

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
19th Legislative Day
Thursday, March 12, 2009

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

Prayer by Reverend Charles Mason, Church of the Nazarene of Bethel.

National Anthem by Greta Sproul, Brownville.

Pledge of Allegiance.

Doctor of the day, Mark Earnshaw, M.D., Cape Elizabeth.

The Journal of Tuesday, March 10, 2009 was read and approved.

SENATE PAPERS

Bill "An Act To Expand the Economic Development Benefit of Tax Increment Financing in Counties That Include Unorganized Territories"

(S.P. 353) (L.D. 931)

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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

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

COMMUNICATIONS

The Following Communication: (H.C. 89)

STATE OF MAINE

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

March 10, 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. 76 Resolve, To Study the Feasibility of Expanding the Curriculum of the Maine School of Science and Mathematics

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. 90)

STATE OF MAINE

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

March 10, 2009

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Legislature

State House

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 315 Resolve, Directing the Department of Health and Human Services and the Department of Agriculture, Food and Rural Resources To Develop a Plan To Facilitate the Procurement of Local Produce by Food Stamp Recipients

L.D. 359 An Act To Ensure That MaineCare Reimbursements to Hospitals Do Not Pay For Hospital Advertisements

L.D. 362 An Act To Support New Mothers Who Are in Substance Abuse Treatment Programs

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

Sincerely,

S/Sen. Joseph C. Brannigan

Senate Chair

S/Rep. Anne C. Perry

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 91)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON JUDICIARY**

March 10, 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 Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 24 An Act To Prevent Domestic Violence and Abuse

L.D. 25 An Act To Protect Child Victims of Sexual Abuse

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

Sincerely,

S/Sen. Lawrence Steven Bliss

Senate Chair

S/Rep. Charles R. Priest

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 92)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

March 10, 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 Marine Resources has voted unanimously to report the following bill out "Ought Not to Pass":
L.D. 691 An Act To Lower the Cost of State Government in the Departments under the Purview of the Joint Standing Committee on Marine Resources

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

Sincerely,
S/Sen. Dennis S. Damon
Senate Chair
S/Rep. Leila J. Percy
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 93)

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

March 4, 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 Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 212 Resolve, To Study and Develop a Tax Increment Financing Program To Fund the Washington County Development Authority

L.D. 313 An Act To Add a Fuel Oil Benefit to the Circuitbreaker Program

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

Sincerely,
S/Sen. Joseph C. Perry
Senate Chair
S/Rep. Thomas R. Watson
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 94)

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

March 10, 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 bill out "Ought Not to Pass":

L.D. 338 An Act To Improve the Visibility of Automobiles
We have also notified the sponsor and cosponsors 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. 95)

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

March 10, 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 bill out "Ought Not to Pass":

L.D. 48 Resolve, To Delay the Sustainability of the Highway Fund (EMERGENCY)

L.D. 269 An Act To Appropriate Funds To Equip State Trooper Cars with Cages

L.D. 592 An Act To Increase Mandatory Minimum Insurance Requirements for Vehicles for Hire

L.D. 593 Resolve, To Require the Department of Transportation To Improve the Safety of the Intersection of Route 4 and the Dill Road in the Town of Phillips

L.D. 602 An Act To Permit Wrecker Services To Charge for Storage while a Vehicle Is under an Order of Impoundment

We have also notified the sponsor and cosponsors 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. 96)

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

March 4, 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. 396 An Act Regarding Installation of Solar Energy Systems under the Solar and Wind Energy Rebate Program

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: (S.P. 358)

**STATE OF MAINE
124TH MAINE LEGISLATURE**

March 5, 2009

Sen. John M. Nutting
Senate Chair, Joint Standing Committee on Agriculture,
Conservation and Forestry

Rep. Wendy Pieh
House Chair, Joint Standing Committee on Agriculture,
Conservation and Forestry

124th Legislature
Augusta, ME 04333

Dear Senator Nutting and Representative Pieh:
Please be advised that Governor John E. Baldacci has
nominated Honorable Donald Marean of Hollis for appointment to
the Land For Maine's Future Board.

Pursuant to Title 5 M.R.S.A. §6204 (2), this nomination will
require review by the Joint Standing Committee on Agriculture,
Conservation and Forestry and confirmation by the Senate.

