

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
23rd Legislative Day
Tuesday, March 31, 2009

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

Dear Clerk MacFarland:

Pursuant to my authority under House Rule 201.1 (l), I am reappointing Representative Everett W. McLeod of Lee to the Government Oversight Committee and rescinding the temporary appointment of Representative Philip A. Curtis of Madison. Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
S/Hannah M. Pingree
Speaker of the House

READ and ORDERED PLACED ON FILE.

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

Prayer by Pastor Charles G. Farley, West Hampden Baptist Church.

National Anthem by Bob Warnock, Avon.

Pledge of Allegiance.

Doctor of the day, Kathryn Galbraith, M.D., Alfred.

The Journal of Thursday, March 26, 2009 was read and approved.

SENATE PAPERS

Bill "An Act To Ensure Royalties to Visual Artists"
(S.P. 444) (L.D. 1196)

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

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

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

Bill "An Act To Allow Noncitizen Residents To Vote in Municipal Elections"

(S.P. 443) (L.D. 1195)

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 Promote Geothermal Energy in the State"

(S.P. 455) (L.D. 1222)

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.

REFERRED to the Committee on **UTILITIES AND ENERGY** in concurrence.

Non-Concurrent Matter

Bill "An Act To Increase Youth Boating Safety"

(H.P. 829) (L.D. 1204)

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in the House on March 26, 2009.

Came from the Senate **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in **NON-CONCURRENCE**.

On motion of Representative CLARK of Millinocket, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 143)

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

March 25, 2009

The Following Communication: (H.C. 145)

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

March 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 Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 504 An Act To Enhance Economic Development in Rural Maine

L.D. 613 An Act To Recruit Businesses from Other States

We have also notified the sponsors and cosponsors of each bill listed 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. 146)

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

March 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 Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 552 Resolve, Authorizing Coverage of Enteral Formula under the MaineCare Program

L.D. 675 An Act To Lower the Cost of State Government in the Departments under the Purview of the Joint Standing Committee on Health and Human Services

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. 147)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

March 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 bill out "Ought Not to Pass":

L.D. 825 An Act To Allow the Consecutive Purchase of 6-month Health Insurance Policies

We have also notified the sponsor and cosponsors 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. 148)

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

March 19, 2009
Honorable Elizabeth H. Mitchell, President of the Senate
Honorable Hannah M. Pingree, Speaker of the House
124th Legislature
State House
Augusta, Maine 04333

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

L.D. 113 An Act Regarding Construction and Excavation near Burial Sites

L.D. 761 An Act To Abolish the Fund for the Efficient Delivery of Local and Regional Services

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

Sincerely,
S/Sen. Deborah L. Simpson
Senate Chair

S/Rep. Stephen R. Beaudette
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 149)

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

March 24, 2009
Honorable Elizabeth H. Mitchell, President of the Senate
Honorable Hannah M. Pingree, Speaker of the House
124th Legislature
State House
Augusta, Maine 04333

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

L.D. 890 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

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

Sincerely,
S/Sen. Deborah L. Simpson
Senate Chair
S/Rep. Stephen R. Beaudette
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 150)

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

March 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 State and Local Government has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 327 An Act To Strengthen Maine Small Business by Establishing a Preference Percentage for State Contract Bids

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

Sincerely,
S/Sen. Deborah L. Simpson
Senate Chair
S/Rep. Stephen R. Beaudette
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 151)

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

March 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 Taxation has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 167 An Act To Provide a Sales Tax Exemption for Used Goods Sold To Benefit Food Pantries

We have also notified the sponsor and cosponsors 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. 152)

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

March 18, 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. 412 An Act To Create an Animal Welfare Trailer License Plate

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. 144)

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

March 25, 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 Rep. Duchesne of Hudson, to report the following bill Leave to Withdraw:

L.D. 387 An Act To Protect Groundwater and Surface Water from Contamination

Sincerely,

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

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 153)

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

March 20, 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 Rep. Stevens of Bangor, to report the following bill Leave to Withdraw:

L.D. 1053 An Act To Ensure Humane Dog and Cat Breeding in the State

Sincerely,

S/Sen. John M. Nutting
Senate Chair
S/Rep. Wendy Pieh
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

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

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act Concerning the National Animal Identification System"

(H.P. 857) (L.D. 1238)

Sponsored by Representative HAMPER of Oxford.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: CRAY of Palmyra, CURTIS of Madison, EBERLE of South Portland, EDGECOMB of Caribou, GIFFORD of Lincoln, McCABE of Skowhegan, SMITH of Monmouth.

Bill "An Act To Establish a Revenue Source for the Maine Pesticide Education Fund"

(H.P. 858) (L.D. 1239)

Sponsored by Representative BLANCHARD of Old Town.

Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: ADAMS of Portland, CRAY of Palmyra, FLETCHER of Winslow, HOGAN of Old Orchard Beach, THIBODEAU of Winterport, WAGNER of Lyman.

Bill "An Act To Amend Certain Laws Related to the Department of Agriculture, Food and Rural Resources"

(H.P. 874) (L.D. 1255)

Sponsored by Representative McCABE of Skowhegan.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: CRAY of Palmyra, EDGECOMB of Caribou, KENT of Woolwich, O'BRIEN of Lincolnville, PIEH of Bremen.

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Bill "An Act To Require Citizen Notification of Pesticide Applications Using Aerial Spray or Air-carrier Application Equipment"

(H.P. 896) (L.D. 1293)

Sponsored by Representative BERRY of Bowdoinham.

Cosponsored by Senator DAMON of Hancock and Representatives: BLODGETT of Augusta, LEGG of Kennebunk, McCABE of Skowhegan, MILLER of Somerville, PERCY of Phippsburg, Speaker PINGREE of North Haven, PIOTTI of Unity, SCHATZ of Blue Hill.

Bill "An Act To Amend the Laws Governing the Public Hearing Process for the Board of Pesticides Control"

(H.P. 897) (L.D. 1294)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representatives: BERRY of Bowdoinham, BOLAND of Sanford, GOODE of Bangor.

Bill "An Act To Amend Provisions of the Submerged Lands Law"

(H.P. 926) (L.D. 1322)

Sponsored by Representative FLOOD of Winthrop.

Cosponsored by Senator DAMON of Hancock and Representatives: BERRY of Bowdoinham, CAIN of Orono, PIEH of Bremen, PIOTTI of Unity, WEBSTER of Freeport, Senators: BARTLETT of Cumberland, NUTTING of Androscoggin, RECTOR of Knox.

Submitted by the Department of Conservation pursuant to Joint Rule 204.

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Resolve, To License Wetland Scientists

(H.P. 859) (L.D. 1240)

Sponsored by Representative EBERLE of South Portland.

Cosponsored by Senator TRAHAN of Lincoln and Representatives: DUCHESNE of Hudson, FLAHERTY of Scarborough, HAMPER of Oxford, WALSH INNES of Yarmouth, KNAPP of Gorham, MORRISON of South Portland, VAN WIE of New Gloucester, WELSH of Rockport.

Bill "An Act To Require Licensing for Certain Mechanical Trades"

(H.P. 860) (L.D. 1241)

Sponsored by Representative WRIGHT of Berwick.

Cosponsored by Representatives: BOLDUC of Auburn, EVES of North Berwick, HUNT of Buxton, MacDONALD of Boothbay, MARTIN of Orono, TUTTLE of Sanford.

Bill "An Act To Prohibit Predispute Mandatory Binding Arbitration Clauses in Consumer Contracts"

(H.P. 875) (L.D. 1256)

Sponsored by Representative FLAHERTY of Scarborough.

Cosponsored by Senator BLISS of Cumberland and Representatives: BERRY of Bowdoinham, BRYANT of Windham, CLEARY of Houlton, DILL of Cape Elizabeth, HUNT of Buxton, MORRISON of South Portland, SMITH of Monmouth, STEVENS of Bangor.

Bill "An Act To Require Legislative Consultation and Approval Prior to Committing the State to Binding International Trade Agreements"

(H.P. 876) (L.D. 1257)

Sponsored by Representative TREAT of Hallowell.

Cosponsored by Senator BRYANT of Oxford and Representatives: FLETCHER of Winslow, MARTIN of Eagle Lake, ROTUNDO of Lewiston, SMITH of Monmouth, Senators: BARTLETT of Cumberland, JACKSON of Aroostook, RAYE of Washington, SHERMAN of Aroostook.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Streamline the Regulatory Process for Commercial Building Construction Projects" (EMERGENCY)

(H.P. 861) (L.D. 1242)

Sponsored by Representative HASKELL of Portland.

Bill "An Act To Amend Operating After Suspension Laws by Creating an Infraction Alternative for Certain Kinds of Operating After Suspension"

(H.P. 862) (L.D. 1243)

Sponsored by Representative HASKELL of Portland.

Bill "An Act To Create a Duty To Report Serious Injuries"

(H.P. 877) (L.D. 1258)

Sponsored by Representative McLEOD of Lee.

Cosponsored by Senator RAYE of Washington and Representatives: BEAULIEU of Auburn, CRAY of Palmyra, CURTIS of Madison, GIFFORD of Lincoln, JOY of Crystal, McFADDEN of Dennysville, SARTY of Denmark, TILTON of Harrington.

Bill "An Act To Deter Graffiti"

(H.P. 939) (L.D. 1338)

Sponsored by Representative BRIGGS of Mexico.

Cosponsored by Senator BRYANT of Oxford and Representative: PETERSON of Rumford, Senator: JACKSON of Aroostook.

Resolve, To Direct the Commissioner of Health and Human Services To Establish a Blue Ribbon Task Force To Examine the Attorney General's Report Regarding Police Shootings as It Relates to Deaths of Persons with Mental Illness

(H.P. 943) (L.D. 1342)

Sponsored by Representative LEWIN of Eliot.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: AUSTIN of Gray, AYOTTE of Caswell, BEAUDOIN of Biddeford, CHASE of Wells, CRAFTS of Lisbon, CURTIS of Madison, CUSHING of Hampden, DAVIS of Sangerville, EVES of North Berwick, FOSSEL of Alna, GIFFORD of Lincoln, GILES of Belfast, JOHNSON of Greenville, JOY of Crystal, KNAPP of Gorham, LANGLEY of Ellsworth, McFADDEN of Dennysville, McKANE of Newcastle, MILLER of Somerville, MILLETT of Waterford, PERCY of Phippsburg, PETERSON of Rumford, PILON of Saco, Speaker PINGREE of North Haven, PLUMMER of Windham, PRESCOTT of Topsham, RICHARDSON of Warren, ROSEN of Bucksport, SANBORN of Gorham, SARTY of Denmark, SAVIELLO of Wilton, SCHATZ of Blue Hill, STUCKEY of Portland, TARDY of Newport, THOMAS of Ripley, TREAT of Hallowell, WEAVER of York, Senators: COURTNEY of York, GOOLEY of Franklin, MILLS of Somerset, PLOWMAN of Penobscot, RAYE of Washington, ROSEN of Hancock, SMITH of Piscataquis.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Establish the Middle School of Science and Mathematics"

(H.P. 898) (L.D. 1295)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representative: BERRY of Bowdoinham.

Bill "An Act To Abolish the State Board of Education"

(H.P. 900) (L.D. 1297)

Sponsored by Representative JOY of Crystal.

Cosponsored by Representatives: BROWNE of Vassalboro, BURNS of Whiting, GIFFORD of Lincoln, HAYES of Buckfield, McLEOD of Lee, SIROIS of Turner, TARDY of Newport, Senator: TRAHAN of Lincoln.

