

# 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  
24th Legislative Day  
Thursday, April 2, 2009

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

Prayer by Brother Rex Anthony Norris, Assistant Catholic Chaplain, Colby College, Waterville.

National Anthem by Buckfield High School Band.

Pledge of Allegiance.

Doctor of the day, William Atlee, M.D., Augusta.

The Journal of Tuesday, March 31, 2009 was read and approved.

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**SENATE PAPERS**

Bill "An Act To Protect and Enhance Maine Marine Fisheries" (S.P. 463) (L.D. 1282)

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

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

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Bill "An Act To Exempt Services Provided by Alzheimer Care Facilities from the Tax on Private Nonmedical Institution Services"

(S.P. 459) (L.D. 1278)

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

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.

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**Non-Concurrent Matter**

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

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

**REFERRED** to the Committee on **TAXATION** in the House on March 31, 2009.

Came from the Senate **REFERRED** to the Committee on **TRANSPORTATION** in **NON-CONCURRENCE**.

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

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**Non-Concurrent Matter**

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

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

**REFERRED** to the Committee on **TAXATION** in the House on March 31, 2009.

Came from the Senate **REFERRED** to the Committee on **NATURAL RESOURCES** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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**Non-Concurrent Matter**

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

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

**REFERRED** to the Committee on **JUDICIARY** in the House on March 31, 2009.

Came from the Senate **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE**.

On motion of Representative PIOTTI of Unity, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

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**Non-Concurrent Matter**

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)

**REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in the House on March 31, 2009.

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

On motion of Representative PIOTTI of Unity, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

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**Non-Concurrent Matter**

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

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

**REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in the House on March 31, 2009.

Came from the Senate **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

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

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**COMMUNICATIONS**

The Following Communication: (H.C. 154)

**STATE OF MAINE**

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

March 27, 2009

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Legislature

State House

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

L.D. 317      An Act to Facilitate Repairs to the Saco River Retaining Wall

L.D. 411      An Act To Increase the Redemption Fee on Sorting and Handling

L.D. 544      An Act To Amend the Laws Governing Returnable Beverage Containers

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. 155)

**STATE OF MAINE**

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

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

- L.D. 309            Resolve, To Direct the Emergency Medical Services' Board To Examine the Licensure Procedures for Emergency Medical Services Persons
- L.D. 468            An Act To Amend the Laws Concerning Terrorizing
- L.D. 591            An Act Regarding the Granting of a Work-restricted Driver's License for Travel to and from Work for Certain Persons with Suspended Licenses
- L.D. 594            An Act To Require That Police Reports Be Filed in All Automobile Accidents
- L.D. 595            An Act To Prevent High-speed Chases
- L.D. 653            An Act To Strengthen the Penalties for Leaving the Scene of an Accident
- L.D. 668            An Act To Amend the Laws Concerning Disorderly Conduct
- L.D. 730            An Act To Allow Bail Commissioners To Access Criminal Records

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

Sincerely,

S/Sen. Stanley J. Gerzofsky

Senate Chair

S/Rep. Anne M. Haskell

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 156)

**STATE OF MAINE**

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

March 27, 2009

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Legislature

State House

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 465            An Act To Amend Maine's School Construction Laws To Reduce the Percentage for Art to 0.5%

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

Sincerely,

S/Sen. Justin L. Alfond

Senate Chair

S/Rep. Patricia B. Sutherland

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 157)

**STATE OF MAINE**

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

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 Legal and Veterans Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 903            An Act To Allow an Election Clerk To Request Proof of Identity from a Voter

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

Sincerely,

S/Sen. Nancy B. Sullivan

Senate Chair

S/Rep. Pamela Jabar Trinward

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 158)

**STATE OF MAINE**

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

March 27, 2009

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Legislature

State House

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

- L.D. 645            An Act To Provide for Municipal Oversight and Authority over Groundwater Extraction
- L.D. 663            An Act To Clarify A Municipality's Authority To Pass Ordinances That Govern the Extraction of Groundwater

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

Sincerely,

S/Sen. Seth A. Goodall

Senate Chair

S/Rep. Robert S. Duchesne

House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 159)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND  
FORESTRY**

March 30, 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 559 An Act To Update the Board of Pesticides Control  
L.D. 560 An Act To Ban the Hunting of Animals in Enclosed Areas  
L.D. 936 An Act To Remove Prior-operation Requirements for Commercial Large Game Shooting Area Licensing

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

Sincerely,

S/Sen. John M. Nutting

Senate Chair

S/Rep. Wendy Pieh

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 160)

**STATE OF MAINE**

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

March 31, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 601 An Act To Require That the Proceeds from Property Seized through Drug Crime Forfeitures Go to the General Fund  
L.D. 713 An Act Regarding Assault on a Firefighter  
L.D. 727 An Act To Protect Sports Officials

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

Sincerely,

S/Sen. Stanley J. Gerzofsky

Senate Chair

S/Rep. Anne M. Haskell

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 161)

**STATE OF MAINE**

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

March 31, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 636 An Act To Control Education Administrative Costs  
L.D. 735 An Act To Allow Unimmunized Children to Attend School Upon Parental Waiver  
L.D. 816 An Act To Authorize the Commissioner of Education To Issue Separate Subsidy Checks to Each Municipality in an Alternative Organizational Structure  
L.D. 818 An Act To Improve Transparency in the School Funding Formula  
L.D. 1037 An Act To Require the Department of Education To Provide Certain Information to Individual Communities of Alternative Organizational Structures

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

Sincerely,

S/Sen. Justin L. Alfond

Senate Chair

S/Rep. Patricia B. Sutherland

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 162)

**STATE OF MAINE**

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

March 30, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 286 An Act To Encourage Young Hunters by Providing Them with Complimentary Licenses and Permits  
L.D. 505 Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Rules Pertaining to Youth Spring Wild Turkey Hunting Day

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

Sincerely,

S/Sen. Bruce S. Bryant

Senate Chair

S/Rep. Herbert E. Clark

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 163)

**STATE OF MAINE**

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

March 30, 2009

Honorable Elizabeth H. Mitchell, President of the Senate

Honorable Hannah M. Pingree, Speaker of the House

124th Legislature

State House

Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

- L.D. 22            Resolve, To Establish a Study Commission To Develop Legislation Designed To Prevent Domestic Violence and Abuse
- L.D. 23            An Act To Amend the Laws Governing Powers of Attorney
- L.D. 326           An Act To Allow the Request for and Granting of Permanent Protection from Abuse Orders
- L.D. 375           An Act To Clarify the Amount of a Contract for Small Claim Purposes
- L.D. 394           An Act To Protect Nonprofit Organizations from Embezzlement
- L.D. 426           An Act To Allow Stepparents To Take Certain Actions with Respect to Their Stepchildren
- L.D. 502           An Act To Require Additional Information in the Annual Reports of Nonprofit Corporations
- L.D. 528           An Act To Prohibit a Person Whose Parental Rights Have Been Terminated from Gaining Custody of a Grandchild
- L.D. 642           An Act To Protect Parental Relationships during and after Divorce