Sincerely,
S/Elizabeth H. Mitchell
President of the Senate
S/Hannah M. Pingree
Speaker of the House

Came from the Senate, **READ** and with accompanying
papers **REFERRED** to the Committee on **AGRICULTURE,
CONSERVATION AND FORESTRY.**

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

The Following Communication: (S.P. 359)

**STATE OF MAINE
124TH MAINE LEGISLATURE**

March 5, 2009

Sen. Dennis S. Damon
Senate Chair, Joint Standing Committee on Transportation
Rep. Edward J. Mazurek

House Chair, Joint Standing Committee on Transportation
124th Legislature
Augusta, ME 04333

Dear Senator Damon and Representative Mazurek:
Please be advised that Governor John E. Baldacci has
nominated Diane Doyle of Saco for appointment to the Maine
Turnpike Authority.

Pursuant to Title 23 M.R.S.A. §1965, this nomination will require
review by the Joint Standing Committee on Transportation and
confirmation by the Senate.

Sincerely,
S/Elizabeth H. Mitchell
President of the Senate
S/Hannah M. Pingree
Speaker of the House

Came from the Senate, **READ** and with accompanying
papers **REFERRED** to the Committee on **TRANSPORTATION.**

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

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

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

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Increase the Penalty for Keeping a Dangerous
Dog That Harms a Domesticated Animal"

(H.P. 680) (L.D. 988)

Sponsored by Representative McFADDEN of Dennysville. (BY
REQUEST)

Cosponsored by Senator RAYE of Washington and
Representatives: CRAY of Palmyra, EDGECOMB of Caribou,
GIFFORD of Lincoln, PRATT of Eddington, SAVIELLO of Wilton,
THIBODEAU of Winterport.

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

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

(H.P. 685) (L.D. 997)

Sponsored by Representative HINCK of Portland.

Cosponsored by Senator BARTLETT of Cumberland and
Representatives: BERRY of Bowdoinham, FLETCHER of
Winslow, MacDONALD of Boothbay, RICHARDSON of Warren,
TREAT of Hallowell, WATSON of Bath, Senators: PERRY of
Penobscot, SIMPSON of Androscoggin.

Bill "An Act To Provide a Strategic Planning Fund for
Research and Development and Technology-related Companies"

(H.P. 686) (L.D. 998)

Sponsored by Representative GILES of Belfast.

Cosponsored by Representatives: COHEN of Portland,
MacDONALD of Boothbay, STRANG BURGESS of Cumberland.

Bill "An Act To Streamline the Evaluation of Economic
Development Programs"

(H.P. 687) (L.D. 999)

Sponsored by Representative CAIN of Orono.

Cosponsored by Senator RECTOR of Knox and Representative:
AUSTIN of Gray.

Submitted by the Department of Economic and Community
Development pursuant to Joint Rule 204.

HEALTH AND HUMAN SERVICES

Bill "An Act To Amend the Provision Creating the Long-term
Care Partnership Program" (EMERGENCY)

(H.P. 688) (L.D. 1000)

Sponsored by Representative PRIEST of Brunswick.

Cosponsored by Senator BLISS of Cumberland and
Representatives: BRYANT of Windham, DILL of Cape Elizabeth,
HILL of York, WEBSTER of Freeport, Senator: HASTINGS of
Oxford.

INSURANCE AND FINANCIAL SERVICES

Resolve, To Conduct an Updated Study of the Feasibility of
Establishing a Single-payor Health Care System in the State

(H.P. 690) (L.D. 1002)

Sponsored by Representative BEAUDOIN of Biddeford.

Cosponsored by Senator BOWMAN of York and
Representatives: BECK of Waterville, FOSSEL of Aina, GOODE
of Bangor, LEGG of Kennebunk, MORRISON of South Portland,

PRIEST of Brunswick, TREAT of Hallowell, Senator: GERZOFISKY of Cumberland.

Resolve, Directing the Office of Program Evaluation and Government Accountability To Perform a Performance Evaluation and Cost-benefit Analysis of the Dirigo Health Program

(H.P. 691) (L.D. 1003)

Sponsored by Representative LEWIN of Eliot.

