

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
17th Legislative Day
Thursday, March 5, 2009

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

Prayer by Pastor John Durgin, Penobscot Bay Ministries, Thomaston.

National Anthem by January Kapuscinski, Warren.

Pledge of Allegiance.

Doctor of the day, David Simmons, M.D., Calais.

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

SENATE PAPERS

Bill "An Act To Amend the Composition of the Maine Commission on Domestic and Sexual Abuse"

(S.P. 289) (L.D. 742)

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

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

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

Bill "An Act To Encourage Small Business Energy Efficiency"

(S.P. 306) (L.D. 792)

Joint Select Committee on **MAINE'S ENERGY FUTURE** suggested and ordered printed.

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

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

COMMUNICATIONS

The Following Communication: (H.C. 73)

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

February 25, 2009

Hon. Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Public Law 2007, Chapter 441, I am pleased to appoint the following Representative to serve as a member of the Advisory Council on Health Systems Development.

Representative Wesley E. Richardson of Warren

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

Sincerely,

S/Hannah M. Pingree

Speaker of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 74)

STATE OF MAINE

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

February 26, 2009

Hon. Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Title 10, §11, I am pleased to appoint the following to the Citizen Trade Policy Commission.

Michael Herz of Damariscotta

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

Sincerely,

S/Hannah M. Pingree

Speaker of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 75)

STATE OF MAINE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

February 23, 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 Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 14

An Act To Prohibit Air Bag Fraud

L.D. 69

An Act To Provide a Reward for Information Regarding the Murder of a Law Enforcement Officer

L.D. 185

An Act To Ensure Public Safety during High-speed Chases by Law Enforcement Officers

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

Sincerely,

S/Sen. Stanley J. Gerzofsky

Senate Chair

S/Rep. Anne M. Haskell

House Chair

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 76)

STATE OF MAINE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES

February 25, 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 Insurance and Financial Services

has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 62 An Act To Ensure an Adequate Time Frame within Which To Rebuild a Home
L.D. 216 An Act To Amend the Law Governing Property Insurance on a Primary Residence
L.D. 274 An Act To Require That Insurance Contracts Include a Plain Language Summary

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

Sincerely,
S/Sen. Peter B. Bowman
Senate Chair
S/Rep. Sharon A. Treat
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 77)

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

February 26, 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 Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 63 An Act To Reduce Registration Fees for Certain Generators of Biomedical Waste
L.D. 208 An Act To Require a Municipality That Abuts a Body of Water To Contribute to the Cost of Upkeep of Municipally Owned Dams on That Body of Water

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

Sincerely,
S/Sen. Seth A. Goodall
Senate Chair
S/Rep. Robert S. Duchesne
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 78)

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

February 26, 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. 8 An Act To Deter Road Rage

- L.D. 41 An Act To Prohibit the Use of a Handheld Cellular Telephone While Operating a Motor Vehicle
L.D. 112 An Act To Prohibit the Use of Handheld Cellular Telephones while Driving
L.D. 261 An Act To Increase Safety in Construction Zones

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. 79)

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

February 27, 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. 270 An Act To Allow a Gasoline Retailer To Offer Discounts to Customers Who Pay by Cash or Similar Means

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: (H.C. 80)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

February 27, 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 Inland Fisheries and Wildlife has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 137 Resolve, To Authorize a Trail To Be Built Connecting the Cascade Falls Trail with the Eastern Trail

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

Sincerely,
S/Sen. Bruce S. Bryant
Senate Chair
S/Rep. Herbert E. Clark
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 81)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

February 26, 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 Legal and Veterans Affairs has voted unanimously to report the following bills out "Ought Not to Pass":
L.D. 219 An Act To Require Maine Clean Election Act Candidates To Use Maine Vendors
L.D. 312 An Act To Require Campaign Finance Reports of Independent Expenditures To Contain a Copy of an Advertisement
L.D. 339 An Act To Promote Ethics in Campaign Fund Solicitation

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

Sincerely,
S/Sen. Nancy B. Sullivan
Senate Chair
S/Rep. Pamela Jabar Trinward
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 82)

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

February 27, 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 Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":
L.D. 260 An Act To Provide Access to Regional Greenhouse Gas Initiative Auction Funds to Maine Indian Tribes

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

Sincerely,
S/Sen. Seth A. Goodall
Senate Chair
S/Rep. Robert S. Duchesne

House Chair
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 83)

**MAINE STATE LEGISLATURE
OFFICE OF PROGRAM EVALUATION AND
GOVERNMENT ACCOUNTABILITY**

TO: Speaker Hannah M. Pingree, Chair
President Elizabeth H. Mitchell, Vice-Chair
and Members of the Legislative Council
FROM: S/Beth L. Ashcroft, Director
DATE: February 27, 2009
RE: OPEGA Report on MaineCare Children's Outpatient Mental Health Services
Enclosed please find the final report from the Office of Program Evaluation and Government Accountability on MaineCare Children's Outpatient Mental Health Services. The report is also available on our website at www.maine.gov/legis/oepga/reports.htm. The public comment period on this Report has been scheduled for Friday, March 13, 2009 at 9:30 a.m. in Room 216 Cross Building.
At today's public presentation of the report to the GOC, a provider in attendance raised a concern about the accuracy of figures included for his organization. OPEGA is researching the information he is providing to determine if changes should be made to the report. We will make you aware if any updates do occur.

If you have questions, please do not hesitate to call or email me.
READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 84)

**STATE OF MAINE
ONE HUNDRED AND TWENTY FOURTH LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

March 3, 2009
Honorable Elizabeth H. Mitchell, Senate President
Honorable Hannah M. Pingree, Speaker of the House
124th Maine State Legislature
State House
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 Sen. Rector of Knox, to report the following bill Leave to Withdraw:
L.D. 175 An Act To Modify the Maine Seed Capital Tax Credit Program
Sincerely,
S/Sen. Elizabeth M. Schneider
Senate Chair
S/Rep. Nancy E. Smith
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (S.C. 81)

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

February 26, 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 John B. Beliveau of Lewiston for reappointment as a District Court Judge.