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

Sincerely,

S/Sen. Lawrence Steven Bliss

Senate Chair

S/Rep. Charles R. Priest

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (S.P. 475)

**STATE OF MAINE**

**124TH MAINE LEGISLATURE**

March 26, 2009

Sen. Bruce S. Bryant

Senate Chair, Joint Standing Committee on Inland Fisheries and Wildlife

Rep. Herbert E. Clark

House Chair, Joint Standing Committee on Inland Fisheries and Wildlife

124th Legislature

Augusta, ME 04333

Dear Senator Bryant and Representative Clark:

Please be advised that Governor John E. Baldacci has nominated John Simko of Greenville for appointment and **Stephen Philbrick of Oquossoc** for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12 M.R.S.A. §10151 (1), these nominations will require review by the Joint Standing Committee on Inland Fisheries and Wildlife and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell

President of the Senate

S/Hannah M. Pingree

Speaker of the House

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

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

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The Following Communication: (S.P. 476)

**STATE OF MAINE**

**124TH MAINE LEGISLATURE**

March 26, 2009

Sen. Troy Dale Jackson

Senate Chair, Joint Standing Committee on Labor

Rep. John L. Tuttle

House Chair, Joint Standing Committee on Labor

124th Legislature

Augusta, ME 04333

Dear Senator Jackson and Representative Tuttle:

Please be advised that Governor John E. Baldacci has nominated Edward C. Kelleher of Scarborough for appointment to the Maine Unemployment Insurance Commission.

Pursuant to Title 26 M.R.S.A. §1081, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell

President of the Senate

S/Hannah M. Pingree

Speaker of the House

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

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

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The Following Communication: (S.P. 477)

**STATE OF MAINE**

**124TH MAINE LEGISLATURE**

March 26, 2009

Sen. Lawrence Bliss

Senate Chair, Joint Standing Committee on Judiciary

Rep. Charles R. Priest

House Chair, Joint Standing Committee on Judiciary

124th Legislature

Augusta, ME 04333

Dear Senator Bliss and Representative Priest:

Please be advised that Governor John E. Baldacci has nominated Marilyn E. Stavros of Kennebunkport for appointment as an Active Retired Maine District Court Judge.

Pursuant to Title 4, Chapter 5, M.R.S.A. §157-B, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell

President of the Senate

S/Hannah M. Pingree

Speaker of the House

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

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

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

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

**AGRICULTURE, CONSERVATION AND FORESTRY**

Bill "An Act To Reform the Land Use and Planning Authority within the Unorganized Territories of the State"

(H.P. 960) (L.D. 1370)

Sponsored by Representative JOY of Crystal.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: CRAY of Palmyra, CURTIS of Madison, EDGECOMB of Caribou, GIFFORD of Lincoln, SAVIELLO of Wilton, SCHATZ of Blue Hill, TILTON of Harrington, Senator: RAYE of Washington.

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Bill "An Act To Restore Game Sanctuary Status for Certain Lands in the Town of Orrington"

(H.P. 961) (L.D. 1371)

Sponsored by Representative ROSEN of Bucksport.

Cosponsored by Senator DAMON of Hancock and Representatives: BROWNE of Vassalboro, HOGAN of Old Orchard Beach, JOY of Crystal, MAZUREK of Rockland, SAVIELLO of Wilton, SMITH of Monmouth, THERIAULT of Madawaska, Senator: GOOLEY of Franklin.

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

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested.

On motion of Representative PERCY of Phippsburg, the Bill was **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**, ordered printed and sent for concurrence.

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**BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**

Bill "An Act To Simplify Maine's Accountancy Laws"

(H.P. 962) (L.D. 1372)

Sponsored by Representative SMITH of Monmouth.

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

Bill "An Act To Provide an Exception to the Pine Tree Development Zone Requirements for Seafood Processing Businesses"

(H.P. 972) (L.D. 1393)

Sponsored by Speaker PINGREE of North Haven.

Cosponsored by Senator DAMON of Hancock and Representatives: EATON of Sullivan, KRUGER of Thomaston, McKANE of Newcastle, PENDLETON of Scarborough, PERCY of Phippsburg, TILTON of Harrington, WEAVER of York, Senator: RECTOR of Knox.

Bill "An Act To Modify the Regional Economic Development Revolving Loan Program"

(H.P. 973) (L.D. 1394)

Sponsored by Representative SMITH of Monmouth.

Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: AUSTIN of Gray, GILES of Belfast, HUNT of Buxton, MacDONALD of Boothbay, MARTIN of Orono,

PRESCOTT of Topsham, Senators: RECTOR of Knox, SULLIVAN of York.

Submitted by the Finance Authority of Maine pursuant to Joint Rule 204.

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**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Bill "An Act To Increase the Safety of Maine State Troopers"

(H.P. 963) (L.D. 1373)

Sponsored by Representative BEAUDOIN of Biddeford.

Cosponsored by Senator BOWMAN of York and Representatives: BURNS of Whiting, GREELEY of Levant, LAJOIE of Lewiston, LEGG of Kennebunk, MAGNAN of Stockton Springs, RICHARDSON of Warren, SCHATZ of Blue Hill, WHEELER of Kittery.

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

Bill "An Act To Ensure the Effectiveness of Critical Incident Stress Management Teams"

(H.P. 964) (L.D. 1374)

Sponsored by Representative BURNS of Whiting.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act To Create a Unified Board of Higher Education"

(H.P. 952) (L.D. 1362)

Sponsored by Representative ROTUNDO of Lewiston.

Cosponsored by Senator BOWMAN of York and Representatives: FLOOD of Winthrop, MARTIN of Eagle Lake, Speaker PINGREE of North Haven, STRANG BURGESS of Cumberland, Senators: ALFOND of Cumberland, MILLS of Somerset, ROSEN of Hancock, SCHNEIDER of Penobscot.

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**HEALTH AND HUMAN SERVICES**

Bill "An Act To Establish and Promote Statewide Collaboration and Coordination in Public Health Activities and To Enact a Universal Wellness Initiative"

(H.P. 953) (L.D. 1363)

Sponsored by Representative MILLER of Somerville. (GOVERNOR'S BILL)

Cosponsored by Senator ROSEN of Hancock and Representatives: JONES of Mount Vernon, STRANG BURGESS of Cumberland, Senator: CRAVEN of Androscoggin.

Bill "An Act To Stimulate the Economy by Expanding Opportunities for Personal Assistance Workers"

(H.P. 954) (L.D. 1364)

Sponsored by Representative PETERSON of Rumford.

Cosponsored by Senator ALFOND of Cumberland and Representatives: BUTTERFIELD of Bangor, CAMPBELL of Newfield, CLARK of Millinocket, CONNOR of Kennebunk, JONES of Mount Vernon, SANBORN of Gorham, STUCKEY of Portland, Senator: JACKSON of Aroostook.

