTT of Topsham, RANKIN of Hiram, ROSEN of Bucksport, RUSSELL of Portland, SANBORN of Gorham, STUCKEY of Portland, TRINWARD of Waterville, TUTTLE of Sanford, VALENTINO of Saco, WAGNER of Lyman, WEAVER of York, Senators: BARTLETT of Cumberland, BOWMAN of York,

CRAVEN of Androscoggin, DAMON of Hancock, GOODALL of Sagadahoc, MARRACHÉ of Kennebec, MILLS of Somerset, RAYE of Washington.

NATURAL RESOURCES

Bill "An Act To Require State-owned Solid Waste Disposal Facilities To Demonstrate a Public Benefit"

(H.P. 518) (L.D. 759)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: BLANCHARD of Old Town, CAIN of Orono, MITCHELL of the Penobscot Nation, PRATT of Eddington, Senator: GOODALL of Sagadahoc.

Bill "An Act To Improve Landfill Capacity"

(H.P. 519) (L.D. 760)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Senator GOODALL of Sagadahoc.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Abolish the Fund for the Efficient Delivery of Local and Regional Services"

(H.P. 520) (L.D. 761)

Sponsored by Representative HAYES of Buckfield.

Cosponsored by Representatives: BEAUDETTE of Biddeford, JOY of Crystal.

Resolve, To Increase Reporting Transparency in State Government

(H.P. 521) (L.D. 762)

Sponsored by Representative RUSSELL of Portland.

Cosponsored by Senator BRYANT of Oxford and Representatives: BERRY of Bowdoinham, CHASE of Wells, CLARK of Millinocket, KNIGHT of Livermore Falls, LOVEJOY of Portland, MacDONALD of Boothbay, PIOTTI of Unity, STRANG BURGESS of Cumberland.

Bill "An Act To Clarify the Warrant Article Petition Process"

(H.P. 522) (L.D. 763)

Sponsored by Representative WILLETTE of Presque Isle.

Cosponsored by Senator JACKSON of Aroostook and Representatives: CLARK of Easton, COTTA of China, HAYES of Buckfield.

Bill "An Act To Use All Available Technologies To Provide Efficiencies in State Facilities"

(H.P. 536) (L.D. 785)

Sponsored by Representative PRESCOTT of Topsham.

Cosponsored by Senator HOBBS of York and Representatives: AUSTIN of Gray, FLETCHER of Winslow, HAMPER of Oxford, HINCK of Portland, LEGG of Kennebunk, MacDONALD of Boothbay, WEBSTER of Freeport, Senator: GERZOFKY of Cumberland.

Bill "An Act To Require That Minutes Be Kept of Municipal Meetings"

(H.P. 537) (L.D. 786)

Sponsored by Representative MILLER of Somerville. (BY REQUEST)

Cosponsored by Representatives: HOGAN of Old Orchard Beach, MacDONALD of Boothbay.

TAXATION

Bill "An Act To Allow Towns To Establish Their Own Homestead Exemption Programs"

(H.P. 524) (L.D. 765)

Sponsored by Representative CEBRA of Naples.

Cosponsored by Representatives: PLUMMER of Windham, ROBINSON of Raymond, SARTY of Denmark, SHAW of Standish, SYKES of Harrison.

Bill "An Act To Provide an Additional Source of Revenue for the Tax Relief Fund for Maine Residents"

(H.P. 538) (L.D. 787)

Sponsored by Representative CHASE of Wells.

Cosponsored by Senator NASS of York and Representatives: KNIGHT of Livermore Falls, LANGLEY of Ellsworth, LEWIN of Eliot, MILLETT of Waterford, PIOTTI of Unity, WATSON of Bath.

Bill "An Act To Aid Municipalities and the Unorganized Territory in the Reduction of Property Taxes"

(H.P. 539) (L.D. 788)

Sponsored by Representative CHASE of Wells.

Cosponsored by Senator NASS of York and Representatives: HILL of York, KNIGHT of Livermore Falls, LANGLEY of Ellsworth, ROSEN of Bucksport, WATSON of Bath.