Cosponsored by Senator NASS of York and Representatives: AUSTIN of Gray, BEAULIEU of Auburn, BICKFORD of Auburn, BROWNE of Vassalboro, BURNS of Whiting, CEBRA of Naples, CHASE of Wells, CLARK of Easton, COTTA of China, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison, CUSHING of Hampden, DAVIS of Sangerville, FLOOD of Winthrop, FOSSEL of Alna, GIFFORD of Lincoln, HAMPER of Oxford, HANLEY of Gardiner, HARVELL of Farmington, JOHNSON of Greenville, JOY of Crystal, McFADDEN of Dennysville, McKANE of Newcastle, MILLETT of Waterford, NASS of Acton, PINKHAM of Lexington Township, PRESCOTT of Topsham, RICHARDSON of Carmel, RICHARDSON of Warren, ROBINSON of Raymond, SARTY of Denmark, SAVIELLO of Wilton, STRANG BURGESS of Cumberland, TARDY of Newport, THIBODEAU of Winterport, THOMAS of Ripley, TILTON of Harrington, WEAVER of York, Senators: GOOLEY of Franklin, McCORMICK of Kennebec, MILLS of Somerset, RECTOR of Knox, ROSEN of Hancock, SMITH of Piscataquis.

Bill "An Act Relating to Self-insurance"

(H.P. 692) (L.D. 1004)

Sponsored by Representative RICHARDSON of Warren.

Cosponsored by Senator BOWMAN of York and Representatives: BECK of Waterville, FOSSEL of Alna, GOODE of Bangor, Senator: McCORMICK of Kennebec.

Bill "An Act To Continue Access to Dirigo Choice Health Insurance by Reducing Administrative Costs and Replacing the Savings Offset Payment"

(H.P. 693) (L.D. 1005)

Sponsored by Representative TREAT of Hallowell.

Cosponsored by Senator BOWMAN of York and Representatives: BEAUDOIN of Biddeford, GOODE of Bangor, LEGG of Kennebunk, PERRY of Calais, Speaker PINGREE of North Haven.

JUDICIARY

Bill "An Act To Create the Probate and Trust Law Advisory Commission"

(H.P. 694) (L.D. 1006)

Sponsored by Representative DILL of Cape Elizabeth.

Cosponsored by Senator HASTINGS of Oxford.

LABOR

Bill "An Act Pertaining to the Retirement of Certain Oil and Hazardous Material Specialists"

(H.P. 695) (L.D. 1007)

Sponsored by Representative TUTTLE of Sanford.

Cosponsored by Senator JACKSON of Arrostook and Representatives: BLODGETT of Augusta, BUTTERFIELD of Bangor, CLARK of Millinocket, GILBERT of Jay, Senator: GERZOFISKY of Cumberland.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Allow for a Dual Liquor License"

(H.P. 681) (L.D. 989)

Sponsored by Representative VALENTINO of Saco.

Cosponsored by Representatives: FITTS of Pittsfield, PINKHAM of Lexington Township, TRINWARD of Waterville, Senator: SULLIVAN of York.

Bill "An Act To Increase the Preservation Time for Municipal Campaign Finance Reports"

(H.P. 682) (L.D. 990)

Sponsored by Representative RUSSELL of Portland.

Bill "An Act To Increase Consumer Choice for Wine"

(H.P. 696) (L.D. 1008)

Sponsored by Representative WALSH INNES of Yarmouth.

Cosponsored by Representatives: FITTS of Pittsfield, McKANE of Newcastle and Representatives: CAIN of Orono, CORNELL du HOUX of Brunswick, PIOTTI of Unity, RUSSELL of Portland, STRANG BURGESS of Cumberland.

MARINE RESOURCES

Bill "An Act To Allow Lobster License Exemptions to Persons with Certain Medical Criteria"

(H.P. 697) (L.D. 1009)

Sponsored by Speaker PINGREE of North Haven.

Cosponsored by Senator DAMON of Hancock.

NATURAL RESOURCES

Bill "An Act To Create a Statute of Limitations for Oil Discharge Violations"

(H.P. 683) (L.D. 991)

Sponsored by Representative TARDY of Newport.

Resolve, To Require the Department of Environmental Protection To Review Its Rules Regarding Incinerators

(H.P. 698) (L.D. 1010)

Sponsored by Representative CONNOR of Kennebunk.

Bill "An Act To Improve Solid Waste Disposal Quality"

(H.P. 699) (L.D. 1011)

Sponsored by Representative HANLEY of Gardiner.

Resolve, Concerning Fitness Programs for State Employees

(H.P. 689) (L.D. 1001)

Sponsored by Representative PIEH of Bremen.

Cosponsored by Senator ALFOND of Cumberland and Representatives: FOSSEL of Alna, MacDONALD of Boothbay, PIOTTI of Unity, PRIEST of Brunswick, RICHARDSON of Warren, TREAT of Hallowell, Senators: BOWMAN of York, McCORMICK of Kennebec.