Bill "An Act Regarding the Formula for the General Assistance Program"

(H.P. 965) (L.D. 1375)

Sponsored by Representative CAREY of Lewiston.

Cosponsored by Representatives: CLARK of Millinocket, EDGECOMB of Caribou, MARTIN of Eagle Lake, ROTUNDO of Lewiston, SAVIELLO of Wilton, Senator: MILLS of Somerset.

Resolve, To Reduce Homelessness for People with Mental Illness or Dual Diagnoses

(H.P. 966) (L.D. 1376)

Sponsored by Representative ADAMS of Portland.

Cosponsored by Representative STUCKEY of Portland.

Bill "An Act To Amend the Maine Certificate of Need Act of 2002" (EMERGENCY)

(H.P. 974) (L.D. 1395)

Sponsored by Representative MILLER of Somerville.

Cosponsored by Representative: PERRY of Calais, Senator: MARRACHÉ of Kennebec.

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Bill "An Act To Establish a Mental Health Services Advisory Commission To Improve Mental Health Services in the State"

(H.P. 975) (L.D. 1396)

Sponsored by Representative PERRY of Calais.

Cosponsored by Representatives: EVES of North Berwick, LEWIN of Eliot, PETERSON of Rumford, Speaker PINGREE of North Haven, STRANG BURGESS of Cumberland, STUCKEY of Portland, Senator: President MITCHELL of Kennebec.

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

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#### INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Establish a Single-payer Health Care System"

(H.P. 955) (L.D. 1365)

Sponsored by Representative PRIEST of Brunswick.

Cosponsored by Senator BOWMAN of York and Representatives: AYOTTE of Caswell, BEAUDOIN of Biddeford, BRYANT of Windham, CAIN of Orono, EATON of Sullivan, GOODE of Bangor, HASKELL of Portland, LEGG of Kennebunk, MARTIN of Eagle Lake, MILLER of Somerville, MORRISON of South Portland, Speaker PINGREE of North Haven, STEVENS of Bangor, STUCKEY of Portland, TREAT of Hallowell, TUTTLE of Sanford, WEBSTER of Freeport, Senators: BLISS of Cumberland, CRAVEN of Androscoggin, GERZOFISKY of Cumberland.

Bill "An Act To Increase Access to Health Care by Providing Insurance Coverage for Telemedicine"

(H.P. 956) (L.D. 1366)

Sponsored by Representative PIOTTI of Unity.

Cosponsored by Representative GILES of Belfast and Representative: O'BRIEN of Lincolnville.

Bill "An Act To Allow Efficient Health Insurance Coverage"

(H.P. 976) (L.D. 1397)

Sponsored by Representative PRIEST of Brunswick. (GOVERNOR'S BILL)

Cosponsored by Senator BOWMAN of York and Representatives: BEAUDOIN of Biddeford, FOSSEL of Alna, GOODE of Bangor, RICHARDSON of Warren.

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#### JUDICIARY

Bill "An Act To Amend the 1980 Maine Implementing Act To Authorize the Establishment of a Tribal Court for the Houlton Band of Maliseet Indians and Related Matters"

(H.P. 967) (L.D. 1377)

Sponsored by Representative CLEARY of Houlton.

Cosponsored by Senator BLISS of Cumberland and Representatives: BEAULIEU of Auburn, BRYANT of Windham, DILL of Cape Elizabeth, HILL of York, HUNT of Buxton, KRUGER of Thomaston, PRIEST of Brunswick, STEVENS of Bangor.

Bill "An Act To Adopt Portions of the Uniform Mediation Act" (H.P. 968) (L.D. 1378)

Sponsored by Representative WAGNER of Lewiston.

Cosponsored by Senator BLISS of Cumberland and Representatives: DILL of Cape Elizabeth, HASKELL of Portland, HAYES of Buckfield, WATSON of Bath.

Bill "An Act To Enact the Uniform Prudent Management of Institutional Funds Act"

(H.P. 981) (L.D. 1402)

Sponsored by Representative PRIEST of Brunswick.

Cosponsored by Senator BLISS of Cumberland and Representatives: BEAULIEU of Auburn, BRYANT of Windham, CLEARY of Houlton, CROCKETT of Bethel, DILL of Cape Elizabeth, HILL of York, NASS of Acton, Senator: HASTINGS of Oxford.

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Bill "An Act To Authorize the Operation of Slot Machines on the Passamaquoddy Reservation"

(H.P. 969) (L.D. 1379)

Sponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.

Cosponsored by Senator RAYE of Washington and Representatives: EATON of Sullivan, MITCHELL of the Penobscot Nation, PENDLETON of Scarborough, PERRY of Calais, SCHATZ of Blue Hill.

Committee on JUDICIARY suggested.

On motion of Representative PRIEST of Brunswick, the Bill was REFERRED to the Committee on LEGAL AND VETERANS AFFAIRS, ordered printed and sent for concurrence.

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#### LEGAL AND VETERANS AFFAIRS

Bill "An Act To Amend the Maine Clean Election Laws Governing Gubernatorial Candidates"

(H.P. 970) (L.D. 1380)

Sponsored by Speaker PINGREE of North Haven.

Cosponsored by President MITCHELL of Kennebec and Representatives: CAREY of Lewiston, CORNELL du HOUX of Brunswick, FITTS of Pittsfield, TRINWARD of Waterville, TUTTLE of Sanford, Senators: GOOLEY of Franklin, PLOWMAN of Penobscot, SULLIVAN of York.

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#### MARINE RESOURCES

Bill "An Act To Amend the Aquaculture Laws"

(H.P. 977) (L.D. 1398)

Sponsored by Representative EATON of Sullivan.

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

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#### NATURAL RESOURCES

Bill "An Act Concerning Water Quality in Watersheds"

(H.P. 978) (L.D. 1399)

Sponsored by Representative TILTON of Harrington.

Cosponsored by Senator TRAHAN of Lincoln and Representatives: EATON of Sullivan, PENDLETON of Scarborough, PERCY of Phippsburg, PRESCOTT of Topsham, WEAVER of York, Senators: DAMON of Hancock, GERZOFISKY of Cumberland, RAYE of Washington.

**STATE AND LOCAL GOVERNMENT**

Bill "An Act To Designate July 12th as Wyeth Day" (EMERGENCY)

(H.P. 979) (L.D. 1400)

Sponsored by Representative KRUGER of Thomaston.

Cosponsored by Senator RECTOR of Knox and Representatives: ADAMS of Portland, BEAULIEU of Auburn, BERRY of Bowdoinham, CASAVANT of Biddeford, HILL of York, HUNT of Buxton, MAZUREK of Rockland, MILLER of Somerville, O'BRIEN of Lincolnville, PERCY of Phippsburg, Speaker PINGREE of North Haven, PIOTTI of Unity, RICHARDSON of Warren, TREAT of Hallowell, WELSH of Rockport, Senator: TRAHAN of Lincoln. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

**TAXATION**

Bill "An Act To Increase the Homestead Property Tax Exemption"

(H.P. 957) (L.D. 1367)

Sponsored by Representative CEBRA of Naples.