Bill "An Act To Adjust the Special Education Funding for Minimum Subsidy Receivers"

(H.P. 901) (L.D. 1298)

Sponsored by Representative DOSTIE of Sabattus.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: CLARK of Millinocket, FINCH of Fairfield, FITTS of Pittsfield, FLETCHER of Winslow, GILBERT of Jay, McFADDEN of Dennysville.

Bill "An Act To Streamline the Fingerprinting Process"

(H.P. 902) (L.D. 1299)

Sponsored by Representative PRESCOTT of Topsham.

Cosponsored by Senator SULLIVAN of York and Representatives: BEAULIEU of Auburn, BICKFORD of Auburn, CASAVANT of Biddeford, EDGECOMB of Caribou, FOSSEL of Alna, MITCHELL of the Penobscot Nation, PLUMMER of Windham, STRANG BURGESS of Cumberland.

Bill "An Act To Establish Head Injury Safety Requirements for School Athletic Programs"

(H.P. 903) (L.D. 1300)

Sponsored by Representative DOSTIE of Sabattus.

Cosponsored by Senator HOBBS of York and Representatives: ADAMS of Portland, BICKFORD of Auburn, BLANCHARD of Old Town, CLEARY of Houlton, FLAHERTY of Scarborough, MAZUREK of Rockland, THIBODEAU of Winterport, Senator: NUTTING of Androscoggin.

Bill "An Act To Provide Collective Bargaining Protections for Alternative Organizational Structure Employees"

(H.P. 922) (L.D. 1319)

Sponsored by Representative CAIN of Orono.

Bill "An Act To Control the Costs of College Textbooks"

(H.P. 927) (L.D. 1323)

Sponsored by Representative LAJOIE of Lewiston.

Cosponsored by Senator BLISS of Cumberland and Representatives: ADAMS of Portland, BEAUDOIN of Biddeford, BOLDUC of Auburn, HANLEY of Gardiner, MAGNAN of Stockton Springs, ROTUNDO of Lewiston, VALENTINO of Saco, WAGNER of Lewiston.

Bill "An Act To Adopt the Interstate Compact on Educational Opportunity for Military Children"

(H.P. 928) (L.D. 1324)

Sponsored by Representative CROCKETT of Bethel.

Cosponsored by Senator BRYANT of Oxford, Senator MILLS of Somerset and Representatives: CORNELL du HOUX of Brunswick, PRIEST of Brunswick, SAVIELLO of Wilton, TRINWARD of Waterville, Senator: GOOLEY of Franklin.

Bill "An Act Regarding Curriculum Requirements and Standards for Awarding a High School Diploma"

(H.P. 929) (L.D. 1325)

Sponsored by Representative SUTHERLAND of Chapman.

Cosponsored by President MITCHELL of Kennebec and Representatives: CAIN of Orono, LOVEJOY of Portland,

STRANG BURGESS of Cumberland, Senators: BOWMAN of York, MILLS of Somerset.

Submitted by the Department of Education pursuant to Joint Rule 204.

Bill "An Act To Strengthen the Job Creation Through Educational Opportunity Program"

(H.P. 899) (L.D. 1296)

Sponsored by Representative WATSON of Bath.

Cosponsored by Senator RAYE of Washington and Representatives: CHASE of Wells, KNIGHT of Livermore Falls, PILON of Saco, Speaker PINGREE of North Haven, RUSSELL of Portland, SIROIS of Turner, Senators: ALFOND of Cumberland, PERRY of Penobscot.

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

On motion of Representative SUTHERLAND of Chapman, **TABLED** pending **REFERENCE** and later today assigned.

HEALTH AND HUMAN SERVICES

Resolve, To Advance Health Care in Maine

(H.P. 863) (L.D. 1244)

Sponsored by Representative HARVELL of Farmington.

Cosponsored by Senator MILLS of Somerset and Representatives: COTTA of China, CURTIS of Madison, FLOOD of Winthrop, JOHNSON of Greenville, McFADDEN of Dennysville, MILLETT of Waterford, SCHATZ of Blue Hill, Senator: SHERMAN of Aroostook.

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

Resolve, To Improve the Continuity of Care for Individuals with Behavioral Issues in Long-term Care (EMERGENCY)

(H.P. 864) (L.D. 1245)

Sponsored by Representative WALSH INNES of Yarmouth.

Cosponsored by Representatives: BEAUDOIN of Biddeford, EVES of North Berwick, MARTIN of Eagle Lake.

Bill "An Act To Increase Access to Nutrition Information"

(H.P. 878) (L.D. 1259)

Sponsored by Speaker PINGREE of North Haven.

Cosponsored by Senator BRANNIGAN of Cumberland and Representatives: JONES of Mount Vernon, MARTIN of Orono, MILLER of Somerville, PERRY of Calais, RANKIN of Hiram, SANBORN of Gorham, Senators: MARRACHÉ of Kennebec, MILLS of Somerset.

Bill "An Act To Amend the Certificate of Need Act of 2002 for Nursing Facility Projects"

(H.P. 879) (L.D. 1260)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: CAIN of Orono, CLARK of Millinocket, HASKELL of Portland, WALSH INNES of Yarmouth, PRIEST of Brunswick, WHEELER of Kittery, Senators: BRANNIGAN of Cumberland, JACKSON of Aroostook.

Resolve, To Require the Department of Health and Human Services To Provide Cost-of-living Adjustments for Nursing Facilities and Certain Medical and Remedial Private Nonmedical Institutions (EMERGENCY)

(H.P. 880) (L.D. 1261)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: CAIN of Orono, CLARK of Millinocket, HASKELL of Portland, Speaker PINGREE of North Haven,

PRIEST of Brunswick, WHEELER of Kittery, Senators: BRANNIGAN of Cumberland, JACKSON of Aroostook.

Bill "An Act To Restrict Gifts to Health Care Practitioners from Pharmaceutical and Medical Device Manufacturers"

(H.P. 881) (L.D. 1262)

Sponsored by Representative TREAT of Hallowell.

Cosponsored by Representatives: MARTIN of Eagle Lake, MILLER of Somerville, PERCY of Phippsburg, PERRY of Calais, STUCKEY of Portland, WEBSTER of Freeport, Senator: SIMPSON of Androscoggin.

Bill "An Act To Amend the Laws Concerning Child Abuse and Neglect Councils"

(H.P. 882) (L.D. 1263)

Sponsored by Representative EATON of Sullivan.

Cosponsored by Senator DAMON of Hancock.

Bill "An Act To Prohibit Full-time State Employees from Enrollment in MaineCare"

(H.P. 905) (L.D. 1302)

Sponsored by Representative CRAY of Palmyra.

Cosponsored by Senator RAYE of Washington and Representatives: AYOTTE of Caswell, GIFFORD of Lincoln, HANLEY of Gardiner, JOY of Crystal, LEWIN of Eliot, McFADDEN of Dennysville, SAVIELLO of Wilton, THIBODEAU of Winterport.

Bill "An Act To Improve the General Assistance Program"

(H.P. 906) (L.D. 1303)

Sponsored by Representative STUCKEY of Portland.

Bill "An Act To Improve Oversight of Pharmaceutical Purchasing"

(H.P. 940) (L.D. 1339)

Sponsored by Representative TREAT of Hallowell.

Cosponsored by Senator ALFOND of Cumberland and Representatives: BUTTERFIELD of Bangor, CAIN of Orono, CONNOR of Kennebunk, HILL of York, MARTIN of Eagle Lake, PERRY of Calais, WEBSTER of Freeport, Senator: CRAVEN of Androscoggin.

Bill "An Act To Protect Consumers' Health Information Records"

(H.P. 941) (L.D. 1340)

Sponsored by Representative BUTTERFIELD of Bangor.

Cosponsored by Representatives: GOODE of Bangor, TREAT of Hallowell.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Promote Youth Hunting License Sales"

(H.P. 865) (L.D. 1246)

Sponsored by Representative HARVELL of Farmington.

Cosponsored by Senator SIMPSON of Androscoggin and Representatives: CLARK of Easton, CORNELL du HOUX of Brunswick, COTTA of China, CURTIS of Madison, FOSSEL of Alna, McFADDEN of Dennysville, SAVIELLO of Wilton, WEAVER of York.

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

Bill "An Act To Require Snowmobile Safety Training"

(H.P. 904) (L.D. 1301)

Sponsored by Representative HASKELL of Portland.

Cosponsored by Representative BOLDUC of Auburn, Senator GERZOFKY of Cumberland and Representatives: DAVIS of Sangerville, HANLEY of Gardiner.

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

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Stabilize Funding and Enable DirigoChoice To Reach More Uninsured"

(H.P. 883) (L.D. 1264)

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

Cosponsored by Senator BOWMAN of York and Representative: Speaker PINGREE of North Haven, Senator: President MITCHELL of Kennebec.

Bill "An Act Regarding First-party Automobile and Casualty Insurance"

(H.P. 907) (L.D. 1304)

Sponsored by Representative MORRISON of South Portland.

Cosponsored by Representatives: BECK of Waterville, BOLAND of Sanford, EATON of Sullivan, FLAHERTY of Scarborough, GOODE of Bangor, KAENRATH of South Portland, STEVENS of Bangor.

Bill "An Act To Provide for Prompt Resolution of Insurance Claims by Providing for a Direct Remedy by Consumers"

(H.P. 908) (L.D. 1305)

Sponsored by Representative BERRY of Bowdoinham.

Cosponsored by Senator PERRY of Penobscot.

Bill "An Act To Amend the Laws Governing Licensed Financial Service Providers"

(H.P. 930) (L.D. 1326)

Sponsored by Representative LOVEJOY of Portland.

Cosponsored by Senator PERRY of Penobscot and Representatives: COHEN of Portland, HUNT of Buxton, SMITH of Monmouth.

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

Bill "An Act To Promote Consumer Fairness in Tax Refund Anticipation Loans"

(H.P. 944) (L.D. 1343)

Sponsored by Representative PRATT of Eddington.

Bill "An Act To Enact the Uniform Debt Management Services Act"

(H.P. 895) (L.D. 1289)

Sponsored by Representative GOODE of Bangor.

Cosponsored by Senator ALFOND of Cumberland and Representatives: BRYANT of Windham, CLEARY of Houlton, FLAHERTY of Scarborough, MITCHELL of the Penobscot Nation, PRIEST of Brunswick, RUSSELL of Portland, Senator: PERRY of Penobscot.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested.

On motion of Representative TREAT of Hallowell, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

JUDICIARY

Bill "An Act Regarding Low-profit Limited Liability Companies"

(H.P. 884) (L.D. 1265)

Sponsored by Representative FLEMINGS of Bar Harbor.

Cosponsored by Senator NASS of York and Representatives: BERRY of Bowdoinham, CORNELL du HOUX of Brunswick, CROCKETT of Augusta, STEVENS of Bangor, Senator: PERRY of Penobscot.

Resolve, Establishing a Blue Ribbon Panel To Address Disparities in Economic Development between the Passamaquoddy Tribe and the State and the United States (EMERGENCY)

(H.P. 885) (L.D. 1266)

Sponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.

Cosponsored by Senator RAYE of Washington and Representatives: ADAMS of Portland, CLEARY of Houlton, MITCHELL of the Penobscot Nation, PERRY of Calais, PIOTTI of Unity, TILTON of Harrington.