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

On motion of Representative BEAUDETTE of Biddeford, the Resolve was **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, ordered printed and sent for concurrence.

TRANSPORTATION

Bill "An Act To Increase Highway Safety by Requiring Daytime Headlight Use"

(H.P. 684) (L.D. 992)

Sponsored by Representative CORNELL du HOUX of Brunswick.

Cosponsored by Representative McCABE of Skowhegan, Senator GERZOFISKY of Cumberland and Representatives: BECK of Waterville, CLEARY of Houlton, CROCKETT of Bethel, KNIGHT of Livermore Falls, PENDLETON of Scarborough, SCHATZ of Blue Hill, SHAW of Standish.

UTILITIES AND ENERGY

Bill "An Act To Establish the Maine Broadband Commission" (EMERGENCY)

(H.P. 700) (L.D. 1012)

Sponsored by Representative DILL of Cape Elizabeth.
 Cosponsored by Senator HOBBS of York and Representatives: BERRY of Bowdoinham, HINCK of Portland, Speaker PINGREE of North Haven, PIOTTI of Unity, ROTUNDO of Lewiston, Senators: BARTLETT of Cumberland, President MITCHELL of Kennebec.

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

ORDERS

On motion of Representative DILL of Cape Elizabeth, the following Joint Order: (H.P. 701)

ORDERED, the Senate concurring, that the Working Group To Identify Unfunded Educational Mandates is established as follows.

1. Working group established. The Working Group To Identify Unfunded Educational Mandates, referred to in this order as "the working group," is established.

2. Working group membership. The working group consists of 13 members, appointed as follows:

A. Six members appointed by the President of the Senate:

- (1) Three members of the Senate, one of whom must be a member of the Joint Standing Committee on Education and Cultural Affairs;
- (2) One member who is a representative of a rural school board;
- (3) One member who is a representative of an urban school board; and
- (4) One member who is a special education director; and

B. Seven members appointed by the Speaker of the House:

- (1) Four members of the House of Representatives, one of whom must be a member of the Joint Standing Committee on Education and Cultural Affairs;
- (2) One member who is a superintendent of schools;
- (3) One member who is a municipal government official; and
- (4) One member who is a representative of the Department of Education.

3. Working group chairs. The first-named Senator is the Senate chair of the working group and the first-named member of the House is the House chair of the working group.

4. Appointments; convening of the working group. All

appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the working group shall call and convene the first meeting of the working group.

5. Duties. The working group shall:

- A. Identify unfunded education mandates;
- B. Identify what costs would be if the education mandates were fully funded and assess the costs; and
- C. For each unfunded mandate, recommend elimination or an appropriate funding source.

6. Staff assistance. The Legislative Council shall provide necessary staffing services to the working group.

7. Report. No later than December 2, 2009, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Education and Cultural Affairs. Pursuant to Joint Rule 353, the working group is not authorized to introduce legislation. Upon receipt of the report required by this section, the Joint Standing Committee on Education and Cultural Affairs may, pursuant to Joint Rule 353, introduce a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative DILL of Cape Elizabeth, the Joint Order was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**. Sent for concurrence.

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 17)

ORDERED, that Representative Steven J. Butterfield II of Bangor be excused February 24 and 26 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Kenneth C. Fletcher of Winslow be excused March 10 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Sharon Anglin Treat of Hallowell be excused March 5 for personal reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the following members of the Cony High School Wrestling Team: Andy Ancira, Ryon Pelletier, Conner Dufour, Peter Tracy, Will Lundquist, Thon Itthipalakorn, Cody Geroux, Blake Doucette, Chris Robinson, Ben Sirois, Justin Pelletier, Tyler McKinley, V.J. Tantoco, Cody Dular, T.J. Vallee, Joey Metcalf, Mike Fraser, Nick Fraser, Hunter Frost, Shawn White, Bobby Metcalf, Manager Sammy White, Manager Audrey Norton, Assistant Coach Jeremy Mahns, Assistant Coach Nate Gurney and Coach Shawn Totman, winners of the 2009 Class A Eastern Maine Championship. Coach Totman, the KVAC Wrestling Coach of the Year, also led his team to 3rd place at the State Championship meet. We commend all of the team members for

their work ethic and their hours of dedication to the sport and we wish them continued success in the years to come;

(HLS 94)

Presented by Representative BROWNE of Vassalboro. Cosponsored by President MITCHELL of Kennebec, Representative BLODGETT of Augusta, Representative CROCKETT of Augusta.