UTILITIES AND ENERGY

Bill "An Act To Allow Municipalities To Offer Access to the Internet through Digital Subscriber Lines"

(H.P. 523) (L.D. 764)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Senator GOOLEY of Franklin and Representatives: CRAY of Palmyra, GIFFORD of Lincoln, GILBERT of Jay, HANLEY of Gardiner, HARVELL of Farmington, McFADDEN of Dennysville.

Bill "An Act To Promote Telecommunications Availability for the Deaf and Hard of Hearing"

(H.P. 525) (L.D. 766)

Sponsored by Representative WAGNER of Lyman.

Cosponsored by Senator BOWMAN of York and Representatives: FLAHERTY of Scarborough, FLETCHER of Winslow.

Bill "An Act To Make Certain Changes to the Laws Regarding E-9-1-1 Surcharge Collection from Prepaid Wireless and Voice over Internet Protocol Providers"

(H.P. 540) (L.D. 789)

Sponsored by Representative FLAHERTY of Scarborough.

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

Bill "An Act To Waive Public Utilities Commission Approval of Special Contracts When the Contracts Apply to Detariffed Rates or Terms"

(H.P. 541) (L.D. 790)

Sponsored by Representative HINCK of Portland.

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

MAINE'S ENERGY FUTURE

Bill "An Act To Help the State Achieve Energy Independence and Security"

(H.P. 514) (L.D. 755)

Sponsored by Representative FLETCHER of Winslow.

Cosponsored by Senator SMITH of Piscataquis and Representatives: BEAULIEU of Auburn, FITTS of Pittsfield, JOHNSON of Greenville, LANGLEY of Ellsworth, NUTTING of Oakland, SARTY of Denmark, TILTON of Harrington, Senator: SHERMAN of Aroostook.

ORDERS

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 15)

ORDERED, that Representative Andrea M. Boland of Sanford be excused January 29 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Sheryl J. Briggs of Mexico be excused February 19 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Dawn Hill of York be excused February 17 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Brian D. Langley of Ellsworth be excused February 19 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Elizabeth S. Miller of Somerville be excused February 17 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative James M. Schatz of Blue Hill be excused February 19 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Richard M. Sykes of Harrison be excused February 19 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Sharon Anglin Treat of Hallowell be excused February 19 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Pamela Jabar Trinward of Waterville be excused February 17 for personal reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following item:

Recognizing:

Melissa Sweet, of Rockport, who is the illustrator of a 2009 Caldecott Honor Book. Caldecott Honors are awarded to distinguished American picture books for children by the American Library Association. Ms. Sweet is the illustrator of *A River of Words*, written by Jen Bryant. She has been illustrating since 1986 and her work has been in more than 40 children's books. We extend our congratulations to Ms. Sweet on her receiving this honor and we send our best wishes for her continued success;

(HLS 62)

Presented by Representative WELSH of Rockport.

Cosponsored by Senator RECTOR of Knox.

On **OBJECTION** of Representative WELSH of Rockport, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Rockport, Representative Welsh.

Representative **WELSH**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. Melissa Sweet, in the Gallery, has won this prestigious award. It is the Pulitzer Prize of children's literature, and we are very proud in Rockport of her accomplishments. I just wish on behalf of all of us the very best and congratulations to Melissa. Thank you.

Subsequently, the Sentiment was **PASSED** and 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. 50) (L.D. 131) Bill "An Act To Amend the Charter of the Athens Standard Water District" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass**

(H.P. 121) (L.D. 142) Bill "An Act To Revise the Boundary between the City of Waterville and the Town of Oakland" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(H.P. 128) (L.D. 149) Bill "An Act To Amend the Laws Relating to the Maine Jobs Council" Committee on **LABOR** reporting **Ought to Pass**

(H.P. 136) (L.D. 157) Bill "An Act To Enhance Oversight of Fraternal Benefit Societies" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(H.P. 54) (L.D. 61) Bill "An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2009" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-4)**

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:

(S.P. 18) (L.D. 46) Bill "An Act To Allow Nonmember Directors To Serve on the Board of Cooperative Agricultural Associations"

(S.P. 49) (L.D. 130) Bill "An Act To Allow a Municipality Greater Flexibility To Disburse State Fees"