Upon the recommendation of the Committee on Judiciary, the nomination of Honorable John David Kennedy of North Yarmouth for reappointment as a District Court Judge.

Upon the recommendation of the Committee on Judiciary, the nomination of Honorable Jon D. Levy of Portland for reappointment as an Associate Justice of the Supreme Judicial Court.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 86)

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

March 3, 2009

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Please be advised the Senate today adhered to its previous action whereby it Indefinitely Postponed Resolve, To Return Two-thirds of the Purchase Cost of Sears Island to the People of Maine (H.P. 382) (L.D. 537).

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:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Permanently Establish the Position of Director of Recreational Access and Landowner Relations"

(H.P. 594) (L.D. 863)

Sponsored by Representative WATSON of Bath.

Resolve, To Promote the Use of Alternative Fiber

(H.P. 611) (L.D. 893)

Sponsored by Representative PRATT of Eddington.

Cosponsored by Representatives: CRAY of Palmyra, FLEMINGS of Bar Harbor, KENT of Woolwich, McCABE of Skowhegan, O'BRIEN of Lincolnville, PERCY of Phippsburg, SMITH of Monmouth, Senator: NUTTING of Androscoggin.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Authorize a General Fund Bond Issue To Fund Energy Investments for Maine's Future"

(H.P. 589) (L.D. 858)

Sponsored by Representative VAN WIE of New Gloucester.

Cosponsored by Representatives: BEAUDETTE of Biddeford, DILL of Cape Elizabeth, FLETCHER of Winslow, GOODE of Bangor, HINCK of Portland, WAGNER of Lyman, Senator: BOWMAN of York.

Bill "An Act To Establish the Maine Farmland Fund and Authorize a General Fund Bond Issue To Support Maine's Traditional Industries"

(H.P. 612) (L.D. 894)

Sponsored by Speaker PINGREE of North Haven.

Cosponsored by Senator RAYE of Washington and Representatives: EATON of Sullivan, KENT of Woolwich, O'BRIEN of Lincolnville, PERCY of Phippsburg, SMITH of Monmouth, STUCKEY of Portland, Senators: DAMON of Hancock, NUTTING of Androscoggin, RECTOR of Knox.

Bill "An Act To Authorize a General Fund Bond Issue To Renovate Classrooms, Laboratories and Other Essential Teaching and Learning Facilities in the University of Maine System and the Maine Community College System"

(H.P. 613) (L.D. 895)

Sponsored by Representative CAIN of Orono.

Cosponsored by President MITCHELL of Kennebec and Representatives: MARTIN of Eagle Lake, MILLETT of Waterford, Speaker PINGREE of North Haven, TARDY of Newport, Senators: DIAMOND of Cumberland, RAYE of Washington, ROSEN of Hancock, SCHNEIDER of Penobscot.

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

(H.P. 627) (L.D. 909)

Sponsored by Representative STRANG BURGESS of Cumberland.

Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: BEAUDOIN of Biddeford, BEAULIEU of Auburn, BERRY of Bowdoinham, CAIN of Orono, CAMPBELL of Newfield, CELLI of Brewer, CLARK of Millinocket, CONNOR of Kennebunk, CROCKETT of Augusta, EDGECOMB of Caribou, EVES of North Berwick, FITTS of Pittsfield, GOODE of Bangor, HASKELL of Portland, JONES of Mount Vernon, LAJOIE of Lewiston, MAGNAN of Stockton Springs, MARTIN of Orono, MARTIN of Eagle Lake, MILLER of Somerville, MILLETT of Waterford, MITCHELL of the Penobscot Nation, NUTTING of Oakland, PERRY of Calais, PETERSON of Rumford, Speaker PINGREE of North Haven, PIOTTI of Unity, PRIEST of Brunswick, RICHARDSON of Warren, RUSSELL of Portland, SANBORN of Gorham, SCHATZ of Blue Hill, STUCKEY of Portland, TARDY of Newport, VALENTINO of Saco, WAGNER of Lewiston, WEBSTER of Freeport, WHEELER of Kittery, WRIGHT of Berwick, Senators: BRANNIGAN of Cumberland, BRYANT of Oxford, CRAVEN of Androscoggin, DAVIS of Cumberland, DIAMOND of Cumberland, GERZOFOSKY of Cumberland, MILLS of Somerset, NUTTING of Androscoggin, RAYE of Washington, ROSEN of Hancock, SHERMAN of Aroostook, SIMPSON of Androscoggin, TRAHAN of Lincoln.

Bill "An Act To Authorize a General Fund Bond Issue To Promote Sustainable Green Housing"

(H.P. 628) (L.D. 910)

Sponsored by Speaker PINGREE of North Haven.
Cosponsored by President MITCHELL of Kennebec and Representatives: CAIN of Orono, FLEMINGS of Bar Harbor, GOODE of Bangor, HINCK of Portland, HUNT of Buxton, MARTIN of Eagle Lake, PIOTTI of Unity, Senator: BARTLETT of Cumberland.

Bill "An Act To Authorize a General Fund Bond Issue for Affordable Housing"

(H.P. 629) (L.D. 911)

Sponsored by Representative ADAMS of Portland.
Cosponsored by Senator SIMPSON of Androscoggin and Representatives: CAREY of Lewiston, EBERLE of South Portland, Speaker PINGREE of North Haven.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 32" (EMERGENCY)

(H.P. 588) (L.D. 857)

Sponsored by Representative SUTHERLAND of Chapman.
Cosponsored by Senator JACKSON of Aroostook and Representatives: MARTIN of Eagle Lake, THERIAULT of Madawaska, WILLETTE of Presque Isle, Senator: SHERMAN of Aroostook.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Provide for the Certification of Teachers in a Critical Teacher Shortage Area"

(H.P. 595) (L.D. 864)

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

Resolve, To Examine Data Discrepancies and Adequately Identify and Serve Children with Brain Injuries

(H.P. 597) (L.D. 866)

Sponsored by Representative GOODE of Bangor.
Cosponsored by Representatives: BUTTERFIELD of Bangor, CUSHING of Hampden, MARTIN of Orono, STEVENS of Bangor.