On **OBJECTION** of Representative BROWNE of Vassalboro, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Browne.

Representative **BROWNE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Usually when you think of Cony's winter sports teams, you think of basketball. This is all changing. I would like to congratulate Coach Shawn Totman, his coaching staff, and the Cony High School Eastern Maine Wrestling Championship team. This is their first Class A Championship in 29 years. It shows what hard work and a dedicated effort can accomplish.

This team, which has only two seniors, started working together in the junior high years. In addition to winning the Eastern Maine Championship, they placed third in the state with nine wrestlers qualifying and six of these wrestlers placing. Coach Totman, as you heard, was voted KVAC Coach of the Year. This summer, they will host a group of wrestlers from Nebraska, and then the following year they will travel to Nebraska. Again, congratulations on a job well done.

The SPEAKER: The Chair recognizes the Representative from Phippsburg, Representative Percy.

Representative **PERCY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Just a note, it is very important to know that Coach Shawn Totman has his roots in Phippsburg. Congratulations, Shawn.

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

Recognizing:

Solo Bistro, the midcoast Maine restaurant located in historic downtown Bath, which has earned *Santé* magazine's Innovative Culinary Hospitality Award. The only peer-judged restaurant and hospitality competition in North America, this award recognizes the highest level of cuisine, wine and service within the hospitality industry. The Solo Bistro opened in 2005 and is owned and operated by Will and Pia Neilson. We congratulate the Solo Bistro on its receiving this honor;

(HLS 101)

Presented by Representative WATSON of Bath. Cosponsored by Representative KENT of Woolwich, Representative PERCY of Phippsburg, Representative MacDONALD of Boothbay, Senator GOODALL of Sagadahoc.

On **OBJECTION** of Representative WATSON of Bath, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Watson.

Representative **WATSON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Through the efforts of organizations like the Maine Downtown Center and its voluntary spin-offs, Main Street Bath, downtown Bath has become a place to visit. It has become a historic, attractive center for shopping, for restaurant tours, and for tourists in general, and of course for the citizens of Bath. We are particularly proud of our downtown and most proud of the

businesses that have been attracted there by the activity that a community can bring, and the interest it could bring to bear to its own downtowns.

Solo Bistro is one of the finest restaurants in Maine, and it has now been recognized as one of the finest restaurants nationwide. *Santé* magazine stated "We are excited to be able to recognize Solo Bistro with our award for innovative culinary hospitality in New England." "Solo's unique menu and commitment to using only the finest local ingredients, combined with Chef Esau Crosby's desire to constantly try new techniques and flavor combinations makes Solo Bistro a perfect fit for this award."

We are quite proud of this crowd, and after the Speaker has a chance to introduce the owner and the chef there, I would like to extend an invitation on behalf of Solo Bistro to drop by the Speaker's Office on your way to caucus and have a piece of cake they brought to help us celebrate. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Phippsburg, Representative Percy.

Representative **PERCY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. The other thing that is wonderful about this restaurant, it is one of the few restaurants in the mid-coast region that also supports your local artists. As many of you know, because of cutbacks in the world of the economy, many restaurants cannot afford to have musicians, yet the owners of this restaurant have made a commitment, and they have music regularly in Bath, so please come down and hear some good jazz.

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

Recognizing:

Gifford's Ice Cream, of Skowhegan, a multi-generational, family-owned and-operated enterprise, which has been recognized with 3 national industry awards for its chocolate, vanilla and orange sherbet flavors. Gifford's chocolate ice cream received top honors at the National Ice Cream Retailers Association, Inc. and it was the only perfect score of the competition. Gifford's vanilla ice cream earned 2nd place in the same competition. In addition, at the World Dairy Expo Championship Produce Contest this past October, Gifford's orange sherbet won the top prize in the new sherbet category and received "World's Best Orange Sherbet" accolades. We extend our congratulations to Gifford's Ice Cream on its outstanding accomplishments and we send our best wishes for its continued success;

(HLS 107)

Presented by Representative McCABE of Skowhegan. Cosponsored by Senator MILLS of Somerset.

On **OBJECTION** of Representative MCCABE of Skowhegan, was **REMOVED** from the Special Sentiment Calendar.

READ and **PASSED** and sent for concurrence.