Bill "An Act To Require Interscholastic Athletic Organizations To Comply with Freedom of Access Laws"

(H.P. 909) (L.D. 1306)

Sponsored by Representative PRESCOTT of Topsham.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: AUSTIN of Gray, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BICKFORD of Auburn, BUTTERFIELD of Bangor, CLARK of Easton, CLEARY of Houlton, COTTA of China, CROCKETT of Bethel, DILL of Cape Elizabeth, DUCHESNE of Hudson, EATON of Sullivan, FOSSEL of Alna, GILES of Belfast, HARLOW of Portland, HILL of York, KNIGHT of Livermore Falls, KRUGER of Thomaston, LEWIN of Eliot, MacDONALD of Boothbay, McKANE of Newcastle, MILLER of Somerville, PENDLETON of Scarborough, RICHARDSON of Warren, SARTY of Denmark, STRANG BURGESS of Cumberland, TARDY of Newport, TILTON of Harrington, WEAVER of York, WEBSTER of Freeport, Senators: COURTNEY of York, DAMON of Hancock, GOODALL of Sagadahoc, NASS of York, SIMPSON of Androscoggin.

Bill "An Act To Provide Limited Immunity for Road Association Directors, Commissioners and Volunteers"

(H.P. 910) (L.D. 1307)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Senator GOODALL of Sagadahoc and Representatives: EBERLE of South Portland, KNAPP of Gorham, Senator: NASS of York.

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

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Prohibit Maine Clean Election Act Candidates from Raising Private Campaign Funds"

(H.P. 866) (L.D. 1247)

Sponsored by Representative GILES of Belfast.

Cosponsored by Senator SMITH of Piscataquis and Representatives: BEAULIEU of Auburn, CLEARY of Houlton, DILL of Cape Elizabeth, HAYES of Buckfield, TILTON of Harrington, VALENTINO of Saco, WEAVER of York, Senator: McCORMICK of Kennebec.

Bill "An Act Authorizing a Scratch Ticket with Proceeds To Benefit Native American Boys and Girls Clubs"

(H.P. 867) (L.D. 1248)

Sponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.

Cosponsored by Senator SULLIVAN of York and Representatives: BLANCHARD of Old Town, CORNELL du HOUX of Brunswick, DUCHESNE of Hudson, HUNT of Buxton, PENDLETON of Scarborough, PERRY of Calais, SCHATZ of Blue Hill, STRANG BURGESS of Cumberland.

Bill "An Act To Raise the Campaign Contribution Limit"

(H.P. 868) (L.D. 1249)

Sponsored by Representative HARVELL of Farmington.

Cosponsored by Senator MILLS of Somerset and Representatives: CLARK of Easton, COTTA of China, CURTIS of Madison, FOSSEL of Alna, LEWIN of Eliot, TARDY of Newport, WEAVER of York, Senator: COURTNEY of York.

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

Bill "An Act To Amend the Maine Clean Election Act Relating to Seed Money"

(H.P. 869) (L.D. 1250)

Sponsored by Representative HARVELL of Farmington.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: BROWNE of Vassalboro, FOSSEL of Alna, GILES of Belfast, HAYES of Buckfield, KAENRATH of South Portland, NUTTING of Oakland, VALENTINO of Saco, Senator: COURTNEY of York.

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

Bill "An Act To Allow the Importation of Wine into the State for Individuals through Specific Ports of Entry"

(H.P. 911) (L.D. 1308)

Sponsored by Representative WEBSTER of Freeport.

Cosponsored by Senator BARTLETT of Cumberland and Representatives: CORNELL du HOUX of Brunswick, DILL of Cape Elizabeth, Speaker PINGREE of North Haven, STRANG BURGESS of Cumberland, STUCKEY of Portland, TRINWARD of Waterville, Senators: MARRACHÉ of Kennebec, MILLS of Somerset.

Bill "An Act To Clarify the Use of Instant Redeemable Coupons with Alcoholic Beverages"

(H.P. 912) (L.D. 1309)

Sponsored by Representative FITTS of Pittsfield.

Bill "An Act To Update Department of Defense, Veterans and Emergency Management Laws"

(H.P. 931) (L.D. 1327)

Sponsored by Representative TRINWARD of Waterville.

Cosponsored by Senator PLOWMAN of Penobscot and Representative: CORNELL du HOUX of Brunswick.

Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.

RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting and Voting by Absentee Ballot

(H.P. 932) (L.D. 1328)

Sponsored by Representative ADAMS of Portland.

Bill "An Act To Allow a Resort Casino in Oxford County"

(H.P. 933) (L.D. 1329)

Sponsored by Representative MILLETT of Waterford.

Cosponsored by Senator ROSEN of Hancock and Representatives: NUTTING of Oakland, ROBINSON of Raymond.

Bill "An Act Regarding Gaming by Charitable Organizations"

(H.P. 934) (L.D. 1330)

Sponsored by Representative BRYANT of Windham.

Cosponsored by Senator BRYANT of Oxford and Representatives: BEAULIEU of Auburn, BLANCHARD of Old Town, FITTS of Pittsfield, PINKHAM of Lexington Township, RUSSELL of Portland, TRINWARD of Waterville, VALENTINO of Saco.

Resolve, To Authorize a Pilot Project on Ranked Choice Voting

(H.P. 945) (L.D. 1344)

Sponsored by Representative RUSSELL of Portland.

Cosponsored by Senator ALFOND of Cumberland and Representatives: FITTS of Pittsfield, GOODE of Bangor, HINCK of Portland, KNIGHT of Livermore Falls, MacDONALD of

Boothbay, O'BRIEN of Lincolnville, Speaker PINGREE of North Haven, TRINWARD of Waterville.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Required Number of Signatures for a Direct Initiative or a People's Veto and To Limit a Direct Initiative to One Subject

(H.P. 946) (L.D. 1345)

Sponsored by Representative CAMPBELL of Newfield.

Cosponsored by Senator SULLIVAN of York and Representatives: CLARK of Millinocket, CONNOR of Kennebunk, STRANG BURGESS of Cumberland, TUTTLE of Sanford, Senators: BOWMAN of York, BRANNIGAN of Cumberland, BRYANT of Oxford, DAVIS of Cumberland.

Bill "An Act To Amend the Laws Governing Games of Chance"

(H.P. 947) (L.D. 1346)

Sponsored by Representative BRIGGS of Mexico.

Cosponsored by Senator BRYANT of Oxford and Representatives: PETERSON of Rumford, TUTTLE of Sanford, Senator: JACKSON of Aroostook.

MARINE RESOURCES

Bill "An Act Regarding Saltwater Recreational Fishing"

(H.P. 935) (L.D. 1331)

Sponsored by Representative PERCY of Phippsburg.

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

NATURAL RESOURCES

Bill "An Act To Establish a Groundwater Withdrawal Program and To Recognize Groundwater as a Public Trust Resource"

(H.P. 886) (L.D. 1267)

Sponsored by Representative CAMPBELL of Newfield.

Cosponsored by Senator HOBBS of York and Representatives: CASAVANT of Biddeford, CLARK of Millinocket, DUCHESNE of Hudson, MARTIN of Eagle Lake, SCHATZ of Blue Hill, SMITH of Monmouth, WEBSTER of Freeport, Senator: BARTLETT of Cumberland.

Bill "An Act To Update the Site Location of Development Laws"

(H.P. 887) (L.D. 1268)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Representative: SAVIELLO of Wilton.

Bill "An Act To Clarify the Laws Regarding Significant Groundwater Wells"

(H.P. 888) (L.D. 1269)

Sponsored by Representative HILL of York.

Cosponsored by Senator SIMPSON of Androscoggin.

Resolve, To Establish the Blue Ribbon Commission To Examine the Legal and Policy Implications of Groundwater Extraction (EMERGENCY)

(H.P. 913) (L.D. 1310)

Sponsored by Representative WEBSTER of Freeport.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: CAIN of Orono, DILL of Cape Elizabeth, DUCHESNE of Hudson, Speaker PINGREE of North Haven, ROTUNDO of Lewiston, Senators: HOBBS of York, MILLS of Somerset.

Bill "An Act To Continue Coverage of Oil Clean-up Costs and Improve Administration of the Ground Water Oil Clean-up Fund"

(H.P. 936) (L.D. 1332)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Representatives: BOLDUC of Auburn, MARTIN of Eagle Lake, WEBSTER of Freeport.

Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

Bill "An Act To Establish Climate and Energy Planning in Maine"

(H.P. 937) (L.D. 1333)

Sponsored by Speaker PINGREE of North Haven.

Cosponsored by President MITCHELL of Kennebec and Representatives: DUCHESNE of Hudson, EBERLE of South Portland, WALSH INNES of Yarmouth, MAZUREK of Rockland, WELSH of Rockport, Senators: DAMON of Hancock, GOODALL of Sagadahoc, SIMPSON of Androscoggin.

Bill "An Act To Enable Municipal Assistance for Purposes of Protecting or Restoring Public Waters"

(H.P. 914) (L.D. 1311)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Senator GOODALL of Sagadahoc and Representatives: EBERLE of South Portland, KNAPP of Gorham, Senator: NASS of York.

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

Committee on **NATURAL RESOURCES** suggested.

On motion of Representative DUCHESNE of Hudson, **TABLED** pending **REFERENCE** and later today assigned.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Generate Savings by Changing Public Notice Requirements"

(H.P. 890) (L.D. 1271)

Sponsored by Representative HAYES of Buckfield.

Cosponsored by Senator SCHNEIDER of Penobscot and Representative: JOY of Crystal.

Bill "An Act To Require a State Agency To Reference the Livable Wage in Information Published by That Agency" (EMERGENCY)

(H.P. 915) (L.D. 1312)

Sponsored by Representative STUCKEY of Portland.

Cosponsored by Senator BRANNIGAN of Cumberland and Representatives: ADAMS of Portland, BERRY of Bowdoinham, BRYANT of Windham, MAZUREK of Rockland, PETERSON of Rumford.

Bill "An Act To Restructure the State Planning Office"

(H.P. 916) (L.D. 1313)

Sponsored by Representative JOY of Crystal.

Cosponsored by Representatives: BROWNE of Vassalboro, BURNS of Whiting, GIFFORD of Lincoln, HAYES of Buckfield, McFADDEN of Dennysville, McLEOD of Lee, SIROIS of Turner, Senator: TRAHAN of Lincoln.

Resolve, To Realign Maine's Natural Resource Agencies

(H.P. 889) (L.D. 1270)

Sponsored by Representative PIEH of Bremen.

Cosponsored by Representatives: CLARK of Millinocket, EDGECOMB of Caribou, PENDLETON of Scarborough, PERCY of Phippsburg, RICHARDSON of Warren, WATSON of Bath, Senators: NUTTING of Androscoggin, SHERMAN of Aroostook.

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

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

TAXATION

Bill "An Act To Reduce the Cost of Permitting of Business Development"

(H.P. 870) (L.D. 1251)

Sponsored by Representative VAN WIE of New Gloucester.

Cosponsored by Senator BOWMAN of York and Representatives: BEAUDETTE of Biddeford, FITTS of Pittsfield, HINCK of Portland.

Bill "An Act To Create the Maine Fishery Infrastructure Tax Credit"

(H.P. 871) (L.D. 1252)

Sponsored by Representative WATSON of Bath.

Cosponsored by Senator DAMON of Hancock and Senator: PERRY of Penobscot.

Bill "An Act To Establish a Local Option Sales Tax"

(H.P. 872) (L.D. 1253)

Sponsored by Representative CROCKETT of Augusta.