HEALTH AND HUMAN SERVICES

Bill "An Act To Change the Maine HIV Advisory Committee"

(H.P. 596) (L.D. 865)

Sponsored by Representative CAREY of Lewiston.
Cosponsored by Senator BARTLETT of Cumberland and Representatives: PERRY of Calais, PETERSON of Rumford, Speaker PINGREE of North Haven, STUCKEY of Portland, Senator: BRANNIGAN of Cumberland.

Bill "An Act To Amend the Laws Governing the Reporting of Crimes on the Maine Registry of Certified Nursing Assistants"

(H.P. 608) (L.D. 877)

Sponsored by Representative MILLER of Somerville.
Cosponsored by Representatives: CONNOR of Kennebunk, PERRY of Calais, WEBSTER of Freeport.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Control Premium Costs in the Small Group Health Insurance Market"

(H.P. 590) (L.D. 859)

Sponsored by Representative TREAT of Hallowell.
(GOVERNOR'S BILL)

Cosponsored by Senator BOWMAN of York.

Bill "An Act To Ensure Adequate Insurance Coverage for Family Child Care Providers"

(H.P. 614) (L.D. 896)

Sponsored by Representative GOODE of Bangor.
Cosponsored by Senator BOWMAN of York and Representatives: BERRY of Bowdoinham, LEGG of Kennebunk, MORRISON of South Portland, PRIEST of Brunswick, ROTUNDO of Lewiston, STRANG BURGESS of Cumberland, VAN WIE of New Gloucester, Senator: ALFOND of Cumberland.

JUDICIARY

Bill "An Act To Amend the Law Pertaining to Permanently Restricted Funds of Municipal Public Libraries"

(H.P. 616) (L.D. 898)

Sponsored by Representative GILES of Belfast.
Cosponsored by Senator RECTOR of Knox and Representatives: COHEN of Portland, EDGECOMB of Caribou, KNIGHT of Livermore Falls, MacDONALD of Boothbay, MARTIN of Orono, ROTUNDO of Lewiston, STRANG BURGESS of Cumberland, WEBSTER of Freeport.

LABOR

Bill "An Act To Clarify the Application of the Public Works Minimum Wage Laws"

(H.P. 584) (L.D. 849)

Sponsored by Representative TUTTLE of Sanford.
Cosponsored by Senator JACKSON of Aroostook and Representatives: BLODGETT of Augusta, CLARK of Millinocket, DRISCOLL of Westbrook, GILBERT of Jay.

Bill "An Act Regarding Unemployment Compensation"

(H.P. 598) (L.D. 867)

Sponsored by Representative CAIN of Orono.
Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: BUTTERFIELD of Bangor, CUSHING of Hampden, FLOOD of Winthrop, GOODE of Bangor, PRIEST of Brunswick, THIBODEAU of Winterport.

Bill "An Act To Rename the Division of Deafness within the Department of Labor"

(H.P. 599) (L.D. 868)

Sponsored by Representative CAIN of Orono.
Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: BUTTERFIELD of Bangor, CUSHING of Hampden, PRIEST of Brunswick, THIBODEAU of Winterport, TUTTLE of Sanford, WEBSTER of Freeport.

Bill "An Act To Require the Development of Plans To Achieve the Payment of Livable Wages by State and Local Government Employers"

(H.P. 600) (L.D. 869)

Sponsored by Representative BUTTERFIELD of Bangor.
Cosponsored by Representatives: BERRY of Bowdoinham, CAIN of Orono.

Bill "An Act To Prohibit Mandatory Binding Arbitration"

(H.P. 615) (L.D. 897)

Sponsored by Representative GOODE of Bangor.
Cosponsored by Representatives: DILL of Cape Elizabeth, FLAHERTY of Scarborough, PRATT of Eddington, RUSSELL of Portland.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Improve Transportation for Veterans"
(H.P. 601) (L.D. 870)

Sponsored by Representative ROTUNDO of Lewiston.
Cosponsored by Senator ROSEN of Hancock and
Representatives: BEAULIEU of Auburn, CAIN of Orono, CAREY
of Lewiston, LAJOIE of Lewiston, NUTTING of Oakland,
ROBINSON of Raymond, WAGNER of Lewiston, Senator:
CRAVEN of Androscoggin.

Bill "An Act To Require Candidates for Public Office To
Provide Proof of Citizenship"
(H.P. 617) (L.D. 899)

Sponsored by Representative CEBRA of Naples.
Cosponsored by Representatives: CUSHING of Hampden, FITTS
of Pittsfield, JOY of Crystal, ROBINSON of Raymond, SARTY of
Denmark, THOMAS of Ripley.

Bill "An Act To Prohibit Payments to Persons Who Collect
Signatures for the Direct Initiative or People's Veto of Legislation"
(H.P. 618) (L.D. 900)

Sponsored by Representative CAMPBELL of Newfield.
Cosponsored by Senator BOWMAN of York, Senator SULLIVAN
of York and Representatives: CLARK of Millinocket, CONNOR of
Kennebunk, HOGAN of Old Orchard Beach, JONES of Mount
Vernon, Speaker PINGREE of North Haven, STUCKEY of
Portland, TUTTLE of Sanford, Senator: BRYANT of Oxford.

Bill "An Act To Restrict the Size of Political Signs on Vehicles"
(H.P. 619) (L.D. 901)

Sponsored by Representative DOSTIE of Sabattus.
Cosponsored by Senator NUTTING of Androscoggin and
Representatives: ADAMS of Portland, BERRY of Bowdoinham,
LAJOIE of Lewiston, LEGG of Kennebunk.

Bill "An Act To Provide the Right of First Refusal to Mobile
Home Park Residents"
(H.P. 620) (L.D. 902)

Sponsored by Representative HILL of York.
Cosponsored by Senator HOBBS of York and Representatives:
PRESCOTT of Topsham, SMITH of Monmouth, WEAVER of
York, Senators: BOWMAN of York, NASS of York.