Recognizing:

the members of the Skowhegan Area High School Field Hockey Team, who won the 2008 Class A State Championship. Their final season record for 2008 was 17 wins and 1 loss. This marks the team's 8th consecutive state championship and 11th overall. Skowhegan Area High School has also won 14 regional titles in field hockey. All of these successful seasons have occurred during the 28 years that Paula Doughty has been the head coach. Coach Doughty was named the National High School Field Hockey Coach of the Year in 2004 and 2008. We

extend our congratulations to Coach Doughty and to all of the members of the Skowhegan Area High School Field Hockey Team on their outstanding achievements;

(HLS 108)

Presented by Representative McCABE of Skowhegan.
Cosponsored by Senator MILLS of Somerset, Representative CRAY of Palmyra.

On **OBJECTION** of Representative MCCABE of Skowhegan, was **REMOVED** from the Special Sentiment Calendar.

READ and **PASSED** and sent for concurrence.

Recognizing:

Alyssa Duron, of Hampden, who has received the Girl Scout Gold Award. This is the highest award in Senior Girl Scouting and is given for excellence in skills development, leadership, personal growth and community service. Alyssa, a senior at Hampden Academy, is an honor student and very active in her church youth group. We send our congratulations to her on this significant accomplishment and we send our best wishes for her continued success in the community;

(HLS 111)

Presented by Representative CUSHING of Hampden.
Cosponsored by Senator PLOWMAN of Penobscot.

On **OBJECTION** of Representative CUSHING of Hampden, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Cushing.

Representative **CUSHING**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise today to fulfill one of the more enjoyable roles in which we are elected, that being to recognize an individual for a special circumstance; a brief glimpse into their life, which reflects the quality and caliber of those who are, and in this case, what they have to offer others. I speak of a young lady, who has been involved with one of our nation's most respected service organizations for young people, that being scouting.

Many of us know of this body and its visible outreach at this time of year: Girl Scout cookies. It has been on our mind as we joyfully have been receiving our allotments this week. But the Girl Scouts is much more than cookies. They are the world's preeminent organization dedicated solely to girls, where in an accepting and nurturing environment, girls build character and the skills for success in the real world. In partnership with committed adult volunteers, girls develop qualities that will serve them all of their lives like leadership, strong values, social conscience, and conviction about their own potential and self-worth.

Founded in 1912 by Juliette Gordon Low, Girl Scouts has grown from a small group of 18, beginning in Savannah, Georgia, to 3.7 million members throughout the United States, and in more than 90 countries through US Girl Scouts overseas.

Today, I am pleased to host a young lady, who is a fine example of scouting here in Maine. She recently earned her Gold Award, which is the highest award that a Girl Scout 14 to 18 years of age may earn. Someone once described the Girl Scout Gold Award as being what you really want to be remembered for in Girl Scouting.

For many, the leadership and organizational skills, the sense of community, and the commitment that comes from going for the gold set the foundation for a lifetime of active citizenship. My guest accomplished this by working on community projects that benefited her church youth group, in which she is also very active. She will be presented this award on Sunday, along with a

Presidential Volunteer award, which she earned through over 250 hours of community service this year, much of which while serving with the Big Brother Big Sister program.

During this time, she has maintained high honors through her senior year at Hampden Academy, and it was just this week she was informed that she will be the salutatorian for her graduating class. Please join me in showing our respect and admiration for a fine young lady who embodies the principles of scouting, Alyssa Duron, of Hampden.

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

REPORTS OF COMMITTEE

Change of Committee

Representative SMITH from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Authorize the Social Work Education Loan Repayment Program"

(H.P. 494) (L.D. 711)

Reporting that it be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS.**

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS.**

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:

(H.P. 104) (L.D. 122) Bill "An Act To Correct the Law Concerning Private Investigators' License Qualifications" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 135) (L.D. 156) Bill "An Act To Protect Consumers from the Unlicensed Practice of a Trade or Profession" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(H.P. 340) (L.D. 452) Bill "An Act To Include the Town of Falmouth as a Member of the Greater Portland Transit District" (EMERGENCY) 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.