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

Bill "An Act To Broaden and Increase the Sales Tax, Increase the Earned Income Tax Credit and Amend the Application Process for the Circuitbreaker Program"

(H.P. 958) (L.D. 1368)

Sponsored by Representative WATSON of Bath.

Cosponsored by Senator PERRY of Penobscot and Representatives: CROCKETT of Augusta, FLEMINGS of Bar Harbor, PERCY of Phippsburg.

Bill "An Act To Allow Counties To Provide Property Tax Relief by Enacting a County Option Meals and Lodging Tax"

(H.P. 971) (L.D. 1381)

Sponsored by Representative FLEMINGS of Bar Harbor.

Cosponsored by Senator ALFOND of Cumberland and Representatives: LOVEJOY of Portland, RUSSELL of Portland, Senators: BRANNIGAN of Cumberland, JACKSON of Aroostook, PERRY of Penobscot, SCHNEIDER of Penobscot.

Bill "An Act To Make Minor Substantive Changes to the Tax Laws"

(H.P. 980) (L.D. 1401)

Sponsored by Representative WATSON of Bath.

Cosponsored by Senator PERRY of Penobscot.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

**UTILITIES AND ENERGY**

Bill "An Act To Amend the Charter of the Clinton Water District"

(H.P. 959) (L.D. 1369)

Sponsored by Representative FITTS of Pittsfield.

Cosponsored by Senator MARRACHÉ of Kennebec.

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

**ORDERS**

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 20)

ORDERED, that Representative Richard M. Cebra of Naples be excused March 25 and 26 for health reasons.

**READ and PASSED.**

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

the Bonny Eagle High School Football Team, the Scots, on winning the 2009 Class A State Championship. This is the team's second consecutive Class A football championship and the fourth championship in five seasons. We extend our congratulations and best wishes to the members of the team on this great accomplishment;

(HLS 182)

Presented by Representative HUNT of Buxton.

Cosponsored by Representative SHAW of Standish, Representative SARTY of Denmark, Representative ROBINSON of Raymond, Senator DIAMOND of Cumberland, Senator HOBBS of York, Senator COURTNEY of York.

On **OBJECTION** of Representative HUNT of Buxton, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Buxton, Representative Hunt.

Representative **HUNT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. It is both an honor and a privilege to be able to speak to you today about, both as a Representative and as a proud faculty member, the Bonny Eagle High School. When I think of Bonny Eagle High School Football, I think of one thing and one thing only, the commitment to excellence. The recognition they will receive today is a combination of hard work, determination and thorough preparation.

Now when I mention the towns of Buxton, Hollis, Frye Island, Limington, and even Standish sometimes, most people don't know where I am from. But as soon as I mention Bonny Eagle and the Bonny Eagle Football Team, everybody knows where we come from. The team is a uniting element of the community, five small communities coming together, members coming together for a singular cause. I want to congratulate the team and their coaches, and I hope they continue the winning tradition that they have established so far and well into the future. The team should be proud of their accomplishments, and I know we are.

The **SPEAKER**: The Chair recognizes the Representative from Standish, Representative Shaw.

Representative **SHAW**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I'm so proud to see the Fighting Scots here for the fourth time in five years. I remember the days not long ago when the Bonny Eagle Football program was new and struggled to make the playoffs for years. Over the past decade, the coaching staff and talented leaders who have played for the program have done something that is rare and remarkable for teams in any sport, at any level—they've built a strong and unquestionable dynasty.

There's no high-priced recruitment, free agency, or big contracts and bonuses involved in high school football, which makes what Bonny Eagle has done so much more incredible. They've built their dynasty by creating a culture of hard nosed, play through the whistle, practice 'til the sun goes down, old fashioned hard work; by building a team culture that stresses the importance of leadership on and off the field; and by putting the success of the team ahead of the stats of any individual.

And they've done it while protecting a good reputation as a

hard-working team that has earned every bit of success they've had. Other teams look to Bonny Eagle as a model of how to build a strong, respected and successful team. The young men here today are a shining example of what it means to be a team, and I couldn't be more proud to see them in this Chamber today. Thank you.

The Sentiment was **PASSED** and sent for concurrence.

## REPORTS OF COMMITTEE

### Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-9)** on Bill "An Act To Modify the Laws Regarding Seat Belts"

(S.P. 71) (L.D. 221)

Signed:

Senator:

DAMON of Hancock

Representatives:

MAZUREK of Rockland

PEOPLES of Westbrook

HARLOW of Portland

CAREY of Lewiston

BROWNE of Vassalboro

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

Signed:

Senator:

GOOLEY of Franklin

Representatives:

HOGAN of Old Orchard Beach

THERIAULT of Madawaska

CEBRA of Naples

ROSEN of Bucksport

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-9)**.

**READ.**

Representative MAZUREK of Rockland moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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 is just a point of clarification: This bill deals with, it says, regarding seatbelts only applies to those people who are delivering newspapers. In other words, people who are constantly in and out of their car in the mornings, 150 times. This is what it applies to, so I want to make that point clear. Thank you.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-9)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, April 7, 2009.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Prohibit Certain Uses of Cellular Telephones and Handheld Electronic Devices while Operating a Motor Vehicle"

(H.P. 35) (L.D. 40)

Signed:

Senators:

DAMON of Hancock

PERRY of Penobscot

GOOLEY of Franklin

Representatives:

MAZUREK of Rockland

PEOPLES of Westbrook

THERIAULT of Madawaska

HARLOW of Portland

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" (H-31)** on same Bill.

Signed:

Representative:

HOGAN of Old Orchard Beach

**READ.**

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

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Hogan.

Representative **HOGAN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise to speak in opposition to the motion. Obviously, this is a 9-1 vote and the odds of me prevailing here is not great, but I have to do this. I have to do it for me, and I have to do this for all of those people that came to our hearing.

The day of the hearing, the room was completely filled with citizens, unsolicited. They were there on their own. Also, there were two smaller rooms that were also filled, and then we would bring them in, in groups. Every single one of them, without exception, said support this bill. That is the general public, that is the public that we serve.

The lobbyists, the lobbyists normally come out big-time against any prohibiting of cell phones. This time, every lobbyist did support the prohibiting of handheld cell phones. The State Police; State Police at least recognize that yes, we have a problem. They clearly stated that. Then they passed out this information that they got from a study from NHTSA, which states a whole bunch of facts, and just let me give you a few of them: Certainly, one of them is drivers using cell phones are four times likely to get in a crash. Then again, texting is another issue that I will be talking about in just a little bit here. But they also said that drivers using a cell phone are 400 percent times distracted as others.

Ladies and Gentlemen, we are turning our cars into something other than safe vehicles. We are turning our cars, in some sense, into our offices. We think that we have the right or the ability. We do have the right; we have the ability to get into our car, take our hands off the wheel, text, cell phone, do any number of things that create a distracted driver. Every study,

every single study states that cell phone use is the number one distraction.