Bill "An Act To Allow an Election Clerk To Request Proof of
Identity from a Voter"
(H.P. 621) (L.D. 903)

Sponsored by Representative HILL of York.
Cosponsored by Senator RAYE of Washington and
Representative: WEAVER of York, Senators: BOWMAN of York,
PLOWMAN of Penobscot.

Bill "An Act To Permit Brew Pubs To Sell Half-gallon
Containers of Malt Liquor"
(H.P. 622) (L.D. 904)

Sponsored by Representative SMITH of Monmouth.
Cosponsored by Senator PLOWMAN of Penobscot and
Representatives: CONNOR of Kennebunk, FITTS of Pittsfield,
PRATT of Eddington, TRINWARD of Waterville, VALENTINO of
Saco, Senators: NUTTING of Androscoggin, SIMPSON of
Androscoggin, SULLIVAN of York.

NATURAL RESOURCES

Bill "An Act Relating to Geothermal Heat Exchange Wells"
(H.P. 591) (L.D. 860)

Sponsored by Representative EBERLE of South Portland.
Cosponsored by Senator GOODALL of Sagadahoc and
Representatives: BEAUDETTE of Biddeford, CEBRA of Naples,
COHEN of Portland, DUCHESNE of Hudson, SARTY of
Denmark, SAVIELLO of Wilton, WELSH of Rockport, Senator:
TRAHAN of Lincoln.

Bill "An Act Concerning Deductibles for Underground Oil
Storage Facilities and Tanks"
(H.P. 592) (L.D. 861)

Sponsored by Representative AYOTTE of Caswell.
Cosponsored by Senator JACKSON of Aroostook and
Representatives: DAVIS of Sangerville, JOY of Crystal, KNIGHT
of Livermore Falls, MARTIN of Eagle Lake, THOMAS of Ripley,
Senators: SHERMAN of Aroostook, SMITH of Piscataquis.

Bill "An Act To Facilitate Compliance with Solid Waste
Management Rules"
(H.P. 602) (L.D. 871)

Sponsored by Representative DUCHESNE of Hudson.
Resolve, To Create a Surrounding Community Advisory
Panel for the Juniper Ridge Landfill in Old Town
(H.P. 607) (L.D. 876)

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

STATE AND LOCAL GOVERNMENT

Resolve, To Require the State To Consult with the City of
Hallowell prior to the Sale of Certain Real Property
(EMERGENCY)
(H.P. 623) (L.D. 905)

Sponsored by Representative TREAT of Hallowell.
Cosponsored by Senator: McCORMICK of Kennebec.

TAXATION

Bill "An Act To Provide a Tax Credit to Certain Heating Fuel
Contract Consumers"
(H.P. 603) (L.D. 872)

Sponsored by Representative STEVENS of Bangor.
Cosponsored by Senator MILLS of Somerset and
Representatives: BLODGETT of Augusta, CROCKETT of Bethel,
CUSHING of Hampden, FLAHERTY of Scarborough, GOODE of
Bangor, KAENRATH of South Portland, MAGNAN of Stockton
Springs, PRATT of Eddington.

Bill "An Act To Amend the Rate of Tax on New Manufactured
Housing"
(H.P. 624) (L.D. 906)

Sponsored by Representative VALENTINO of Saco.
Cosponsored by Representatives: PILON of Saco, PIOTTI of
Unity.

TRANSPORTATION

Bill "An Act To Improve the Health of Maine Citizens and
Safety of Pedestrians"
(H.P. 593) (L.D. 862)

Sponsored by Representative HARLOW of Portland.
Cosponsored by Senator GOOLEY of Franklin and
Representatives: BRIGGS of Mexico, DAVIS of Sangerville,
GOODE of Bangor, MARTIN of Orono, MORRISON of South
Portland, SCHATZ of Blue Hill, STUCKEY of Portland,
WILLETTE of Presque Isle.

Bill "An Act To Improve Wheelchair-dependent Parking
Access"
(H.P. 604) (L.D. 873)

Sponsored by Representative THIBODEAU of Winterport.
Cosponsored by Representatives: ADAMS of Portland, AYOTTE
of Caswell, CRAY of Palmyra, CURTIS of Madison, GIFFORD of
Lincoln, GILES of Belfast, HASKELL of Portland, SAVIELLO of
Wilton.

Bill "An Act To Amend the Laws Governing Axle Weights"
(H.P. 605) (L.D. 874)

Sponsored by Representative THOMAS of Ripley.
Cosponsored by Senator JACKSON of Aroostook and
Representatives: BROWNE of Vassalboro, CEBRA of Naples,
COTTA of China, HARVELL of Farmington, MARTIN of Eagle
Lake, MAZUREK of Rockland, THERIAULT of Madawaska,
Senator: GOOLEY of Franklin.

Bill "An Act To Promote Fuel Conservation by Allowing the
Use of Mini-trucks on Public Ways"
(H.P. 606) (L.D. 875)

Sponsored by Representative AYOTTE of Caswell.
Cosponsored by Senator JACKSON of Aroostook and
Representatives: BROWNE of Vassalboro, CEBRA of Naples,
EDGECOMB of Caribou, JOY of Crystal, MARTIN of Eagle Lake,
SUTHERLAND of Chapman, THERIAULT of Madawaska,
THOMAS of Ripley.

Bill "An Act To Change the Status of the Road System at the
Loring Development Authority"
(H.P. 609) (L.D. 878)

Sponsored by Representative AYOTTE of Caswell.
Cosponsored by Senator JACKSON of Aroostook and
Representatives: BROWNE of Vassalboro, CEBRA of Naples,
EDGECOMB of Caribou, JOY of Crystal, MARTIN of Eagle Lake,
SUTHERLAND of Chapman, THERIAULT of Madawaska,
THOMAS of Ripley.

Bill "An Act To Amend the Speed Limits for Low-speed
Vehicles"
(H.P. 625) (L.D. 907)

Sponsored by Representative GILES of Belfast.
Cosponsored by Representatives: FLETCHER of Winslow,
PRESCOTT of Topsham, STRANG BURGESS of Cumberland,
THIBODEAU of Winterport, VAN WIE of New Gloucester.