Cosponsored by Representative FLEMINGS of Bar Harbor, Senator JACKSON of Aroostook and Representatives: BERRY of Bowdoinham, BLODGETT of Augusta, COHEN of Portland, EBERLE of South Portland, MacDONALD of Boothbay, STEVENS of Bangor, TRINWARD of Waterville, Senator: ALFOND of Cumberland.

Bill "An Act To Establish an Income Tax Credit for the Purchase of Certain Wood-burning Boilers and Stoves"

(H.P. 891) (L.D. 1272)

Sponsored by Representative SIROIS of Turner.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: BEAULIEU of Auburn, BERRY of Bowdoinham, EATON of Sullivan, HOGAN of Old Orchard Beach, KNIGHT of Livermore Falls.

Bill "An Act To Simplify the Application for Benefits under the Circuitbreaker Program"

(H.P. 892) (L.D. 1273)

Sponsored by Representative STUCKEY of Portland.

Cosponsored by Representative McKANE of Newcastle, Senator PERRY of Penobscot and Representatives: ADAMS of Portland, CONNOR of Kennebunk.

Bill "An Act To Reform and Lower Maine Taxes"

(H.P. 917) (L.D. 1314)

Sponsored by Representative CROCKETT of Augusta.

Cosponsored by Senator ALFOND of Cumberland and Representatives: BERRY of Bowdoinham, BRYANT of Windham, FLEMINGS of Bar Harbor, Speaker PINGREE of North Haven, PIOTTI of Unity, VALENTINO of Saco, WATSON of Bath, Senator: PERRY of Penobscot.

Bill "An Act To Reform Maine's Motor Fuel Tax Laws"

(H.P. 942) (L.D. 1341)

Sponsored by Representative CROCKETT of Augusta.

Cosponsored by Senator PERRY of Penobscot and Representatives: CAREY of Lewiston, HOGAN of Old Orchard Beach, MAZUREK of Rockland, PEOPLES of Westbrook, PILON of Saco, VALENTINO of Saco, WATSON of Bath, Senator: DAMON of Hancock.

Bill "An Act To Deter Initiation of Tobacco Use by Increasing the Tax on Tobacco Products" (EMERGENCY)

(H.P. 948) (L.D. 1347)

Sponsored by Representative PERRY of Calais.

TRANSPORTATION

Bill "An Act To Establish a Gold Star Family Member License Plate"

(H.P. 893) (L.D. 1274)

Sponsored by Representative McLEOD of Lee.

Cosponsored by Senator RAYE of Washington and Representatives: BEAULIEU of Auburn, CAMPBELL of Newfield, CURTIS of Madison, GIFFORD of Lincoln, JOY of Crystal, SARTY of Denmark, TILTON of Harrington, Senator: COURTNEY of York.

Bill "An Act To Amend the Private Way Laws with Regard to Road Associations"

(H.P. 918) (L.D. 1315)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Senator GOODALL of Sagadahoc and Representatives: EBERLE of South Portland, KNAPP of Gorham, Senator: NASS of York.

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

Bill "An Act To Limit the Transport of Water for Export"

(H.P. 919) (L.D. 1316)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representatives: BOLAND of Sanford, CAMPBELL of Newfield, GOODE of Bangor.

UTILITIES AND ENERGY

Bill "An Act To Amend the Charter of the Addison Point Water District"

(H.P. 920) (L.D. 1317)

Sponsored by Representative TILTON of Harrington.

Cosponsored by Senator RAYE of Washington and Representatives: BURNS of Whiting, FOSSEL of Alna.

Bill "An Act To Create the Hancock Pond Water District" (EMERGENCY)

(H.P. 921) (L.D. 1318)

Sponsored by Representative CURTIS of Madison.

Cosponsored by Representative: PINKHAM of Lexington Township, Senator: MILLS of Somerset.

Bill "An Act To Provide Grants to Public Educational and Municipal Entities for Feasibility Studies of Renewable Energy Projects"

(H.P. 949) (L.D. 1348)

Sponsored by Representative ADAMS of Portland.

Bill "An Act To Streamline Ratemaking for Consumer-owned Water Utilities"

(H.P. 950) (L.D. 1349)

Sponsored by Representative BLANCHARD of Old Town.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: DOSTIE of Sabattus, HOGAN of Old Orchard Beach, LEGG of Kennebunk, MARTIN of Orono, VALENTINO of Saco, VAN WIE of New Gloucester, WAGNER of Lyman.

Bill "An Act To Establish the Maine Transmission Mitigation Trust Fund" (EMERGENCY)

(H.P. 951) (L.D. 1350)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by Senator JACKSON of Aroostook and Representatives: BRIGGS of Mexico, CLARK of Millinocket, HILL of York, WALSH INNES of Yarmouth, SMITH of Monmouth, SUTHERLAND of Chapman, TREAT of Hallowell, TRINWARD of Waterville, WATSON of Bath.

**Pursuant to Statute
Criminal Law Advisory Commission**

Representative HASKELL for the **Criminal Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Criminal Law Advisory Commission"

(H.P. 894) (L.D. 1275)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Secretary of State**

Representative BEAUDETTE for the **Secretary of State** pursuant to the Maine Revised Statutes, Title 5, section 12006, subsection 2 asks leave to report that the accompanying Bill "An Act To Repeal Inactive Boards and Commissions"

(H.P. 873) (L.D. 1254)

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

ORDERS

On motion of Representative PIEH of Bremen, the following Joint Resolution: (H.P. 923) (Cosponsored by Senator NUTTING of Androscoggin and Representatives: CRAY of Palmyra, EDGEComb of Caribou, GIFFORD of Lincoln, KENT of Woolwich, McCABE of Skowhegan, O'BRIEN of Lincolnville, PERCY of Phippsburg, PRATT of Eddington, SMITH of Monmouth, Senators: BRYANT of Oxford, SHERMAN of Aroostook)

**JOINT RESOLUTION IN HONOR OF THE MAINE FARMER
AND MAINE AGRICULTURE**

WHEREAS, recent statistics show that Maine has about 8,000 farms, the bulk of which are small, family-owned operations, that provide full-time and part-time employment to more than 90,000 workers, approximately 13 percent of the State's workforce; and

WHEREAS, Maine's agricultural enterprises provide more than \$684 million through the sale of farm products and contribute more than \$2 billion annually to the State's economy, and an overwhelming majority of Maine people believe that buying local Maine agricultural products helps the State; and

WHEREAS, Maine farmers are the stewards of 1.36 million acres of land, a vital resource in maintaining the food security of Maine people; and

WHEREAS, Maine is first in New England in the production of food, first in New England in the value of aquaculture sales, first in the world in the production of wild blueberries, the world leader in the production of brown eggs, third in the Nation in the production of maple syrup, eighth in the Nation in the production of fall potatoes, second in New England in milk and livestock

production and the only state anywhere involved in the commercial production of fiddleheads; and

WHEREAS, agriculture shaped Maine's past, maintains much of Maine's scenic open space, provides recreational opportunities, makes a significant contribution to the nature and character of Maine's many rural communities and provides for a strong future; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the First Regular Session, pause in our deliberations to honor Maine farmers and innovators who have contributed so much to the betterment of our State, to pledge our support and encouragement and to urge the youth of Maine to pursue the growing opportunities for careers in today's technologically advanced agriculture industry; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Commissioner of Agriculture, Food and Rural Resources as a token of the esteem in which those in this vital field are held.

READ.

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

Representative **PIEH**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I just want to remind you: no farms, no food. Farms in Maine are on the rise. The average age of the farmer in Maine is getting younger, as you can see with our Future Farmers of America and our Potato Queen and our Wild Blueberry Queen. Perhaps you are a farmer, for sure you know one. I would just like to thank you on behalf of the Agriculture, Conservation and Forestry Committee to all farmers in our state that do a wonderful job.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

At this point, Brianna Gorence, of Caribou, came and recited the FFA Creed.

She was escorted to the podium at the request of Speaker Pingree.

The SPEAKER: The Chair would like to have Brianna Gorence read the FFA Creed.

Brianna **GORENCE**: I believe in the future of agriculture, with a faith born not of words but of deeds -achievements won by the present and past generations of agriculturists; in the promise of better days through better ways, even as the better things we now enjoy have come to us from the struggles of former years.

I believe that to live and work on a good farm, or to be engaged in other agricultural pursuits, is pleasant as well as challenging; for I know the joys and discomforts of agricultural life and hold an inborn fondness for those associations which, even in hours of discouragement, I cannot deny.

I believe in leadership from ourselves and respect from others. I believe in my own ability to work efficiently and think clearly, with such knowledge and skill as I can secure, and in the ability of progressive agriculturists to serve our own and the public interest in producing and marketing the product of our toil.

I believe in less dependence on begging and more power in bargaining; in the life abundant and enough honest wealth to help make it so--for others as well as myself; in less need for charity and more of it when needed; in being happy myself and playing square with those whose happiness depends upon me.

I believe that American agriculture can and will hold true to the best traditions of our national life and that I can exert an influence in my home and community which will stand solid for my part in that inspiring task.

(After the FFA Creed)

The House was called to order by the Speaker.

On motion of Representative VALENTINO of Saco, the following Joint Resolution: (H.P. 924) (Cosponsored by Senator HOBBS of York and Representatives: BICKFORD of Auburn, BLANCHARD of Old Town, LAJOIE of Lewiston, MARTIN of Orono, PILON of Saco, WAGNER of Lewiston, Senator: CRAVEN of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

**JOINT RESOLUTION MEMORIALIZING
THE GOVERNMENT OF TURKEY TO UPHOLD
AND SAFEGUARD RELIGIOUS AND HUMAN RIGHTS**

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

WHEREAS, the Orthodox Christian Church, in existence for nearly 2,000 years, numbers approximately 300 million members worldwide with more than 2 million members in the United States; and

WHEREAS, the Ecumenical Patriarchate, located in Istanbul, Turkey, is the Sacred See that presides in a spirit of brotherhood over a communion of self-governing churches of the Orthodox Christian world and the See is led by Ecumenical Patriarch Bartholomew, who is the 269th in direct succession to the Apostle Andrew and holds titular primacy as primus inter pares, meaning "first among equals," in the community of Orthodox churches worldwide; and

WHEREAS, in 1994, Ecumenical Patriarch Bartholomew, along with leaders of the Appeal of Conscience Foundation, cosponsored the Conference on Peace and Tolerance, which brought together Christian, Jewish and Muslim religious leaders for an interfaith dialogue to help end the Balkan conflict and the ethnic conflict in the Caucasus region; and

WHEREAS, in 1997, the Congress of the United States awarded Ecumenical Patriarch Bartholomew the Congressional Gold Medal and, following the terrorist attacks on our nation on September 11, 2001, Ecumenical Patriarch Bartholomew gathered a group of international religious leaders to produce the first joint statement with Muslim leaders that condemned the 9/11 attacks as "antireligious"; and

WHEREAS, in October 2005, the Ecumenical Patriarch, along with Christian, Jewish and Muslim leaders, cosponsored the Conference on Peace and Tolerance II to further promote peace and stability in southeastern Europe, the Caucasus region and Central Asia via religious leaders' interfaith dialogue, understanding and action; and

WHEREAS, since 1453, the continuing presence of the Ecumenical Patriarchate in Turkey has been a living testament to the religious coexistence of Christians and Muslims and this religious coexistence is in jeopardy because the Ecumenical Patriarchate is considered a minority religion by the Turkish government; and