The enhancement of the technology of cell phones is creating a huge problem in all of our vehicles. We are supposed to be promoting good, safe, healthy driving habits. Well, we're not, and for our own personal use, I think that some are actually supporting this motion. You shouldn't do that. The number of people who came to this committee to voice their opinions is the ones we should listen to.

Let me just briefly tell you a little bit about the bill: The bill says that hands free cell phones are acceptable; handheld cell phones are not acceptable. Texting, any mechanical device would be prohibited, and that surely would include texting in any other device that you might or anybody might want to have in their possession while driving. Then came the exemptions, and this is primarily why I think the 9-1 came, because we got hung up on exemptions, everybody and their brother wanted an exemption. Well, the exemptions are the police and rescue; the commercial licensed trucks, while they are on duty; municipal public workers, MTA people and the public utility people, and I believe that might have been it. But that's where we got hung up, that's where this 9-1 vote came from.

Ladies and Gentlemen, I stand here before you today because I want to be on the right side of the issue. There is a reason why, for example, ExxonMobil, Shell, big companies like that have issued a directive prohibiting their people from using a cell phone while on company business. Then again, there is the City of Saco, a great little town in southern Maine, who has issued, also, a directive to their people. Nobody will use a cell phone while on city business, so we are starting to get into the municipalities. To think this is going to go away lightly, it's not; it is going to come back every single year. But do want to say that I want to be on the right side of an issue, just in case there is a catastrophic accident, like occurred in Los Angeles, California. A train went through a crossing and crashed into a school bus, killing many students. I don't want that to happen here and see the race down to the Revisor's Office to see who is going to put in the bill first. I just say use your common sense. The *Lewiston Sun Journal* stated it very clearly: Legislature, are you listening? They supported the prohibition of handheld cell phones. Madam Speaker, I would ask for a roll call. Thank you.

Representative HOGAN of Old Orchard Beach **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 Saco, Representative Valentino.

Representative **VALENTINO**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise today to speak in opposition to the motion pending on the floor. My good friend from Old Orchard Beach, I think, has made an excellent point on this. I have prepared no written testimony today, because I don't think we need a written testimony today. I think every single person sitting here knows cell phones are dangerous. I don't need to pull statistics, I don't need to pull any information on accidents or anything else. We have all driven down the highway, we have all had that car go in front of us, 65—I want to say 85 mph, but we can't go 85 on the Turnpike—85 mph, then they slow down to 65, because then you pass them and they are on their cell phone, you know they got a call. Then they speed up and they pass you again. Then, all of the sudden, they get another call and they slow down, going back and forth. We know how dangerous they are. We know how dangerous they are because we know lots of times we've looked up, and

we've hit the rumble strip when we are on our cell phones. So I don't have to give you statistics. We all know in our hearts that they are dangerous, that's all.

Actually, a very famous gentleman, the other day, hit a guardrail on 295. F. Lee Bailey was in town. I didn't even know he was still alive, but it was great that he got his name in the paper, because he went for his cell phone and he hit a guardrail and he made the papers. I thought that was great he was actually in the State of Maine. I also have one of those little ear buds. I thought it was cool to get one. That was three years ago. It came with the phone; I had the hands free on the phone. I'm not the best on technology. I have never learned how to use it, it's still in the box, I have all of that stuff. If this bill passes, I am going to have to take the box out and I am going to have to look, I'm going to have to learn how to use that to be a safe driver. Maybe I need a bill to force me to open up a box that I paid \$100 for, three years ago, so I can put it in my ear and be a safe driver.

The Representative from Old Orchard Beach is correct: Our cars are not our offices. We treat them as an office, and I think a lot of people who may vote against it, it is because we do so much business in our car. As I see, my good friend, the Representative from Wilton, has his little ear bud here and some days you have it on here. But I want to tell you that this bill is not about us. It is not about our convenience to drive and to answer all of our phone calls and to do it. As the Representative from Old Orchard Beach said, people know the dangers of this. But when you vote, don't vote for yourself. This bill, to me, it's about my daughter and my two grandchildren. It's about them, because when you answer your phone and you are not paying attention, they may be driving down the road totally innocent, and if you hit them because you feel you have a right to go on your cell phone, and you hurt or injure or kill them, then that is not fair. You should have two hands on the wheel, 10 and 2, and your eyes ahead and your mind on the road. Not on what you are going to be doing when you get to Augusta or when you get home or anyplace else. I think we all know in our hearts this is dangerous, and I urge you to vote against the pending motion. Thank you.

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. I would just like to make a comment or two regarding this bill. First of all, with the exemptions, if all of those exemptions were added to the bill, the bill would be watered down tremendously. I agree that the people who are on, whether it is handheld cell phones or the other type, they are distracted. We are, right now in the Transportation Committee room, working on a distracted driving bill that would probably and more than likely cover this situation. So I urge you to go along with the Ought Not to Pass Report. Vote in favor of the Ought Not to Pass, because this type of situation of distracted driving is an issue, it is recognized, and it is being worked on. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Morrison.

Representative **MORRISON**: Thank you, Madam Speaker. Good morning, Men and Women of the House. I just wanted to bring a point of order to everyone, and I want to follow along with Representative Hogan. Tuesday morning, when I was coming to Augusta, there were two people that I saw texting on the road while driving up here, and I was tempted to call and report them when I got here. Today, I found one person texting while driving. Not only were they just texting while driving, but they were also weaving in the road, so this bill is important. I do compliment Representative Hogan and I am glad there is another bill pending, but I just wanted to say that it is out there and I see it on

a daily basis when I am coming to Augusta. Thank you.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Beaudoin.

Representative **BEAUDOIN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Talking on the phone, text messaging, e-mailing, and even dialing a phone while driving, draws your attention away from the road, and drivers have no business putting others in danger.

Studies have shown that the use of a cell phone, regardless of the use of a hands-free device, increases the risk of an accident.

A 2006 University of Utah study showed that people, who are talking on cell phones, either holding the phones or using a hands free device, are impaired at the same level as drivers with a blood- alcohol limit of .08 percent.

We can't legislate common sense, but it has been our practice to try to stop practices that put other people at the greatest risk.

Cell phone use while driving reduces the speed at which a driver can process information; it reduces the speed at which a driver responds; it reduces the driver's cognitive functions as "driver."

I urge you to vote to ban the use of cell phones while a person is driving.

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

Representative **BLANCHARD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. You have heard all of the negative issues about handheld cell phones. I have one; I'll bet you 95 percent of everybody here has one. We have all seen the dilemmas on the road.

I'm going to tell you a little story about my own home life, this is a true example: My daughter in-law has a very bad tendency of texting or using her cell phone while she's driving. Well, it irritates my wife so much that, if she should call the house, the first question my wife asks her is "Are you on a cell phone?" She says, "Yes." "Well, hang up and call me when you get home."