UTILITIES AND ENERGY

Bill "An Act To Ensure Local Broadband Coverage"
(H.P. 585) (L.D. 850)

Sponsored by Speaker PINGREE of North Haven.
Cosponsored by Senator DAMON of Hancock and
Representatives: ADAMS of Portland, DILL of Cape Elizabeth,
HINCK of Portland, KENT of Woolwich, MILLER of Somerville,
PIOTTI of Unity, SCHATZ of Blue Hill, Senator: SHERMAN of
Aroostook.

Resolve, To Authorize Efficiency Maine To Conduct a Pilot
Conservation Program
(H.P. 626) (L.D. 908)

Sponsored by Representative VALENTINO of Saco.
Cosponsored by Representatives: BEAUDETTE of Biddeford,
BLANCHARD of Old Town, BRYANT of Windham, CORNELL du
HOUX of Brunswick, CROCKETT of Augusta, PILON of Saco,
STRANG BURGESS of Cumberland.

Bill "An Act To Encourage Green Commerce"
(H.P. 586) (L.D. 848)

Sponsored by Representative BECK of Waterville.
Cosponsored by Senator SULLIVAN of York and
Representatives: HUNT of Buxton, MacDONALD of Boothbay,
MARTIN of Orono, SMITH of Monmouth, WRIGHT of Berwick.

Committee on **UTILITIES AND ENERGY** suggested.

On motion of Representative FITTS of Pittsfield, **TABLED**
pending **REFERENCE** and later today assigned.

MAINE'S ENERGY FUTURE

Bill "An Act To Secure Maine's Energy Future"
(H.P. 610) (L.D. 886)

Sponsored by Speaker PINGREE of North Haven.
Cosponsored by Senator BARTLETT of Cumberland and
Representatives: ADAMS of Portland, BERRY of Bowdoinham,
FITTS of Pittsfield, HINCK of Portland, MARTIN of Eagle Lake,
PIOTTI of Unity, Senators: President MITCHELL of Kennebec,
SCHNEIDER of Penobscot.

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. 16)

ORDERED, that Representative Richard C. Cleary of Houlton
be excused February 24 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative
Veronica Magnan of Stockton Springs be excused February 19
for health reasons.

AND BE IT FURTHER ORDERED, that Representative
Wayne T. Mitchell of the Penobscot Nation be excused March 3
for personal reasons.

AND BE IT FURTHER ORDERED, that Representative
Wesley E. Richardson of Warren be excused February 19 for
personal reasons.

AND BE IT FURTHER ORDERED, that Representative
Douglas A. Thomas of Ripley be excused February 24 and 26 for
health reasons.

AND BE IT FURTHER ORDERED, that Representative Linda
M. Valentino of Saco be excused February 19 and 26 for
personal reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

Dr. Theodore N. Mitchell, of Penobscot Nation, Indian Island,
a beloved and respected leader and educator. Dr. Mitchell spent
his entire life on Indian Island but the effects of his legacy are far-
reaching and profound. He and his wife of 64 years, Eleanor,
worked whatever odd jobs they could to support their family of 13
children and never asked for or received assistance from state
welfare. As the children left home, Dr. Mitchell returned to
college and earned his degrees in higher education while working
full time in construction. He then dedicated his energies full time
to the field of higher education and spent the last 40 years of his
life fighting for and supporting Native American students. As a
result of his drive, more than 360 students from 4 Wabanaki
Tribes in Maine have received a postsecondary education. Dr.
Mitchell's legacy lives on in the Wabanaki Native American
Center that was established in 1991 at the University of Maine at
Orono. Because of his persistent efforts, this center exists along
with a Native American Studies program to serve not only the
needs of Native American students but also to educate the
nonnative public of the innumerable contributions Native
Americans have made in Maine and the country. Dr. Mitchell
received many honors and awards but the most important to him
was the Native American Student Alumni Distinguished Service
Award which he received in 2004. He will be deeply missed and

long remembered by his family, his many friends and colleagues, and an extended community which will continue to reap the benefits of his hard work;

(HLS 78)

Presented by Representative BLANCHARD of Old Town.

Cosponsored by Representative ADAMS of Portland, Representative AUSTIN of Gray, Representative AYOTTE of Caswell, Representative BEAUDETTE of Biddeford, Representative BEAUDOIN of Biddeford, Representative BEAULIEU of Auburn, Representative BECK of Waterville, Representative BERRY of Bowdoinham, Representative BICKFORD of Auburn, Representative BLODGETT of Augusta, Representative BOLAND of Sanford, Representative BOLDUC of Auburn, Representative BRIGGS of Mexico, Representative BROWNE of Vassalboro, Representative BRYANT of Windham, Representative BURNS of Whiting, Representative BUTTERFIELD of Bangor, Representative CAIN of Orono, Representative CAMPBELL of Newfield, Representative CAREY of Lewiston, Representative CASAVANT of Biddeford, Representative CEBRA of Naples, Representative CELLI of Brewer, Representative CHASE of Wells, Representative CLARK of Millinocket, Representative CLARK of Easton, Representative CLEARY of Houlton, Representative COHEN of Portland, Representative CONNOR of Kennebunk, Representative CORNELL du HOUX of Brunswick, Representative COTTA of China, Representative CRAFTS of Lisbon, Representative CRAY of Palmyra, Representative CROCKETT of Bethel, Representative CROCKETT of Augusta, Representative CURTIS of Madison, Representative CUSHING of Hampden, Representative DAVIS of Sangerville, Representative DILL of Cape Elizabeth, Representative DOSTIE of Sabattus, Representative DRISCOLL of Westbrook, Representative DUCHESNE of Hudson, Representative EATON of Sullivan, Representative EBERLE of South Portland, Representative EDGECOMB of Caribou, Representative EVES of North Berwick, Representative FINCH of Fairfield, Representative FITTS of Pittsfield, Representative FLAHERTY of Scarborough, Representative FLEMINGS of Bar Harbor, Representative FLETCHER of Winslow, Representative FLOOD of Winthrop, Representative FOSSEL of Alna, Representative GIFFORD of Lincoln, Representative GILBERT of Jay, Representative GILES of Belfast, Representative GOODE of Bangor, Representative GREELEY of Levant, Representative HAMPER of Oxford, Representative HANLEY of Gardiner, Representative HARLOW of Portland, Representative HARVELL of Farmington, Representative HASKELL of Portland, Representative HAYES of Buckfield, Representative HILL of York, Representative HINCK of Portland, Representative HOGAN of Old Orchard Beach, Representative HUNT of Buxton, Representative WALSH INNES of Yarmouth, Representative JOHNSON of Greenville, Representative JONES of Mount Vernon, Representative JOY of Crystal, Representative KAENRATH of South Portland, Representative KENT of Woolwich, Representative KNAPP of Gorham, Representative KNIGHT of Livermore Falls, Representative KRUGER of Thomaston, Representative LAJOIE of Lewiston, Representative LANGLEY of Ellsworth, Representative LEGG of Kennebunk, Representative LEWIN of Eliot, Representative LOVEJOY of Portland, Representative MacDONALD of Boothbay, Representative MAGNAN of Stockton Springs, Representative MARTIN of Orono, Representative MARTIN of Eagle Lake, Representative MAZUREK of Rockland, Representative McCABE of Skowhegan, Representative McFADDEN of Dennysville, Representative McKANE of Newcastle, Representative McLEOD of Lee, Representative MILLER of Somerville, Representative MILLETT of Waterford,