(H.P. 53) (L.D. 60) Resolve, To Rename the Father Curran Bridge in Augusta

(H.P. 94) (L.D. 110) Bill "An Act To Allow School Buses To Travel at the Posted Speed Limit on the Interstate and the Maine Turnpike"

(H.P. 108) (L.D. 124) Bill "An Act To Remove Game Sanctuary Status for Certain Lands in the Town of Orrington"

(H.P. 130) (L.D. 151) Bill "An Act To Amend the Alewife Fishing Laws"

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

**ENACTORS
Emergency Measure**

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

(H.P. 67) (L.D. 77)

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. 133 voted in favor of the same and

1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

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

(H.P. 71) (L.D. 81)

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. 135 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Provide Rule-making Authority to the Maine Library Commission

(S.P. 11) (L.D. 2)

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

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

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

SENATE PAPERS

The following Joint Order: (S.P. 303)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 3, 2009, at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

Bill "An Act To Authorize a General Fund Bond Issue for Research and Development"

(S.P. 297) (L.D. 770)

Bill "An Act To Authorize a General Fund Bond Issue To Fund the Communities for Maine's Future Program"

(S.P. 302) (L.D. 775)

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.

Resolve, To Examine Environmental Effects of the Dual Recovery System for Beverage Containers

(S.P. 270) (L.D. 733)

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 Allow Unimmunized Children to Attend School Upon Parental Waiver"

(S.P. 275) (L.D. 735)

Bill "An Act To Increase Funding for Higher Education"

(S.P. 300) (L.D. 773)

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 Require Patients of Opioid Treatment Programs To Release Medical Information to a Designated Primary Care Physician"

(S.P. 285) (L.D. 738)

Bill "An Act To Improve the Dental Health of Children by Making Fluoride Treatments More Available"

(S.P. 295) (L.D. 768)

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 Require the State To Provide Bonita Rogan with Health Insurance Benefits"

(S.P. 284) (L.D. 737)

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

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

Bill "An Act To Allow Certain Organizations To Hold Raffles" (EMERGENCY)

(S.P. 298) (L.D. 771)

Bill "An Act To Increase Eligibility Requirements under the Maine Clean Election Act"

(S.P. 299) (L.D. 772)

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 Lower the Cost of State Government in the Departments under the Purview of the Joint Standing Committee on Natural Resources"

(S.P. 293) (L.D. 746)

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

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

Bill "An Act To Provide That the Assessor and Treasurer Are Incompatible Municipal Offices"

(S.P. 286) (L.D. 739)

Bill "An Act To Authorize the Annexation of a Portion of Redington Township in Franklin County to the Town of Carrabassett Valley" (EMERGENCY)

(S.P. 288) (L.D. 741)

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 Validate the Property Tax Commitments in the Towns That are Members of Community School District No. 9" (EMERGENCY)

(S.P. 287) (L.D. 740)

Bill "An Act To Exempt Fuel Used by Commercial Fishing Vessels from the Sales Tax" (EMERGENCY)

(S.P. 290) (L.D. 743)

Bill "An Act To Allow a Tax Credit for Tuition Paid to Private Schools"

(S.P. 291) (L.D. 744)

Bill "An Act To Amend the Laws Governing Income Tax To Allow an Age-based Write-off of Capital Losses"

(S.P. 296) (L.D. 769)

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

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

Resolve, Directing the Department of Transportation To Request Federal Funding for the Extension and Completion of Interstate 95 (EMERGENCY)

(S.P. 283) (L.D. 736)

Bill "An Act To Allow the Operation of Modified Utility Vehicles on Public Ways"

(S.P. 292) (L.D. 745)

Bill "An Act To Promote Fairness and Protect Economic Development in Transportation Projects Undertaken by the State"

(S.P. 294) (L.D. 767)

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

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

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

On motion of Representative WELSH of Rockport, the House adjourned at 10:59 a.m., until 10:00 a.m., Tuesday, March 3, 2009 pursuant to the Joint Order (S.P. 303) and in honor and lasting tribute to Steve Weiner, of Avon, Patricia Ritchie, of Camden and Gary Allen Gray, of East Vassalboro.