The other day when I left here, Thursday night, it was about six thirty or seven o'clock, I called my wife, I am in the yard, I hadn't even driven out of the yard, and I called my wife, and I said, "I think I'm coming home tonight." She said, "Are you on a cell phone?" I said, "Yes." She said, "Hang up, you can tell me when you get home." My wife is not a person against cell phones. She is just afraid of anything that might happen on the road when you are distracted. So I am going to support my fellow Representative from Old Orchard Beach and oppose this bill. Thank you.

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. The Representative from Saco might want to check with studies before she takes her ear piece out of the box, because study after study shows there is no difference. Even though we all believe the hands free devices are safer, they're not. In the second, this bill had so many exemptions that, those of you who have a Class I license, could drive a 100,000 lb log truck south from Greenville in an ice storm and use your cell phone. It would have been perfectly legal. But if you were driving on the Interstate on a dry day, that would be against the law.

Finally, Madam Speaker, let me assure you, my grandchildren are a much bigger distraction than any cell phone. Shall we ban grandchildren from cars too?

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Madam Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative **RUSSELL**: Thank you, Madam Speaker. I would like to know if this prohibits dialing the phone under the text messaging clause. Thank you.

The SPEAKER: The Representative from Portland, Representative Russell has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Old Orchard Beach, Representative Hogan.

Representative **HOGAN**: Thank you, Madam Speaker. Yes, it does. You are not to, it was hands free. It is set up so that you can use it, but not hands held.

While I have the floor here, in response to my good friend from Rockland, I didn't think we were supposed to speak to other bills, but briefly, the distracted driver bill he is referring to is an after the fact bill. In other words, when you get in the accident, that is when they will enforce it.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Pilon.

Representative **PILON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. A couple of weeks ago, as I was coming up to the State House, I was following a gentleman that was weaving up the highway. We were both doing a little bit more than the speed limit, and I was noticing that he couldn't keep his car on the road. When I had the opportunity to pass him, I noticed that he was balancing a cell phone on his ear, drinking coffee, and kind of shuffling papers on the passenger's seat. I was wondering how he was driving the car. Well, he really wasn't driving the car at all. He was driving the car with his knees at 75 mph. Once I got on the other side, I noticed there was his cell phone cradled underneath his arm and his head. This is the kind of behavior the cell phone, the lack of legislation, is exhibiting. So I support the good Representative from Old Orchard Beach's bill, and I hope that everyone will follow his light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Peoples.

Representative **PEOPLES**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. It is not any accident that this is a vast Majority Report. I don't think anybody on the Transportation Committee is in any doubt that cell phones and texting are a terrible, terrible distraction. I think the point has been made that there really is no statistical difference between handheld and hands free. But added to that, Representative Pilon just brought up the fact that the guy was drinking coffee.

We have all gone down the road and seen women putting their makeup on. I think some of us may have been guilty of that on occasion. There is the old brushing the hair distraction. There is the book on the steering wheel distraction. The newspaper on the steering wheel distraction. The notepad and pen on the steering wheel distraction. There is the distraction of, Oh gee; I just dropped something down in the well of the passenger's side. So when we talk about things that cause accidents, we are looking at something much, much greater than one simple device. It is a whole host of things that have become more important since we have way much more traffic on the road now. It requires us to be way more focused on our driving than perhaps some of us were when we were younger. We have to look at this thing in a more global way than just simply one device.

The difficulty with banning this one device, used in this one way, is it doesn't address any of the rest of these things, and going to the exceptions, the road to heck is paved with good exceptions. Once you give one person an exception, we are going to be here every year, year after year, four or five special cases, Oh we have to have an exception. So I would say let's try to view this thing more globally. It is going to take a change in peoples cultural behaviors, and I think that is where we need to be going with this. So I would ask you very much to support the majority, and let's keep working on this. Thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Boland.

Representative **BOLAND**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I just have to add that this message was brought home rather clearly to me this morning, because I consider myself a pretty cautious driver, but I was on my cell phone and I got stopped by the police in Hallowell. I don't think I was weaving or anything, he was very kind, very nice and luckily got a warning, and wouldn't have happened in Wells, for instance. Those police there have taught me very well to be very cautious. As much as the almost two hour drive from here to Sanford makes it very appealing to make calls on my cell phone that I hadn't been able to get to perhaps during the week, I think we all sort of need a little extra nudge to help us do some of the things we think would be appropriate. While there could be more global pieces of legislation or maybe better ideas come along, sometimes it seems that what we find in the House is that we can take maybe a small bite of the apple; maybe the bigger one will get swallowed. So it seems to me that it would be worth while to at least take a step in this direction. Thank you.

Representative **THERIAULT** of Madawaska **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The **SPEAKER**: The Chair recognizes the Representative from Augusta, Representative Crockett.

Representative **CROCKETT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. For many years, the Legislature has tried to pass bills to ban handheld cell phones. I remember the Representative from Lewiston, Representative Bouffard, had a bill in many years ago. I think we probably don't have a perfect bill before us, but we certainly know that many pieces of legislation that we enact, we come back the next year and we make exemptions and we make corrections. But I think today we have a bill before us that could save a life, and I think we all should be voting against the pending motion and vote Ought to Pass. 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 want to speak briefly to a couple of the points that have been brought up and share with folks what was brought up in committee.

First of all, and I don't want to speak for the other 11 members of the Majority Report, but I think we all feel that there is a problem and it will be dealt with in this session.

Second, speaking to what the State Police shared with us. We asked them last year when a similar bill came up, or two years ago, we asked them to come back to us with a review of the data. Some of the data has been shared today. What they shared with us was two summaries.

First, the data is all over the map. There is one study that shows that cell phone use is the eighth highest distraction behind things like the grandkids, as was mentioned before, drinking coffee, eating food, reaching into the wheel well. Cell phone

usage in that report distracted about 1 percent of drivers. So there is a broader issue and the data is not clear as to exactly whether this is the worst problem.

The second thing that they shared, and this really hit home with me and I think with some of my peers, it goes to what the Representative from Saco was talking about, Representative Pilon, talked about the example of watching somebody who had three or four distractions going on in the car this morning as they were weaving around the road. Well, the weaving around the road, that is an observable offense. The State Police can do that. They are very concerned with enforcing who is talking on a cell phone. There are some significant enforcement concerns. They would urge us, if we do something like this, to make it an observable offense, and I think you will see a bill coming before the chamber in the later months that has exactly that provision.

Finally, I want to focus on the exceptions, and this to me was the piece that really tipped the balance. To me, it comes down to, if it is good for the goose, it is good for the gander. So let me read the exceptions: Drivers of authorized emergency vehicles; physicians; holders of commercial driver's licenses while operating a commercial vehicle; municipal public works personnel; Maine Turnpike Authority personnel; state transportation personnel, all employees and contractors; personnel of a public utility and all contractors and employees of that public utility. Folks, if it is good for everybody, it is good for everybody. If we are going to exempt people for whom this is not in the training for those jobs. We are exempting fighter pilots, that's great. Those folks are trained to multitask. Commercial driver's licenses have a very thick rulebook that they have to go through. It doesn't deal with multiple sources of input coming in from a cell phone, the dashboard, on the road. So why are we exempting them and not the rest? The exemptions stink and that is why I am voting against the bill, and I call for a roll call if it hasn't yet been called for.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Harlow.