WHEREAS, the Government of Turkey has limited the candidates available to hold the office of Ecumenical Patriarch to only Turkish nationals, and from the millions of Orthodox Christians living in Turkey at the turn of the 20th century due to the continued policies during this period by the Turkish

government, there remain fewer than 3,000 of the Ecumenical Patriarch's flock left in Turkey today; and

WHEREAS, the Government of Turkey closed the Theological School on the island of Halki in 1971 and has refused to allow it to reopen, thus impeding training for Orthodox Christian clergy and the Government of Turkey has confiscated nearly 94 percent of the Ecumenical Patriarchate's properties and has placed a 42% tax, retroactive to 1999, on the Baloukli Hospital and Home for the Aged, a charity hospital run by the Ecumenical Patriarchate; and

WHEREAS, the European Union, a group of nations with a common goal of promoting peace and the well-being of its peoples, began accession negotiations with Turkey on October 3, 2005 and the European Union defined membership criteria for accession obligating candidate countries to achieve certain levels of reform, including stability of institutions guaranteeing democracy, adherence to the rule of law and respect for and protection of minorities and human rights; and

WHEREAS, the Government of Turkey's current treatment of the Ecumenical Patriarchate is inconsistent with the membership conditions and goals of the European Union, and Orthodox Christians in this State and throughout the United States stand to lose their spiritual leader because of the continued actions of the Government of Turkey; and

WHEREAS, the Archons of the Ecumenical Patriarchate of the Order of St. Andrew the Apostle, a group of laymen who each have been honored with a patriarchal title, or "offikion," by the Ecumenical Patriarch for outstanding service to the Orthodox Church, will send an American delegation to Turkey to meet with officials of the Government of Turkey, as well as the United States Ambassador to the Republic of Turkey, regarding the government's treatment of the Ecumenical Patriarchate; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request the Government of Turkey to uphold and safeguard religious and human rights without compromise, cease its discrimination against the Ecumenical Patriarchate, grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession and the right to train clergy of all nationalities and respect the property rights and human rights of the Ecumenical Patriarchate; and be it further

RESOLVE: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States, the United States Ambassador to the Republic of Turkey, the Ambassador of the Republic of Turkey to the United States and to each Member of the Maine Congressional Delegation.

READ and ADOPTED.

Sent for concurrence.

On motion of Representative DAVIS of Sangerville, the following Joint Resolution: (H.P. 925) (Cosponsored by Representatives: BROWNE of Vassalboro, BURNS of Whiting, CROCKETT of Bethel, Speaker PINGREE of North Haven, SAVIELLO of Wilton, TARDY of Newport, Senators: McCORMICK of Kennebec, President MITCHELL of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF
THE UNITED STATES AND THE UNITED STATES
CONGRESS TO SUPPORT THE REFORM OF THE SOCIAL
SECURITY OFFSETS**

WE, your Memorialists, the Members of the One Hundred and Twenty-fourth Legislature of the State of Maine now assembled

in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

WHEREAS, these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits, and known as the Government Pension Offset and the Windfall Elimination Provision, greatly affect public employees, particularly women; and

WHEREAS, the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on the finances of low-income and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages typically are low; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

WHEREAS, since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision have a disproportionately adverse effect on women; and

WHEREAS, in some cases, additional support in the form of income, housing, heating and prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

WHEREAS, other participants in Social Security do not have their benefits reduced in this manner; and

WHEREAS, to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

WHEREAS, although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; and

WHEREAS, bills are present in Congress in both the Senate and the House of Representatives, known as "The Social Security Fairness Act of 2009," that would amend the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II and totally repeal both the Government Pension Offset and the Windfall Elimination Provision; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the United States Congress work together to support reform proposals that include the following protections for low-income and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefit with no applied reductions;
2. Protections permanently ensuring the level of benefits by indexing it to inflation; and
3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; and be it further

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

READ.

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

Representative **DAVIS**: Thank you, Madam Speaker. Sometimes I wonder if the pictures up back, when the people sat in hardback chairs and didn't have these fancy things, perhaps they were more orderly or whatever. I rise today to speak on this issue, the Social Security offset, and I want to explain it.

I was asked by one Representative this morning what it was, it was a new Representative, never been here. Basically what it is, the retirees of our public school system and the retirees of our state government, people who retire and draw a pension from the Maine Public Employees Retirement System, face what is called a Social Security offset. When they reach the age that they can draw Social Security, if they are drawing a public pension, they face up to 60 percent loss of their Social Security. It doesn't affect private employees, it only affects public employees.

This resolution is interesting, and the good Representative from Bowdoinham, Representative Berry, provided me with some historical background. It goes back numerous years. Members of both parties have sponsored and co-sponsored this resolution, so it is bipartisan. The other day in the hall, I was talking with a gentleman for AARP. He told me that two hearings had been held in Washington recently about this. Today, there is lots of ink in the printing presses in Washington, as some of you may know. This could happen. I would urge all of you to contact your legislative delegation. You all have constituents that are affected by this, every member in this body. There is nobody here that doesn't have a constituent that isn't affected by this. Again, I would urge you to contact your legislative delegation and ask them to eliminate this. Thank you very much, Madam Speaker.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

On motion of Representative LEWIN of Eliot, the following Joint Resolution: (H.P. 938) (Cosponsored by Senator NASS of York and Representatives: AUSTIN of Gray, BEAUDOIN of Biddeford, CHASE of Wells, CRAFTS of Lisbon, CURTIS of Madison, DAVIS of Sangerville, EVES of North Berwick, FOSSEL of Alna, GILES of Belfast, HARVELL of Farmington, JOHNSON of Greenville, KNAPP of Gorham, LANGLEY of Ellsworth, McKANE of Newcastle, MILLER of Somerville, NUTTING of Oakland, PERCY of Phippsburg, PETERSON of Rumford, PILON of Saco, Speaker PINGREE of North Haven, PRESCOTT of Topsham, RICHARDSON of Warren, ROSEN of Bucksport, SARTY of Denmark, SAVIELLO of Wilton, SCHATZ of Blue Hill, STUCKEY of Portland, TARDY of Newport, THOMAS of Ripley, WEAVER of York, Senators: COURTNEY of York, GOOLEY of Franklin, MILLS of Somerset, PLOWMAN of Penobscot, RAYE of Washington, ROSEN of Hancock, SMITH of Piscataquis) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS FOR INCREASED OVERSIGHT AND ACCOUNTABILITY FOR RECIPIENTS OF FEDERAL BAILOUT FUNDS

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

WHEREAS, the Emergency Economic Stabilization Act of 2008 was passed by Congress in October 2008 in response to the unprecedented financial crisis that the United States and the world was experiencing, and the basic component of the Act is the Troubled Assets Relief Program, TARP, which gives broad authority to the Secretary of the Treasury to purchase or insure up to \$700,000,000,000 of the troubled assets of financial institutions; and

WHEREAS, the Federal Government has handed over billions of taxpayer dollars to failed financial institutions with almost no strings attached and among the banks and financial companies that have received funds under TARP are Citigroup, AIG and Bank of America, which together were refinanced by American taxpayers; and

WHEREAS, when Citigroup and Bank of America, and other businesses that received TARP funds, were asked to account for how they spent the money, they responded with generic statements and none provided specific answers and many refused to discuss the issue at all; and

WHEREAS, some institutions have used the TARP funds for lavish expenses and executive bonuses, when these funds were meant to purchase troubled assets and not to continue extravagant spending; and

WHEREAS, recent reports that TARP funds are being spent unwisely and foolishly have shocked, angered and saddened the citizens of the State and the rest of the Nation, citizens who are also facing financial problems and instability and who are paying for the TARP funds with their taxes; and

WHEREAS, there is a strong movement in the Nation for requiring strict accountability on the use of TARP funds and how they are spent. One example of this movement to require such accountability is recent federal legislation submitted entitled "TARP Reform and Accountability Act of 2009," which amends the Emergency Economic Stabilization Act of 2008; and

WHEREAS, the people of Maine fully support requiring all of the recipients of TARP funds to report on a timely basis the amount received and how the entirety was spent in order to achieve full accountability; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request and urge that the United States Government establish strict and clear reporting methods for all recipients of money from the Troubled Assets Relief Program to detail to the government and the people in a timely and appropriate manner the amount of money received and exactly how it was used; and be it further

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

READ.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Lewin.

Representative LEWIN: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This resolution very simply is asking for greater oversight and accountability for all of the federal bailout funds that are being sent to various companies all over the country. We are very accountable here in Maine for the stimulus funds that we have

received. Commissioner Low has put into place a great many safeguards in rules and regulations about how we are to account for that money. It strikes me that we are more accountable for stimulus money than most of these companies have been for the bailout money, and it is billions of our dollars. I think it is very important to send this resolution to Washington and ask them to do an appropriate job of accounting for where our tax money is going. Thank you, Madam Speaker.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the following members of the Lisbon High School Wrestling Team: Stephanie Hayslip, Forrest Cornell, Joshua Pomerleau, Michael McNamara, Cameron Graf, Matthew Nicholson, Mike McManus, Marcus Bubar, Jon Gamache, Kyle Huston, Cameron Bubar, Art Stambach, Joe Doughty, Dan Schofield, Adam Turner, Manager MaKayla Stevens, Manager Hailey Jordan, Assistant Coach Ted Albasini, Assistant Coach Brian Wagner and Coach Mark Stevens, winners of the 2009 Class C State Championship. We extend our congratulations to the team on their accomplishment;

(HLS 170)

Presented by Representative CRAFTS of Lisbon.

Cosponsored by Senator NUTTING of Androscoggin, Representative VAN WIE of New Gloucester.

On **OBJECTION** of Representative CRAFTS of Lisbon, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Crafts.

Representative CRAFTS: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I just want to talk a little bit about this great wrestling team; it is an amazing sports story. In 1997, the Lisbon School Department considered cutting the wrestling program for lack of participation. At that time, Coach Mark Stevens took the program over.

In 2009, Lisbon had a record seven individual state champions to help them win their 16th title. Just two weeks later, Lisbon wrestlers won the All State Tournament against all classes to earn the number one spot in Maine. Lisbon could not have done all of this without the work and perseverance. They based their success not only in wins and losses, but more importantly how they display honor sportsmen and respect for all. Lisbon is a very small school competing with the biggest and the best Maine has to offer. Their model is this: the only class in wrestling is what happens between the handshakes. Lisbon wrestling has become an all class success story. Thank you, Madam Speaker.

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

Recognizing:

Jobs for Maine's Graduates, a private, nonprofit organization to help high school seniors reconnect to school and successfully graduate and transition into the workforce, was named the "Best of the Best" of the 30 states currently operating a Jobs for America's Graduates program. For 14 consecutive years, Jobs for Maine's Graduates has been distinguished as the best program of its kind in the nation. The program works with 3,600

Maine students helping them to overcome barriers to education and to reach their potential. It boasts a 95% student retention rate and a 96% graduation rate, and more significantly, according to a recent Maine Department of Labor report, the program's students are earning 14% more money and continuing their postsecondary education at rates higher than their peers. We acknowledge Jobs for Maine's Graduates as a remarkable education asset to Maine schools and students and a valuable partner to Maine's workforce development efforts. We congratulate the organization on receiving this well-deserved accolade;

(HLS 174)

Presented by Speaker PINGREE of North Haven.