Representative MITCHELL of the Penobscot Nation, Representative MORRISON of South Portland, Representative NASS of Acton, Representative NELSON of Falmouth, Representative NUTTING of Oakland, Representative O'BRIEN of Lincolnville, Representative PENDLETON of Scarborough, Representative PEOPLES of Westbrook, Representative PERCY of Phippsburg, Representative PERRY of Calais, Representative PETERSON of Rumford, Representative PIEH of Bremen, Representative PILON of Saco, Speaker PINGREE of North Haven, Representative PINKHAM of Lexington Township, Representative PIOTTI of Unity, Representative PLUMMER of Windham, Representative PRATT of Eddington, Representative PRESCOTT of Topsham, Representative PRIEST of Brunswick, Representative RANKIN of Hiram, Representative RICHARDSON of Carmel, Representative RICHARDSON of Warren, Representative ROBINSON of Raymond, Representative ROSEN of Bucksport, Representative ROTUNDO of Lewiston, Representative RUSSELL of Portland, Representative SANBORN of Gorham, Representative SARTY of Denmark, Representative SAVIELLO of Wilton, Representative SCHATZ of Blue Hill, Representative SHAW of Standish, Representative SIROIS of Turner, Representative SMITH of Monmouth, Representative SOCTOMAH of the Passamaquoddy Tribe, Representative STEVENS of Bangor, Representative STRANG BURGESS of Cumberland, Representative STUCKEY of Portland, Representative SUTHERLAND of Chapman, Representative SYKES of Harrison, Representative TARDY of Newport, Representative THERIAULT of Madawaska, Representative THIBODEAU of Winterport, Representative THOMAS of Ripley, Representative TILTON of Harrington, Representative TREAT of Hallowell, Representative TRINWARD of Waterville, Representative TUTTLE of Sanford, Representative VALENTINO of Saco, Representative VAN WIE of New Gloucester, Representative WAGNER of Lyman, Representative WAGNER of Lewiston, Representative WATSON of Bath, Representative WEAVER of York, Representative WEBSTER of Freeport, Representative WELSH of Rockport, Representative WHEELER of Kittery, Representative WILLETTE of Presque Isle, Representative WRIGHT of Berwick, Senator ALFOND of Cumberland, Senator BARTLETT of Cumberland, Senator BLISS of Cumberland, Senator BOWMAN of York, Senator BRANNIGAN of Cumberland, Senator BRYANT of Oxford, Senator COURTNEY of York, Senator CRAVEN of Androscoggin, Senator DAMON of Hancock, Senator DAVIS of Cumberland, Senator DIAMOND of Cumberland, Senator GERZOSKY of Cumberland, Senator GOODALL of Sagadahoc, Senator GOOLEY of Franklin, Senator HASTINGS of Oxford, Senator HOBBS of York, Senator JACKSON of Aroostook, Senator MARRACHÉ of Kennebec, Senator McCORMICK of Kennebec, Senator MILLS of Somerset, President MITCHELL of Kennebec, Senator NASS of York, Senator NUTTING of Androscoggin, Senator PERRY of Penobscot, Senator PLOWMAN of Penobscot, Senator RAYE of Washington, Senator RECTOR of Knox, Senator ROSEN of Hancock, Senator SCHNEIDER of Penobscot, Senator SHERMAN of Aroostook, Senator SIMPSON of Androscoggin, Senator SMITH of Piscataquis, Senator SULLIVAN of York, Senator TRAHAN of Lincoln, Senator WESTON of Waldo.

On **OBJECTION** of Representative BLANCHARD of Old Town, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Blanchard.

Representative **BLANCHARD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. It seems

like it was only about two years ago that I rose to speak about another fellow Penobscot friend, Representative Sockalexis. It seems that I always get this kind of duty to speak about the friends that I've had over there in the Penobscot Indian Tribe.

Dr. Mitchell, or Ted Mitchell as most everybody in Old Town and the area knew him, was a man that titles meant very little. He was a proud, working member of the tribe, but he was also a great husband and a great father to 13 children. As it was stated, Ted Mitchell worked two jobs. He would work construction during the daytime, and at night, he would hand sew shoes and moccasins in order to supply whatever his family needed. He never received any donations from anybody, because he was such a proud human being. He had a dream and a goal, but first before I speak to you about his dream and goal, let me tell you how I first met Ted Mitchell.

My dad, when I was in high school, was operating in fuel, oil, propane and service station, and of course, being the young fellow that I was, my dad says you are going to work when you get 18 years of age and you are driving an oil truck. Well, sure no double, I got a license and I drove an oil truck, and it was always on Saturday mornings. The Saturday mornings consisted of going to two islands: one was called French Island which is now Treat-Webster Island; the other was to go to Indian Island and make the deliveries. My dad told me that Ted Mitchell was a good friend of his and a good customer, but he says he wants to pay you to do it. I want you to make sure that you knock on the door so that he can pay you.