Representative **HARLOW**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I would like to thank the good Representative Hogan to give me a chance to vote correctly. I am changing my vote, and I just wonder if Representative Thomas had put a bill forward to outlaw his grandchildren from going in the back seat. I'll second that for you. Anyway, I think if there is anything that adds to danger and driving, we should always think about it and stop it. Thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Cape Elizabeth, Representative Dill.

Representative **DILL**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I will be voting against the pending motion, and I just wanted to clarify a few points as well. The exceptions that my good friend and seatmate just outlined are not in fact the exceptions that appear in the bill. Those exceptions are not before you with the pending motion.

I would also note that the bill that has been referred to maybe inappropriately, maybe not, as the later bill, specifically excepts cell phones, so it doesn't deal with cell phones. So if what you are concerned about is cell phones, the late bill, as it is currently drafted, doesn't cut it.

Thirdly, there has been a lot of talk about the State Police and their good work, and I appreciate and value the work that the State Police do. But in my community, we don't have a lot of State Police. The State Police don't patrol my neighborhoods and my towns, and I know for a fact that cell phones are a problem in my community and that is why I am supporting Representative Hogan's bill. Thank you.

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. I just want to make a point that when we talk about cell phone distraction and other types of distractions, I have seen people play the drums, read, eat sandwiches, do everything while driving the car. Cell phones are only one small part of driver distraction.

As I mentioned, we do have a distracted driver bill that is coming before us. All of these things will be taken into account. We wonder why we say, well, we'll take one small bite of the apple. We clutter up our law books, and we don't ever get to the problem with distracted driving. So let's not rush into this and feel good and say, well, we've done something wonderful today. Well, let's give this a chance to do a good bill and that is the distracted driving bill, and I will tell you that this will more than likely be part of it and other areas of distracted driving. All you have to do is stand on any street corner and you can see what happens to people. They are doing everything but paying attention to driving, and we have to put an end to it. This bill will not serve that purpose. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Freeport, Representative Webster.

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

The **SPEAKER**: The Representative may pose his question.

Representative **WEBSTER**: Thank you, Madam Speaker. Madam Speaker, I would like to know that since I operate hands free Blackberry with a headset whenever I am driving, it requires for me to press a button that says say a command, so that I can then verbally dial a phone number. Would actually dialing, hitting that button, be a violation under the terms of this piece of legislation? Thank you.

The **SPEAKER**: The Representative from Freeport, Representative Webster has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Old Orchard Beach, Representative Hogan.

Representative **HOGAN**: Thank you, Madam Speaker. No, I think we should apply a little common sense, but you shouldn't be using the Blackberry anyways.

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. 9

YEA - Ayotte, Beaudette, Beaulieu, Beck, Berry, Bickford, Blodgett, Bolduc, Browne W, Bryant, Burns, Cain, Carey, Cebra, Chase, Clark T, Cleary, Connor, Cornell du Houx, Cotta, Crafts, Cray, Crockett J, Curtis, Davis, Driscoll, Duchesne, Eaton, Edgecomb, Eves, Fitts, Flemings, Fletcher, Fossel, Gifford, Gilbert, Giles, Goode, Hamper, Hanley, Harvell, Haskell, Hayes, Hinck, Hunt, Innes Walsh, Johnson, Joy, Kaenrath, Kruger, Langley, Lewin, Lovejoy, MacDonald, Magnan, Martin JL, Mazurek, McCabe, McFadden, McKane, McLeod, Millett, Nass, Nelson, Nutting, O'Brien, Peoples, Percy, Perry, Peterson, Pieh, Pinkham, Piotti, Plummer, Pratt, Priest, Rankin, Richardson D, Robinson, Rosen, Sanborn, Sarty, Saviello, Shaw, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Trinward, Watson, Weaver, Webster, Welsh, Willette, Wright, Madam Speaker.

NAY - Adams, Austin, Beaudoin, Blanchard, Boland, Briggs, Campbell, Casavant, Clark H, Cohen, Crockett P, Dill, Dostie, Finch, Flaherty, Flood, Harlow, Hill, Hogan, Jones, Kent, Knapp, Knight, Lajoie, Legg, Martin JR, Miller, Morrison, Pendleton,

Pilon, Prescott, Richardson W, Rotundo, Russell, Schatz, Sirois, Treat, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Wheeler.

ABSENT - Butterfield, Celli, Cushing, Eberle, Greeley.

Yes, 103; No, 43; Absent, 5; Excused, 0.

103 having voted in the affirmative and 43 voted in the negative, with 5 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

#### CONSENT CALENDAR

##### First Day

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

(S.P. 248) (L.D. 673) Bill "An Act To Improve the Protection for Buyers of Motor Vehicles from Vehicles Labeled Lemons in Other States" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(S.P. 287) (L.D. 740) Bill "An Act To Validate the Property Tax Commitments in the Towns That are Members of Community School District No. 9" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass**

(S.P. 16) (L.D. 7) Bill "An Act To Amend the Instruction Permit Process" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-7)**

(S.P. 81) (L.D. 240) Bill "An Act To Extend the Exception to Axle Fines during the Midwinter Season" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-10)**

(H.P. 141) (L.D. 162) Bill "An Act To Clarify Child Abuse and Neglect Information Disclosure" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 315) (L.D. 427) Bill "An Act To Require School Bus Drivers and School Bus Attendants To Report Suspected Child Abuse" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 579) (L.D. 843) Resolve, To Designate the Great South Bridge in the Town of Milbridge as the Harold West Bridge Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 656) (L.D. 953) Bill "An Act To Amend the Charter of the Winterport Water District" (EMERGENCY) Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass**

(H.P. 111) (L.D. 127) Bill "An Act To Prohibit Telephone Line-item Charges Not Representing Services Requested by the Customer or Required by Law" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-32)**

(H.P. 149) (L.D. 184) Bill "An Act To Allow a Cosmetologist, Barber, Manicurist or Aesthetician Licensee To Perform Services outside of the Primary Business Location" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-37)**

(H.P. 165) (L.D. 200) Bill "An Act To Amend the Charter of the Caribou Utilities District" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-34)**

(H.P. 192) (L.D. 238) Bill "An Act Regarding Consumer-owned Water Utilities and Contracts for Water Extraction and for the Sale of Water" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-35)**

(H.P. 214) (L.D. 271) Bill "An Act To Encourage Economic Recovery and Employment Growth To Support Maine's Working Waterfronts" (EMERGENCY) Committee on **BUSINESS**,

**RESEARCH AND ECONOMIC DEVELOPMENT** reporting  
**Ought to Pass as Amended by Committee Amendment "A"**  
**(H-36)**

(H.P. 339) (L.D. 451) Bill "An Act To Clarify the Law Regarding Reinstatement of a Driver's License" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-38)

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

(H.P. 218) (L.D. 275) Bill "An Act To Amend the Charter of the Limestone Water and Sewer District" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-33)

On motion of Representative MARTIN of Eagle Lake, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. Committee Amendment "A" (H-33) was **READ** by the Clerk and **ADOPTED**

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A"** (H-33) and sent for concurrence.