Cosponsored by President MITCHELL of Kennebec, 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 BLANCHARD of Old Town, 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 Kennebec, 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 Kennebec, 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, 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 GERZOFKY 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, 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 CAIN of Orono, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **CAIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I am very proud to rise to recognize Jobs for Maine Graduates, Incorporated, more commonly known around this building as JMG, the statewide nonprofit created by the Maine Legislature in 1993. The President of JMG, Craig Larrabee, and I, met my first term in the Legislature, when I was a member of the Education Committee. He sent me an email and asked, Representative Cain, could you please meet with me before session one day, because I would really like to tell you more about JMG.

So we set a meeting time for early in the morning before session, I think on a Tuesday, and I made the drive down from Orono, and I made my way into the building, made my way up the grand staircase in the Hall of Flags, turned right to go up the short flight of stairs to meet Craig, who was waiting for me on the bench there, I made the turn, took two steps, locked eyes with Craig and literally hit the floor. I fell up the stairs before my meeting with Mr. Larrabee. Little did I know that that would really be an analogy for my whole experience with JMG. The more I learn about it, the more floored I am, Madam Speaker, that they do such amazing work here in the State of Maine.

JMG serves more than 3,000 students per year. In its 15 year history, JMG has provided more than 20,000 students with the skills and the motivation that they need to succeed. Through these programs, high school and middle school students discover their individual talents, develop skills, and seize opportunities to achieve their personal potential.

JMG has a purpose: Their purpose is to provide Maine's at risk students with comprehensive, dropout prevention and school-to-work transition systems. But this is not as simple as one person or a few people doing work. This is a network, this is a partnership of schools and employers whose mission is to identify students who face barriers to education, and guide each one in their own special way to a successful path toward continued education, a meaningful career, and a productive adulthood. I couldn't be more proud to stand to recognize JMG today, and I am very proud of the work they are doing and the work that they will continue to do for many years to come. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Belfast, Representative Giles.

Representative **GILES**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I also rise, very honored to speak in support of Jobs for Maine Graduates, the JMG program. Their slogan is "We believe in Maine students", and I think it is a very appropriate one. Any time that you can get a program such as this with the history that it's had, which not only gets the students involved, it gets the parents, the families involved and the community, and the businesses involved. I frequently had intended their initiation ceremonies at my high school, at Belfast Area High School, and have been just delighted to watch these students grow, not only within their school but within their community.

I just want to share with you briefly a story: I was honored to speak at a statewide JMG project recently, and it is a collaboration with the Unity Foundation, which is also part of Waldo County. It is a nonprofit organization which does a tremendous amount of work and support for nonprofit organizations. They had taken the unique step of providing a

grant program, which the JMG students administered in their communities. They gave grants to nonprofits that had some need, but these students created the criteria, they interviewed these organizations, and they made the awards. What was most impressive when I attended the launch of JOY, Jumpstart Our Youth program, was some of these JMG programs had actually gone out and raised additional moneys and created even new opportunities for their community. So again, I think this is a tremendous program. It is really helping create leaders for us today and for tomorrow, and I am very honored to see them get this recognition. Thank you.

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

In Memory of:

Joel W. Stevens, of Kennebunk. Mr. Stevens began his banking career in 1970 at the Depositors Trust Co. in Augusta, where he eventually became executive vice president and senior lending officer. He left Maine to work in the banking business in New Hampshire for a while but returned in 1993 and moved to Kennebunk. There he joined Kennebunk Savings Bank as president and CEO and led the creation of a new corporate culture which emphasized employee welfare, customer satisfaction and community service. He was the prime architect of the bank's Community Investment Program which provides 10 percent of the bank's yearly earnings to area nonprofit and charitable organizations. Since the program's inception, the bank has contributed more than \$6 million within York County. As the creator of this program, Mr. Stevens was viewed by his colleagues as a model of corporate social responsibility. He also contributed to the community by participating in numerous organizations, such as the Northern York County YMCA, the Portland Concert Association, the Ogunquit Playhouse Foundation and the United Way of York County, which presented him with the 2006 Elise Kitteridge Award. Mr. Stevens was a direct descendant of John Calvin Stevens, a renowned Maine architect and artist, and a cousin of the Honorable Tom Allen. He will be greatly missed and long remembered by his family, his friends, his colleagues and the York County community;

(HLS 173)

Presented by Representative LEGG of Kennebunk.

Cosponsored by Representative CONNOR of Kennebunk, Senator SULLIVAN of York.

On **OBJECTION** of Representative LEGG of Kennebunk, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Kennebunk, Representative Legg.

Representative **LEGG**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I rise and speak to you today with sadness, because we in southern Maine recently lost one of our finest leaders and exceptional human being, Joel Stevens, of Kennebunk. But along with the sadness, we are also recognizing an outstanding life.

Joel Stevens personified what a community banker and leader ought to be and can be. After an extensive career in financial services, which began right here in the Augusta area, Joel came to Kennebunk to serve as president and CEO of Kennebunk Savings Bank. That was in the early 1990's. In our town, Joel Stevens forged a new corporate culture which emphasized community action and giving back to so many local charities and organizations.

Joel's life was built in part by learning from a family well known here in Maine for contributing great service to our state.

He was a direct descendent of John Calvin Stevens, the famous architect and artist. Joel's cousin is the Honorable Tom Allen, who represented the First District of Maine so well in the United States Congress.

Along with other family members, Joel's wife, Betsy Stevens, an active leader in York County and her own right, is here with us today to honor Joel and his memory. Betsy knows better than anyone what a wonderful husband, father, and family leader Joel was. We will dearly miss Joel Stevens, his commitment, his energy, his optimism, and as a true friend. His legacy shines on because he helped personally lead our corner of the world in becoming a better place for us all.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Giles.

Representative GILES: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise again in sadness as well. In calling back to some memories I first had of Joel, when I first entered the banking business back in 1978, Joel was the executive vice president and senior lender for the credit department and the senior lending team, at what was then Depositor's Trust Company. The late 70's, early 80's were the beginning of a tremendous time of change in banking. We had our first interstate banking mergers; Joel moved along through the company and was actually a present part of it for quite awhile.

Back then, Depositor's Trust Company, we converged what were known as country bankers into becoming part of a very large corporate entity. I know Joel along the way made a choice to move over to the community banking side, and he took with him such experience into the Maine banking community, which I think we have all benefited from. He was one who I remember as having a passion for what he did, whether it was at work or whether it was in his community. He was an innovator and he was a real pioneer in banking. I just, it is with great sadness that he has passed because he truly was a tremendous individual, and I am pleased to have known him. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Connor.

Representative CONNOR: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I also rise in sadness today, and I will speak very briefly.

I rise as a friend of his son Chris; I rise as a coach of two of his grandsons, Kyle and Spencer; and I rise as somebody who looks at what you can do in your community and have an impact and say that I am impressed with the man Joel Stevens was. Very little do we have a chance to really leave a lasting impression on our community, but that program that he established, that put \$6 million already into York County, is felt today and it will be felt forever. So I thank him, and I thank his family and send my deepest regrets. Thank you.

The SPEAKER: The Chair recognizes the Representative from Livermore Falls, Representative Knight.

Representative KNIGHT: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise today, too, to pay my respects to the late Joel Stevens. Joel and I go way back to the mid-70's, where we were very strong competitors. In fact, I would have to tell you that a landmark bank antitrust case was involved, Joel and I both had a part in; it was not a fun time. But over the year, Joel and I became very, very close friends. He went on to Kennebunk Savings, where he rose to the position of president of the Maine Association of Community Banks. At that same time, I was president of the Maine Bankers Association, and Joel and I worked for about a year trying to put together the two banking organizations so there would be one voice. Today, 2009, finally, Joel would be so

pleased that Maine Bankers and Maine Community Banks now speak as one voice here in the House. I just want to pay my sympathies to Betsy, and we will miss Joel greatly. He was a super banker and a very good friend.

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

REPORTS OF COMMITTEE
Change of Committee

Representative PRIEST from the Committee on **JUDICIARY** on Bill "An Act To Ensure Protection from Harassment for Purchasers of Real Property through Auction"

(H.P. 87) (L.D. 103)

Reporting that it be **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**. Sent for concurrence.

Divided Report

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on **RESOLUTION**, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Attorney General

(S.P. 219) (L.D. 604)

Signed:

Senators:

SIMPSON of Androscoggin
JACKSON of Aroostook

Representatives:

BOLAND of Sanford
WILLETTE of Presque Isle
BEAUDETTE of Biddeford
HARVELL of Farmington
KAENRATH of South Portland
SCHATZ of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-13)** on same **RESOLUTION**.

Signed:

Senator:

COURTNEY of York

Representatives:

COTTA of China
CLARK of Easton

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

Representative BEAUDETTE of Biddeford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Secretary of State (S.P. 220) (L.D. 605)

Signed:
Senators:
SIMPSON of Androscoggin
JACKSON of Aroostook

Representatives:
BOLAND of Sanford
WILLETTE of Presque Isle
BEAUDETTE of Biddeford
HARVELL of Farmington
KAENRATH of South Portland
SCHATZ of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-12)** on same RESOLUTION.

Signed:
Senator:
COURTNEY of York

Representatives:
COTTA of China
CLARK of Easton

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

Representative BEAUDETTE of Biddeford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Increase the Safety of Automobile Drivers" (S.P. 120) (L.D. 356)

Signed:
Senators:
DAMON of Hancock
PERRY of Penobscot
GOOLEY of Franklin

Representatives:
MAZUREK of Rockland
THERIAULT of Madawaska
CAREY of Lewiston
BROWNE of Vassalboro
THOMAS of Ripley
CEBRA of Naples
ROSEN of Bucksport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-11)** on same Bill.

Signed:
Representatives:
HOGAN of Old Orchard Beach

PEOPLES of Westbrook
HARLOW of Portland

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

On motion of Representative MAZUREK of Rockland, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-16)** on Resolve, To Facilitate the Creation of a Memorial for the Families and Friends of Children Who Have Died by Violence (H.P. 102) (L.D. 117)

Signed:
Senators:
SIMPSON of Androscoggin
JACKSON of Aroostook
COURTNEY of York

Representatives:
BOLAND of Sanford
CELLI of Brewer
WILLETTE of Presque Isle
BEAUDETTE of Biddeford
COTTA of China
CLARK of Easton
HARVELL of Farmington
KAENRATH of South Portland

Minority Report of the same Committee reporting **Ought Not to Pass** on same Resolve.