Well, this went along fine for two or three weeks, four weeks, five weeks, and then one morning I got there fairly early. I went to Indian Island first instead of Treat-Webster Island, knocked on the door and nobody answered. I knocked again and nobody answered, so I left the slip between the doors, I got in the truck and was driving around the island, and who do you suppose is following me to pay the bill but old Ted Mitchell. That afternoon, he ended up down at the shop with my father having a coffee, and he says, I don't know what we are going to do with that boy.

Later on, during my lifespan, I decided to run for public office. I decided to run to be a county commissioner. Of course, one of the first people that I went to speak to was a good old friend, Ted Mitchell. He looked at me and he says you finally made it. He says, I will tell you what, I will support you and I am going to get you as many votes on this island as there is available. He did that. Again, when I ran for the Legislature, the first man that I spoke to on the island was Ted Mitchell, and Ted Mitchell did the same thing for me then. Though he was in his house, he was a little bit of an invalid, he made sure that his family went out and promoted me.

As I said earlier, Ted Mitchell had a dream. His dream was finishing his education. Midlife, he decides he is going to go on to college and he was going to get a degree. He worked days, went to school nights. Finally, he got his degree, a very, very proud man. But you probably wonder why he did this. I think probably, knowing Ted the way I do, it was to set an example, an example for his family and his grandchildren, for the members of the Tribe on the island, and for all of the American Indians across the United States to better themselves through education. He had a great promoting type feeling about him. If he saw the student, especially a Tribal student that was kind of laying back or even a Passamaquoddy, who the Passamaquoddy Representative has told me that he did for him, he says he would probe and he would push and he would even help to make sure that they finished their education.

Ted Mitchell, I believe, the goal was to promote a better life for all Native Americans and this was through education. Ted

Mitchell, the humble, humble Penobscot Indian did achieve his dream. Thank you.

Subsequently, the Sentiment was **ADOPTED** and sent for concurrence.

REPORTS OF COMMITTEE

Ought to Pass

Report of the Committee on **TRANSPORTATION** on Bill "An Act To Allow a Newly Licensed Driver To Transport a Foreign Exchange Student Who Lives with That Driver's Family"

(S.P. 55) (L.D. 169)

Reporting Ought to Pass.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED as Amended by Senate Amendment "A" (S-3)**.

Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. **Senate Amendment "A" (S-3)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, March 10, 2009.

CONSENT CALENDAR

First Day

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

(S.P. 23) (L.D. 64) Bill "An Act To Amend the Requirements for the Livable Wage Report" Committee on **LABOR** reporting **Ought to Pass**

(S.P. 41) (L.D. 119) Bill "An Act To Amend the Laws Governing Public Water System Operation Fees" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(S.P. 45) (L.D. 123) Bill "An Act Regarding the Electronic Submission of Filings" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(H.P. 236) (L.D. 296) Resolve, To Name the Gorham Bypass 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:

(S.P. 63) (L.D. 177) Bill "An Act To Modify the Maine Dental Education Loan Program" (EMERGENCY)

(H.P. 113) (L.D. 134) Bill "An Act To Amend the Occupancy Limits for Campsites in the Unorganized Territories" (EMERGENCY)

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

ENACTORS

Acts

An Act To Allow a Weight Tolerance for Vehicle Auxiliary Power Units

(H.P. 32) (L.D. 37)

An Act To Allow Nonmember Directors To Serve on the Board of Cooperative Agricultural Associations

(S.P. 18) (L.D. 46)

An Act To Allow a Municipality Greater Flexibility To Disburse State Fees

(S.P. 49) (L.D. 130)

An Act To Amend the Charter of the Athens Standard Water District

(S.P. 50) (L.D. 131)

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.

Resolves

Resolve, To Name Part of Route 16 the Alton E. Worcester Highway

(H.P. 95) (L.D. 111)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative JOHNSON of Greenville, was **SET ASIDE**.

The SPEAKER: The Chair recognizes the Representative from Greenville, Representative Johnson.

Representative **JOHNSON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. It was in 2008 at a 911 meeting to rename the roads and the Plantation of Kingsbury, where it was voted unanimously to rename a part of Route 16 as the Alton Worcester Highway, pending the pleasure of the state's Legislature.

Alton served 20 years in the United States Air Force and retired in 1974, moving back to Kingsbury Plantation, where he and his family purchased a blueberry farm. He resided there until illness required him to move closer to a hospital. He was diagnosed with ALS, Lou Gehrig's disease, in 2001. In 1975, he was elected as the first assessor of the plantation, and remained in that position until his death. He also served as road commissioner and constable. During the first years in Kingsbury, he and his family were the only people that lived there year round. On many occasions, he assisted travelers on that remote highway. Alton not only served his community and many areas as the first assessor, constable and road commissioner, but he served the local area in the American Legion, in that capacity, 16 years as Commander of the Scott Flanders Post in Sangerville. He served his fellow veterans, the youth of the community, and organized the host of patriotic events.

For a long time, the travelers on that desolate stretch of road from Abbot to Bingham, when going through the woods of Piscataquis County, the only place to get assistance was the big white house on the corner by the dam where Alton and his family lived. During the course of the years, from 1974 until he could no longer do it in 2001, he devoted much time and many hours to the workings of the plantation. Alton was known throughout the region as a leader and a compassionate citizen who, for nearly three decades, was willing to help anyone in need. We are doing a great thing today by passing this Resolution.

The SPEAKER: The Chair recognizes the Representative from Ripley, Representative Thomas.

Representative **THOMAS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I have spent a number of hours making lots of trips back and forth from Abbot to Bingham. The first winter I ever drove a log truck was hauling logs to Quimby Veneer in Bingham, and it has got to be one of the scariest stretches of road there is, and at the risk of sounding older than I really am, in those days you had a hard time sometimes to get those trucks over a hill when the pavement was bare. When it was snow covered, it was a different story

altogether. You always had to look forward to that last end of the trip, that three or four mile slide down into Bingham that had killed a number of people. It was when you turned the corner at Titcomb's Store in Abbot you had a ride to look forward to, and just knowing that the Worcesters were half way across if you had trouble, always gave you a little bit of comfort. I would like to thank Lois and give her my condolences. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sangerville, Representative Davis.