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

**CONSENT CALENDAR**  
**Second Day**

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

(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"

(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" (C. "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) (C. "A" H-22)

(H.P. 29) (L.D. 34) Bill "An Act To Clarify the Election of Municipal Charter Commission Members" (EMERGENCY) (C. "A" H-17)

(H.P. 47) (L.D. 54) Bill "An Act To Change the Coyote Night Hunting Season" (C. "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" (C. "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" (C. "A" H-23)

(H.P. 131) (L.D. 152) Bill "An Act Relating to Autocycles" (C. "A" H-25)

(H.P. 222) (L.D. 282) Bill "An Act Regarding the Requirement That the Treatment of a Gunshot Wound Be Reported" (C. "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" (C. "A" H-26)

(H.P. 324) (L.D. 436) Bill "An Act To Include Trucks in the Definition of 'Low-speed Vehicle'" (C. "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 (C. "A" H-18)

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

**BILLS IN THE SECOND READING**  
**House**

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)

**House as Amended**

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)

(C. "A" H-16)

Bill "An Act To Support Maine State Parks"

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

(C. "A" H-30)

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

**ENACTORS**  
**Emergency Measure**

An Act Pertaining to the Quality Child Care Education Scholarship Fund

(H.P. 76) (L.D. 92)

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.

**Acts**

An Act To Raise the Fee a Bail Commissioner May Charge

(S.P. 77) (L.D. 227)

An Act To Update the Casco Bay Island Transit District Enabling Law

(H.P. 358) (L.D. 513)

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.

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, March 31, 2009, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Increase Youth Boating Safety"  
(H.P. 829) (L.D. 1204)

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

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

**TABLED** - March 31, 2009 (Till Later Today) by Representative CLARK of Millinocket.

**PENDING - FURTHER CONSIDERATION.**

Subsequently, the House voted to **INSIST**.

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

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

(Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested)

**TABLED** - March 31, 2009 (Till Later Today) by Representative SUTHERLAND of Chapman.

**PENDING - REFERENCE.**

Subsequently, on motion of Representative SUTHERLAND of Chapman, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

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

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

(Committee on **NATURAL RESOURCES** suggested)

**TABLED** - March 31, 2009 (Till Later Today) by Representative DUCHESNE of Hudson.

**PENDING - REFERENCE.**

Subsequently, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES**, ordered printed and sent for concurrence.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

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)

Which was **TABLED** by Representative PIOTTI of Unity pending **FURTHER CONSIDERATION.**

Subsequently, the House voted to **INSIST**.

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

**SENATE PAPERS**

The following Joint Order: (S.P. 485)

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, April 7, 2009 at 10:00 in the morning.

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

**READ** and **PASSED** in concurrence.

Bill "An Act To Strengthen Maine's Financial Future in Perpetuity"

(S.P. 503) (L.D. 1387)

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

**REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act Regarding the Licensing Fees for Certain Professional Programs"

(S.P. 504) (L.D. 1388)

Bill "An Act To Create State and Regional Quality of Place Investment Strategies for High-value Jobs, Products and Services in Maine"

(S.P. 505) (L.D. 1389)

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 Amend the Laws Governing Emergency Management"

(S.P. 510) (L.D. 1391)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Improve the Ability of the Department of Education To Conduct Longitudinal Data Studies"

(S.P. 491) (L.D. 1356)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Resolve, Directing the Department of Health and Human Services To Limit Prescriptions for Narcotic Drugs under MaineCare without Prior Authorization

(S.P. 489) (L.D. 1354)

Bill "An Act To Improve the Use of Data from the Controlled Substances Prescription Monitoring Program"

(S.P. 494) (L.D. 1359)

Bill "An Act To Allow Law Enforcement and Family Members To Petition the District Court To Initiate Assisted Outpatient Treatment"

(S.P. 495) (L.D. 1360)

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 Implement Shared Decision Making To Improve Quality of Care and Reduce Unnecessary Use of Medical Services"

(S.P. 493) (L.D. 1358)

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.

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Bill "An Act Regarding Salary Information for Public Employees"

(S.P. 488) (L.D. 1353)

Bill "An Act To Provide for Equality before the Law"

(S.P. 498) (L.D. 1382)

Bill "An Act To Implement the Uniform Law Conference Suggested Updates to Article 1 of the Uniform Commercial Code"

(S.P. 506) (L.D. 1403)

Bill "An Act To Enact the Maine Uniform Power of Attorney Act"

(S.P. 507) (L.D. 1404)

Bill "An Act To Implement the Updates to Article 7 of the Uniform Commercial Code Suggested by the National Conference of Commissioners on Uniform State Laws"

(S.P. 508) (L.D. 1405)

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

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

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Bill "An Act To Amend the Laws Governing Direct Support Providers of Shared Living Residential Services"

(S.P. 496) (L.D. 1361)

Bill "An Act To Clarify Apportionment of Benefits for Multiple Work Injuries"

(S.P. 500) (L.D. 1384)

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

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

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Bill "An Act Pertaining to Response Costs Incurred by the Department of Environmental Protection under the Waste Motor Oil Disposal Site Remediation Program"

(S.P. 502) (L.D. 1386)

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

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

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Bill "An Act To Exempt from Taxation Biodiesel Fuel Produced for Personal Use" (EMERGENCY)

(S.P. 487) (L.D. 1352)

Bill "An Act To Create an Energy Conservation Measures Tax Credit"

(S.P. 501) (L.D. 1385)

Resolve, Directing the State Tax Assessor To Adjust the State Valuation for the Town of Topsham (EMERGENCY)

(S.P. 509) (L.D. 1390)

Bill "An Act To Promote Economic Development and Reduce Reliance on Automobiles through Transit-oriented Tax Increment Financing Districts"

(S.P. 511) (L.D. 1392)

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

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

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Resolve, To Name the Bridge in Orland the Ralston C. Gray Bridge

(S.P. 486) (L.D. 1351)

Bill "An Act To Make Permanent the Allowance of Certain Commercial Vehicles between the Calais Border Crossing and Baileyville"

(S.P. 490) (L.D. 1355)

Bill "An Act To Protect the Privacy of Maine Residents under the Driver's License Laws"

(S.P. 492) (L.D. 1357)

Bill "An Act To Provide Support to Municipal Government by Imposing a Municipal Surcharge on Traffic Violations"

(S.P. 499) (L.D. 1383)

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

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

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

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On motion of Representative CLARK of Millinocket, the House adjourned at 11:47 a.m., until 10:00 a.m., Tuesday, April 7, 2009 pursuant to the Joint Order (S.P. 485) and in honor and lasting tribute to Estelle G. Weymouth, of Millinocket.