Signed:
Representatives:
HAYES of Buckfield
SCHATZ of Blue Hill

READ.
On motion of Representative BEAUDETTE of Biddeford, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-16)** was **READ** by the Clerk and **ADOPTED**. The Resolve was assigned for **SECOND READING** Thursday, April 2, 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. 195) (L.D. 500) Bill "An Act To Include as Authorized Project Costs the Construction or Improvement of Buildings Used by Municipalities for Purposes of Designating Municipal Development Districts" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(S.P. 221) (L.D. 606) Bill "An Act To Enable the Maine Employers' Mutual Insurance Company To Better Serve the Needs of All Employers" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(S.P. 38) (L.D. 89) Bill "An Act To Amend the Laws Concerning Informal Conferences as Part of the Board of Licensure in Medicine's Disciplinary Proceedings" Committee on

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT
reporting **Ought to Pass as Amended by Committee Amendment "A" (S-6)**

(H.P. 7) (L.D. 12) Resolve, Directing the Department of Professional and Financial Regulation To Amend Its Rules Governing Pastoral Counselors (EMERGENCY) Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-22)**

(H.P. 29) (L.D. 34) Bill "An Act To Clarify the Election of Municipal Charter Commission Members" (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-17)**

(H.P. 47) (L.D. 54) Bill "An Act To Change the Coyote Night Hunting Season" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-29)**

(H.P. 78) (L.D. 94) Bill "An Act To Authorize the State Board of Nursing To Request Mental and Physical Examinations and To Establish a Nurse Health Program" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-20)**

(H.P. 126) (L.D. 147) Bill "An Act To Facilitate the Protection of Electric Utility Consumer Interests in Public Utility Commission Cases Involving the Construction, Rebuilding or Relocating of Transmission Lines" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-23)**

(H.P. 131) (L.D. 152) Bill "An Act Relating to Autocycles" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-25)**

(H.P. 222) (L.D. 282) Bill "An Act Regarding the Requirement That the Treatment of a Gunshot Wound Be Reported" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-19)**

(H.P. 237) (L.D. 297) Bill "An Act To Ensure That Medical Equipment Found in a Repossessed Vehicle Is Returned to the Owner" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-26)**

(H.P. 324) (L.D. 436) Bill "An Act To Include Trucks in the Definition of "Low-speed Vehicle"" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-24)**

(H.P. 337) (L.D. 449) Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located at 17 School Street in Benedicta, Aroostook County Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-18)**

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. 77) (L.D. 227) Bill "An Act To Raise the Fee a Bail Commissioner May Charge"

(H.P. 501) (L.D. 718) Bill "An Act Concerning Cremated Remains"

(H.P. 28) (L.D. 33) Bill "An Act To Change the Name of Township 16, Range 4, WELS, to Madawaska Lake" (EMERGENCY) (C. "A" H-12)

(H.P. 386) (L.D. 541) Resolve, Regarding the Retention of Dealer Plates in Light of Recent Economic Conditions (C. "A" H-10)

(H.P. 392) (L.D. 554) Resolve, To Allow the Department of Transportation To Transfer Certain Land to the Greater Grand Isle Historical Society (C. "A" H-9)

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 Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

BILLS IN THE SECOND READING
House as Amended

Bill "An Act To Provide Placards to Drivers Who for Medical Reasons Are Not Required To Wear Seat Belts"

(H.P. 209) (L.D. 263)

(C. "A" H-11)

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.

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

ENACTORS
Emergency Measure

An Act To Allow Military Personnel Living in Maine To Benefit under the Maine Resident Homestead Property Tax Exemption

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

(C. "A" H-6)

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. 141 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Include the Town of Falmouth as a Member of the Greater Portland Transit District

(H.P. 340) (L.D. 452)

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. 138 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Remove the Age Restriction for Serving as a Corporator of a Mutual Financial Institution

(S.P. 13) (L.D. 4)
(C. "A" S-5)

An Act To Correct the Law Concerning Private Investigators' License Qualifications

(H.P. 104) (L.D. 122)

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, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

(S.P. 39) (L.D. 90)
(C. "A" S-4)

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

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, March 26, 2009, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-13)** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Require an Independent Audit of State Government Every 4 Years"

(H.P. 159) (L.D. 194)

TABLED - March 26, 2009 (Till Later Today) by Representative BEAUDETTE of Biddeford.

PENDING - ACCEPTANCE OF EITHER REPORT.

Representative BEAUDETTE of Biddeford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative TARDY of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 6

YEA - Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eves, Finch, Flaherty, Flemings, Gilbert, Goode, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Piotti, Priest, Rankin, Rotundo, Russell, Schatz, Shaw, Sirois, Smith, Stevens, Stuckey, Sutherland,

Therhault, Treat, Trinward, Van Wie, Wagner J, Wagner R, Watson, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Browne W, Burns, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgecomb, Fitts, Fletcher, Flood, Fossel, Gifford, Giles, Greeley, Hamper, Hanley, Johnson, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Rosen, Sarty, Saviello, Strang Burgess, Sykes, Tardy, Thibodeau, Thomas, Tilton, Valentino, Weaver.

ABSENT - Adams, Celli, Eberle, Pilon, Pratt, Sanborn, Tuttle, Webster.

Yes, 88; No, 55; Absent, 8; Excused, 0.

88 having voted in the affirmative and 55 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

SENATE PAPERS

Bill "An Act To Amend State Dog Licensing Laws"

(S.P. 467) (L.D. 1286)

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 Protect Maine Citizens and Franchised New Motor Vehicle Dealers" (EMERGENCY)

(S.P. 483) (L.D. 1337)

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 Alternative Compensation Models for Teachers and School Administrators"

(S.P. 458) (L.D. 1277)

Resolve, To Provide a Program Model for Children with Autism Spectrum Disorder

(S.P. 461) (L.D. 1280)

Bill "An Act To Reform the School Budget Validation Process"

(S.P. 464) (L.D. 1283)

Bill "An Act To Amend the Laws Governing Consolidation of School Administrative Units To Eliminate Penalties, Establish Incentives and Allow Alternative Voting Procedures for Budgets" (EMERGENCY)

(S.P. 468) (L.D. 1287)

Bill "An Act To Preserve School Choice Rights" (EMERGENCY)

(S.P. 482) (L.D. 1336)

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 Ensure That High-quality Services Are Provided to Behavioral Health Clients"

(S.P. 457) (L.D. 1276)

Bill "An Act To Increase the Efficiency and Effectiveness of Licensing Behavioral Health Care Providers"

(S.P. 462) (L.D. 1281)

Resolve, Establishing a Study Commission on In Utero Narcotic Drug Exposure (EMERGENCY)

(S.P. 473) (L.D. 1291)

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 Modify Maine's Fishway Laws"

(S.P. 456) (L.D. 1237)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act To Create the Insurance Fraud Division within the Department of Professional and Financial Regulation, Bureau of Insurance"

(S.P. 466) (L.D. 1285)

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.

Bill "An Act To Provide More Transparency and Protection for Public Employees in the Laws Governing the Maine Public Employees Retirement System"

(S.P. 474) (L.D. 1292)

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 Reduce Income Tax to 4.5% and Remove Low-income Families from Taxation"

(S.P. 460) (L.D. 1279)

Bill "An Act To Create a Scholarship Granting Organization Tax Credit"

(S.P. 465) (L.D. 1284)

Bill "An Act To Reduce Income Tax Rates"

(S.P. 469) (L.D. 1288)

Bill "An Act To Amend the Law Authorizing the Application of Service Charges to the Owners of Certain Real Property Exempt from Property Taxation"

(S.P. 472) (L.D. 1290)

Bill "An Act To Clarify Taxpayer Privacy Requirements"

(S.P. 479) (L.D. 1321)

Bill "An Act To Exempt from the Sales Tax Meals Provided at Retirement Facilities"

(S.P. 481) (L.D. 1335)

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 Ensure Continued Access to Emergency Information in the State by Allowing Governments To Build Federally Licensed Television Translators"

(S.P. 480) (L.D. 1334)

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.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-30)** on Bill "An Act To Support Maine State Parks"

(H.P. 400) (L.D. 562)

Signed:

Senators:

NUTTING of Androscoggin

SHERMAN of Aroostook

Representatives:

PIEH of Bremen

McCABE of Skowhegan

GIFFORD of Lincoln

SMITH of Monmouth

KENT of Woolwich

O'BRIEN of Lincolnville

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

PERCY of Phippsburg

READ.

On motion of Representative PIEH of Bremen, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-30)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, April 2, 2009.

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To License Commercial Painters"

(H.P. 166) (L.D. 201)

Signed:

Senators:

SCHNEIDER of Penobscot

SULLIVAN of York

RECTOR of Knox

Representatives:

SMITH of Monmouth

WRIGHT of Berwick

AUSTIN of Gray

MacDONALD of Boothbay

PRESCOTT of Topsham

HUNT of Buxton

CLEARY of Houlton

MARTIN of Orono

COHEN of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-21)** on same Bill.

Signed:
Representative:
GILES of Belfast

READ.

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

Majority Report of the Committee on **NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Change the Classification of Man-made Wetlands"

(H.P. 91) (L.D. 107)

Signed:
Senators:
GOODALL of Sagadahoc
SIMPSON of Androscoggin

Representatives:
HAMPER of Oxford
BOLDUC of Auburn
KNAPP of Gorham
MARTIN of Eagle Lake
EBERLE of South Portland
DUCHESNE of Hudson
WALSH INNES of Yarmouth
WELSH of Rockport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-28)** on same Bill.

Signed:
Senator:
SMITH of Piscataquis

Representatives:
EDGEComb of Caribou
AYOTTE of Caswell

READ.

Representative DUCHESNE of Hudson moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative THOMAS of Ripley **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

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 submitted this bill and some people have portrayed it as an anti-environment bill. It's not. We need wetlands. Wetlands are critical for clean water, and this is not a bill that would hurt wildlife. The question is do we need 25 or 30 percent of the land in Maine locked up to accomplish the wildlife and clean water goals that are necessary? I am convinced that we have taken a lot more land than is necessary to accomplish those goals.

Wetland can take many forms: It can be a naturally occurring lowland that is wet, period. It can be land that is flooded by

beaver, and sometimes it is caused by man when we build roads, when we build dams, when we change the drainage of land for all kinds of reasons. When you think of wetlands, you think of cattails, you think of swale grass, standing pools of water, and sometimes lily pads. But in Maine, we have what is called forested wetlands, and that can be 40 or 50 foot tall trees, land that none of us would ever think of as wetlands at first glance. When you consider all the different kinds of land that is called wetlands, then you begin to realize why there is so much of it. Then add to that land the setbacks: 75 feet from those wetlands you are severely restricted on what you can do with your own property, so sometimes you are allowed to harvest some of the trees and sometimes you are not; sometimes you are allowed to cross that land and sometimes you are not, so you are even denied access, often times, to land that is behind it.

We have gotten to the point where there is so much wetland in Maine that people in Augusta draw lines on maps and designate wetlands that they have never set foot on and never seen, and yet that land is taken from the property owners and the only right that they have left is the right to pay taxes on that land. Is that right; is that what we stand for here, taking land from people without any consequence at all to the people who are taking the land? Once again, once the designation has been made, not only are you severely restricted, but often times you are not even allowed to cross the land with a road to get on property and behind it.

This bill was an attempt to take a look at our wetland regulations and maybe address some of them that are not naturally occurring: man-made wetlands. In my part of the state, our economy is largely based on agriculture, forestry, and recreation. All three depend on our ability to access and use private property. When 25 or 30 percent of all the land is taken away from us, it hurts our economy at a time when every job is critical for Maine families and the State of Maine. We really need to address this issue, we need to take a look at it, and we are going to have to at one point sometime. Maybe this isn't the time. What I really would like to see happen is I would like to see us vote down this motion and send this bill back to committee and have them take a good look at it, because it is a critical issue and I don't think that we took the kind of look at it that it demands. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hudson, Representative Duchesne.

Representative **DUCHESNE**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. LD 107 proposes to exempt man-made wetlands from permitting requirements under the Natural Resources Protection Act. Now as explained to the committee, the Representative from Ripley, Representative Thomas does have an upland piece of property on the Sebasticook River that he would like to develop, but the only access is by putting a road through a significant wetland, so naturally we are going to look at redefining wetlands so maybe that is possible. We actually had no citizen testimony on either side on this issue; we did have a few lobbyists come in. But most tellingly, we had several soil scientists come to testify that they appreciate all the new business we would be bringing them, but please don't pass the bill.