BILLS IN THE SECOND READING

House as Amended

Bill "An Act To Allow Military Personnel Living in Maine To Benefit under the Maine Resident Homestead Property Tax Exemption" (EMERGENCY)

(H.P. 44) (L.D. 51)

(C. "A" H-6)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

ENACTORS

Emergency Measure

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

(H.P. 54) (L.D. 61)

(C. "A" H-4)

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. 123 voted in favor of the same and 15 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

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)

(S. "A" S-3)

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. 126 voted in favor of the same and 12 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Amend the Requirements for the Livable Wage Report

(S.P. 23) (L.D. 64)

An Act To Amend the Laws Governing Public Water System Operation Fees

(S.P. 41) (L.D. 119)

An Act Regarding the Electronic Submission of Filings

(S.P. 45) (L.D. 123)

An Act To Revise the Boundary between the City of Waterville and the Town of Oakland

(H.P. 121) (L.D. 142)

An Act To Amend the Laws Relating to the Maine Jobs Council

(H.P. 128) (L.D. 149)

An Act To Enhance Oversight of Fraternal Benefit Societies

(H.P. 136) (L.D. 157)

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.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, March 10, 2009, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

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

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

- In Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

TABLED - February 3, 2009 (Till Later Today) by Representative DUCHESNE of Hudson.

PENDING - REFERENCE IN CONCURRENCE.

On motion of Representative PIEH of Bremen, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES** and the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in **NON-CONCURRENCE** and sent for concurrence.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require a Supermajority Approval of the Legislature for Tax Increases

(S.P. 344) (L.D. 922)

- In Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

TABLED - March 10, 2009 (Till Later Today) by Representative BEAUDETTE of Biddeford.

PENDING - REFERENCE IN CONCURRENCE.

On motion of Representative BEAUDETTE of Biddeford, the RESOLUTION was **REFERRED** to the Committee on **TAXATION**, in **NON-CONCURRENCE** and sent for concurrence.

SENATE PAPERS

The following Joint Order: (S.P. 376)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 17, 2009, at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

Bill "An Act To Increase Public Safety by Requiring a Federally Licensed Firearms Dealer To Facilitate the Transfer of Firearms"

(S.P. 368) (L.D. 985)

Bill "An Act To Improve Purchasing for the Department of Corrections"

(S.P. 374) (L.D. 995)

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.

Resolve, To Establish a Pilot Program To Provide Greater Cooperation and Coordination between the University of Maine System and the Maine Community College System

(S.P. 367) (L.D. 984)

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 the Disclosure of Insurance Policy Limits to an Injured Party"

(S.P. 362) (L.D. 979)

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

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

Resolve, To Establish a Study Commission To Examine the Issue of Eminent Domain (EMERGENCY)

(S.P. 364) (L.D. 981)

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 Clarify the Definition of 'Employee' in the Employment Security Law"

(S.P. 370) (L.D. 987)

Bill "An Act To Allow Certain Retirees in the Maine Public Employees Retirement System To Return to Service with the State for 180 Days Annually"

(S.P. 375) (L.D. 996)

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 Extend the Jurisdiction of the Commission on Governmental Ethics and Election Practices to the Executive Branch"

(S.P. 361) (L.D. 978)

Bill "An Act To Reduce the Risk of Hypothermia in Residential Rental Units" (EMERGENCY)

(S.P. 366) (L.D. 983)

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 Protect the Public Health and the Environment by Prohibiting the Sale of Wheel Weights Containing Lead or Mercury"

(S.P. 369) (L.D. 986)

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 Amend the Charter of the Milo Water District"

(S.P. 373) (L.D. 994)

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.

Pursuant to Statute

Commission on Governmental Ethics and Election Practices
Report of the **Commission on Governmental Ethics and Election Practices** pursuant to the Maine Revised Statutes, Title 1, section 1009 asks leave to report that the accompanying Bill "An Act To Amend the Laws Governing Legislative Ethics"

(S.P. 365) (L.D. 982)

Be **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LEGAL AND**

VETERANS AFFAIRS and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

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

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

Representative **HARLOW**: Thank you, Madam Speaker. I would just like to announce that one of the greatest athletes in the history of the State of Maine died two weeks ago. He is the only athlete to ever have played in a championship team in the NFL. He went to the University of Auburn, was the best track man there for years and years. Then he walked on the football team, and he went and he played for, it was then the Chicago Cardinals, and he was from Rumford, Maine, an interesting guy. He died at a very young age: 91 years old. It was a guy by the name of Chet Bulger.

On motion of Representative **BLODGETT** of Augusta, the House adjourned at 11:12 a.m., until 10:00 a.m., Tuesday, March 17, 2009 pursuant to the Joint Order (S.P. 376).