Representative **DAVIS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I certainly don't want to be outdone by my two colleagues, that is for sure. Alton Worcester certainly served us very well. He served 20 years, as Representative Johnson said, in the United States Air Force. He, after retiring to Kingsbury, became, again as Representative Johnson stated, he became commander of the Legion in Sangerville.

I was a member of the Legion, very strangely come to be a member. Former Representative Carr, who sat in this body for a number of years, his father was a chaplain of the Legion, and he came to see me one time and said if I joined the Legion, they would never ask me to do anything, they would never ask me to come to a meeting, and they would never ask me to serve in an office or anything like that. I said well I guess I can accomplish that alright, so I joined, but little did I realize that Lois and Alton would be in the mix. They had a fair booth in Dover-Foxcroft where they cooked French fries, and I had the opportunity to keep most of the farms of Aroostook County busy by cooking French fries at the Legion in Sangerville. Their fair booth existed for 50 years, the American Legion, the little post in Sangerville had that booth for 50 years, and it only went to the fire department in Dover after Alton was gone.

Kingsbury is an interesting place, as Representative Thomas said, it is a bend in the road, but you don't go there without having some sort of an experience of wildlife. As a state trooper, I usually had to follow you over there, at one time or another, when you hit a moose or a deer or whatever. Therefore, I spent a lot of time in Lois' kitchen, and it was interesting to be polite, it was very interesting. They are wonderful people, they had a wonderful home. I remember one year going to a town meeting in their kitchen. Everybody in town was there, all 10 voters, every one of them. During my brief career in the state Senate, I had the opportunity to meet and greet and get to know and have contact with thousands and thousands of people, and I can tell you the day I went to the town meeting in Kingsbury, I got grilled more, was asked more questions and got more scolding than I ever did from anywhere else. That is the truth. Every election year was interesting. I would get a call from Lois, and she would say, Well Davis, you did it again. I would say, what's that? Eight to two, you still got two people over here that don't like you, what are you going to do about it?

In closing, Madam Speaker, they were great people. Alton was a great man, Lois is a wonderful woman, and while I gave up Kingsbury when I left the Senate and Representative Johnson now, Lois moved to Dover-Foxcroft there so I could have her. Thank you very much, Madam Speaker.

Subsequently, the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

SENATE PAPERS

The following Joint Order: (S.P. 326)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 10, 2009, at 5:00 in the evening.

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

Bill "An Act To Allow Licensed Kennel Owners To Vaccinate Their Own Dogs"

(S.P. 327) (L.D. 879)

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act To Improve Assistance for Technology-based Entrepreneurs"

(S.P. 342) (L.D. 892)

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

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

Bill "An Act To Encourage Maine Residents To Attend Medical School and Practice in Maine"

(S.P. 322) (L.D. 853)

Bill "An Act To Ensure the Availability of Supplemental Educational Loans" (EMERGENCY)

(S.P. 325) (L.D. 856)

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.

Resolve, Directing the Department of Health and Human Services To Create a New Health Care Internet Infrastructure

(S.P. 323) (L.D. 854)

Resolve, To Ensure the Health of Maine Children by Requiring a Certain Vaccination

(S.P. 329) (L.D. 881)

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 Consolidate and Modernize Maine's Courts"

(S.P. 330) (L.D. 882)

Bill "An Act To Limit Liability for Certain Noncommercial Aviation Activities"

(S.P. 339) (L.D. 889)

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

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

Resolve, Directing the Governor and the Department of Administrative and Financial Services, Bureau of Human Resources To Remove Longevity Biases from Collective Bargaining Agreements

(S.P. 338) (L.D. 888)

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 Amend the Reporting Requirements for Independent Expenditures for Political Campaigns"

(S.P. 337) (L.D. 887)

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 Clarify the Public Ownership of Marine Organisms within the Intertidal Zone"

(S.P. 321) (L.D. 852)

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

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

Bill "An Act To Improve the Ground Water Oil Clean-up Fund"

(S.P. 328) (L.D. 880)

Bill "An Act To Amend the Site Location of Development Laws To Include Consideration of Greenhouse Gas Emissions"

(S.P. 341) (L.D. 891)

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

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

Resolve, Directing the Department of Administrative and Financial Services To Develop a Proposed State Policy for the Use of State Property by the Private Sector

(S.P. 340) (L.D. 890)

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 Exempt Certain Veterans from the Income Tax"

(S.P. 320) (L.D. 851)

Resolve, To Establish the Commission To Study the Reform of Taxes and Spending in Maine (EMERGENCY)

(S.P. 324) (L.D. 855)

Bill "An Act To Provide Income Tax Equity for Working Spouses"

(S.P. 332) (L.D. 884)

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

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

Bill "An Act To Amend the Charter of the Tenants Harbor Standard Water District" (EMERGENCY)

(S.P. 331) (L.D. 883)

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.

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

Representative **TUTTLE**: Madam Speaker, I would like to announce that Carolyn Russo, the Labor's legislative analyst's mother has died. She is doing as well as she can be expected, and is grateful that she and all of her siblings, eight of them all together, were with their mom when she passed. Visiting hours will be from 3 to 5 on Friday at Conroy-Tully Funeral Home in Portland. The service is at 9 am on Saturday at the Cathedral of the Immaculate Conception. If you wish to send any condolences, they may be addressed to Carolyn Russo, 50 Bull Hill Road, Hope, Maine, 04847, and I will provide information in the Speaker's office. Thank you, Madam Speaker.

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

On motion of Representative **BLANCHARD** of Old Town, the House adjourned at 11:04 a.m., until 5:00 p.m., Tuesday, March 10, 2009 pursuant to the Joint Order (S.P. 326) and in honor and lasting tribute to Dr. Theodore N. Mitchell, of Penobscot Nation and Alton E. Worster.