Wetlands are currently defined under guidelines from the EPA. The soil scientists warned that if you create two different definitions, state and federal, you raise business costs. Furthermore, you can't really define what man-made is out in the field. You can't tell whether that railroad bed built 150 years ago, or the dam built by beavers 50 years ago is actually creating the wetland, so they out in the field really can't tell where the line is. Over the last couple of centuries, man has moved a lot of dirt and

beavers have moved a lot of water, so they advised that having two different standards would escalate business and homeowner development costs, and it gets even more expensive when this goes to court.

We also reached a majority decision not to pass this bill, because there is a tendency to think that protecting wetlands is all about critters, that we are protecting Maine's fishing and fouling tradition and George Smith's ducks. Well in NRPA, often what we are doing is protecting humans and our property, and I will take Sebasticook Lake and Sebasticook River as the example since that is the one currently before us. If you mess with hydrology, you sometimes do that at the risk of your own peril. Sebasticook Lake is one of the state's most impaired lakes. They draw down every year to try to get rid of its phosphorus burden so that it won't turn into an algae bloom in the summer. Well, if you allow wetlands associated with the Sebasticook Stream to be filled, or even choked off by a few well intended camp roads, you don't let the spring runoff silt settle into the wetlands of the area, it just oozes into the lake, which forces the Representative from Newport, Representative Tardy, to explain to his constituents why his lake turned green. You could solve the problem by opening the gates and sending all that down for the Representative from Pittsfield, Representative Fitts, and then you could open up that gate and send it down to the Representative from Winslow, Representative Fletcher, but, ultimately, that is not a really good fix. The danger is, if you mess with the wetlands, especially as has been described in this bill, for the sake of improving the property rights of perhaps eight people, you have impaired the property rights of perhaps 800, and I don't think that is the direction this body wants to go in this bill. Thank you, Madam Speaker.

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 need to correct my good friend from Hudson. I did tell a story when I came to the committee about some land that I own, some land that has been in my family for 40 years, and I am denied use of that land because I can't cross the wetlands. This bill in no way would affect that land at all, because the wetlands that I can't cross were caused by a beaver dam. So no, this bill is about when we build a road and we create a wetland and we effectively take property from a landowner. Further, the Sebasticook River has two branches, and the lake that the good Representative talks about is on the other branch of the river, so not only is he wrong on the effect this bill would have on my land, but he is wrong on the branch of the river. It would have no effect.

Now let me explain just a little bit, if I can. This land that has been in my family's possession for 40 years is at the head of what we call Mainstream Pond, and from this I can look up across the pond a mile and a quarter. It is a gravel bank, and I can look down through pine trees that are huge, it is a beautiful spot. I would love to have a camp there, or I think someone should be allowed to have a camp there. I had DEP come up; we had talked to the Army Corps of Engineers, no way, we are not getting near it in any way shape or form. When my parents bought the property, they could have done anything they wanted, it wasn't a problem. So that land was effectively taken, but I am entitled to no compensation because I can go down there and have a picnic. My family has paid taxes on this property for 40 years and we can't use it, and I think we ought to take a look at our wetlands regulations. I thought, let's start with the easy stuff; let's start with mad-made wetlands; let's start where we caused the problem, not where beavers caused the problem, not where it is natural, not where we have identified that we need these

wetlands for water quality, where we need them for wildlife. How much is enough? When will we have taken enough property from the property owners in Maine, when will we have taken enough of that property out of commission so that we are willing to just take a walk? We don't need to reverse the regulations, let's take a look. Let's see if these regulations make sense, and let's see if we ought to have them or if we ought to change them, that's all I'm asking.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 7

YEA - Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eves, Finch, Flaherty, Flemings, Flood, Gilbert, Goode, Hamper, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Knapp, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Piotti, Priest, Rankin, Rotundo, Russell, Shaw, Smith, Stevens, Stuckey, Sutherland, Treat, Trinward, Valentino, Van Wie, Wagner J, Wagner R, Watson, Welsh, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Browne W, Burns, Campbell, Cebra, Chase, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Eaton, Edgecomb, Fitts, Fletcher, Fossil, Gifford, Giles, Greeley, Harvell, Johnson, Joy, Knight, Langley, Lewin, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Rosen, Sarty, Saviello, Schatz, Sirois, Strang Burgess, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Weaver, Wheeler, Willette.

ABSENT - Adams, Celli, Eberle, Pilon, Pratt, Sanborn, Tuttle, Webster.

Yes, 85; No, 58; Absent, 8; Excused, 0.

85 having voted in the affirmative and 58 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Increase the Time Period for Motor Vehicle Inspections to 2 Years"

(H.P. 37) (L.D. 42)

Signed:

Senators:

DAMON of Hancock
GOOLEY of Franklin

Representatives:

MAZUREK of Rockland
HOGAN of Old Orchard Beach
PEOPLES of Westbrook
THERIAULT of Madawaska
HARLOW of Portland
BROWNE of Vassalboro
ROSEN of Bucksport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-27)** on same Bill.

Signed:

Representatives:

CAREY of Lewiston

THOMAS of Ripley

CEBRA of Naples

READ.

Representative MAZUREK of Rockland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative WHEELER of Kittery **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Wheeler.

Representative **WHEELER**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I would like to attain an annual inspection for all cars that are over 10 years old or have 100,000 miles or more, whichever comes first. The second change to the bill is that the current inspection of most cars today is \$12.50 and makes it \$25 every two years. I believe this would prevent a loss for those inspecting motor vehicles, while also saving the vehicle owners a trip to the garage. There are quite a few states that have the same thing, and they are in the same situation we are. The states are currently Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Montana, Idaho, Iowa and Wyoming, and even Alaska has it. They don't have any problems as far as rust goes or anything else. The cars today, most of them, the cars and trucks are all galvanized anyway, and they don't rust out so easily. I would like to have everybody follow my light. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Mazurek.

Representative **MAZUREK**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This bill would cause a few problems: First of all, it would have a negative impact on public safety. It also would take Maine out of joining its other New England states that do have an annual inspection sticker to properly maintain cars, as we all know, run better, get better gas mileage, and have less impact on the environment. Maine has one of the lowest insurance rates in the country, and the annual inspection rate is part of this reason. This bill could also, if passed, could cause Maine to lose grants and moneys from the Federal Government and imposing additional offset penalties for new sources of revenue. I would hope that you would follow my light.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative Sykes.

Representative **SYKES**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **SYKES**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. At one point, we had a motor vehicle inspection every six months, then we changed it to one year. Was there any type of study or safety study that said safety went down when we went from six months to a year? Can anyone tell me that?

The SPEAKER: The Representative from Harrison, Representative Sykes has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Ripley, Representative Thomas.

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

like every session we look at this bill in Transportation, and I can't answer Representative Sykes' question specifically, but when you look at states that don't have annual inspections, there is no difference in the accident rate, there is no difference in the safety. It's not a problem, and it is another one of those problems that we are going to have to address at some point, because it is getting to the point that, with our inspection laws and the way we enforce them, if you've got a car that doesn't look perfect, that doesn't look brand new, there are garages that don't want to inspect it. Poor people need transportation, and the safety inspection ought to be about safety. It shouldn't be about all kinds of silly things that we have added over the years, and it is getting to be a real burden and at some point we are going to have to address it. Maybe we won't this year, but it is going to have to be addressed. 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 can answer a little bit of the good Representative's question. I was a state policeman when the change was made. I spent 23 years in the Maine State Police, the whole of it in uniform, the whole of it enforcing the traffic laws amongst criminal laws and other things, and there was no change, there was no difference at all, none. The only difference was, instead of enforcing people to have an inspection every six months they had it once a year. I don't believe there would be any change if this was changed today. I will support my friend from Kittery. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Carey.

Representative **CAREY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I will be voting against this measure in support of another measure, that came out of committee in another report, that would allow it for new cars only, and I will be supporting that motion if this does fail.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Cebra.

Representative **CEBRA**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Serving now my third year on the Transportation Committee, and as a member of the Motor Vehicle Safety Subcommittee, I can say that in the last three years, I am still waiting for the first email or letter from a resident of Maine to say please leave the motor vehicle inspection at one year. I have received dozens and dozens that say please do something about motor vehicle inspections, increase the amount of time, or quite a few people have asked to eliminate them altogether, so that is my two cents. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Whiting, Representative Burns.

Representative **BURNS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. When I was young, I was an assistant mechanic, which doesn't buy you a whole lot, but it did give me some experience with motor vehicles and motor vehicle inspection. I, too, spent my career as a state police officer. I didn't spend as much time on the road as my fellow officer here did, but I had a lot of experience with motor vehicle inspections, unsafe vehicles on the highway, and I drive an automobile. I drive an automobile that is only two years old. When I came down to the House yesterday morning, my car was being excessively loud. I finally got it into a garage before the day was over and found that both of my mufflers had holes in the tops of them. I had been driving around for weeks with a leaky exhaust not knowing it. Annual inspections don't catch everything, but they catch some of the essentials: your tires,

your brakes, your exhaust systems. To go two years is unacceptable in this state. I would support the motion.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 8

YEA - Beaudette, Beaudoin, Beaulieu, Berry, Blodgett, Boland, Bolduc, Briggs, Browne W, Burns, Butterfield, Cain, Cleary, Cohen, Connor, Cotta, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eves, Finch, Flaherty, Flemings, Flood, Gilbert, Goode, Greeley, Haskell, Hayes, Hinck, Hunt, Innes Walsh, Johnson, Jones, Kent, Knapp, Kruger, Lajoie, Lovejoy, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nass, Nelson, Nutting, O'Brien, Peoples, Percy, Perry, Peterson, Pieh, Piotti, Priest, Rankin, Richardson D, Rosen, Rotundo, Russell, Sanborn, Sarty, Schatz, Sirosis, Smith, Stevens, Stuckey, Sutherland, Tardy, Theriault, Tilton, Treat, Trinward, Valentino, Van Wie, Wagner J, Wagner R, Watson, Welsh, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beck, Bickford, Blanchard, Bryant, Campbell, Carey, Casavant, Cebra, Chase, Clark H, Clark T, Cornell du Houx, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Eaton, Edgecomb, Fitts, Fletcher, Fossel, Gifford, Giles, Hamper, Hanley, Harlow, Harvell, Hill, Hogan, Joy, Kaenrath, Knight, Langley, Legg, Lewin, MacDonald, McFadden, McKane, McLeod, Pendleton, Pinkham, Plummer, Prescott, Robinson, Saviello, Shaw, Strang Burgess, Sykes, Thibodeau, Thomas, Weaver, Wheeler.

ABSENT - Adams, Celli, Eberle, Pilon, Pratt, Richardson W, Tuttle, Webster.

Yes, 87; No, 56; Absent, 8; Excused, 0.

87 having voted in the affirmative and 56 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass** on Bill "An Act To Require a Person under 18 Years of Age To Wear a Helmet While on a Motorcycle" (H.P. 325) (L.D. 437)

Signed:

Senators:

DAMON of Hancock
GOOLEY of Franklin
PERRY of Penobscot

Representatives:

MAZUREK of Rockland
HOGAN of Old Orchard Beach
ROSEN of Bucksport
THERIAULT of Madawaska
HARLOW of Portland
PEOPLES of Westbrook
CAREY of Lewiston
THOMAS of Ripley

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

BROWNE of Vassalboro
CEBRA of Naples

READ.

On motion of Representative MAZUREK of Rockland, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Thursday, April 2, 2009.

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

On motion of Representative LEGG of Kennebunk, the House adjourned at 12:02 p.m., until 10:00 a.m., Thursday, April 2, 2009 and in honor and lasting tribute to Joel W. Stevens, of Kennebunk.