

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twentieth Legislature
State of Maine

Volume I

First Regular Session

December 6, 2000 – May 17, 2001

Pages 1-889

ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
3rd Legislative Day
Tuesday, January 9, 2001

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

Prayer by Paula Norbert, M. Div., Chaplain, Boston College.

National Anthem by Kayla Hopkins, Manchester.

Pledge of Allegiance.

Doctor of the day, Mark Bolduc, M.D., Waterville.

The Journal of Thursday, January 4, 2001 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 23)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

**COMMISSION TO STUDY EQUITY IN THE DISTRIBUTION OF
GAS TAX REVENUES ATTRIBUTABLE TO SNOWMOBILES,
ALL-TERRAIN VEHICLES AND WATERCRAFT**

January 4, 2001

The Honorable Michael H. Michaud, President

The Honorable Michael V. Saxl, Speaker

120th Maine Legislature

State House

Augusta, ME 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Resolves 1999, chapter 131 the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft is pleased to submit its final report including legislation. Copies of the report have been transmitted to the members of the Legislative Council, the Joint Standing Committees on Inland Fisheries and Wildlife, Agriculture, Conservation and Forestry, Marine Resources, Transportation and Taxation. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Sen. Marge L. Kilkelly, Co-Chair

S/Rep. Joseph E. Clark, Co-Chair

**READ and with accompanying papers ORDERED PLACED
ON FILE.**

The Following Communication: (H.C. 24)

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

January 4, 2001

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333-0002

Dear Madam Clerk:

Pursuant to my authority under House Rule 201.1(J), I have made the following appointments to the Standing Committees of the House:

Bills in the Second Reading

Robert W. Duplessie, Chair (D-Westbrook)

Richard H. C. Tracy (D-Rome)
Joseph E. Brooks (D-Winterport)
Jacqueline R. Norton (D-Bangor)
David R. Madore (R-Augusta)
Judith B. Peavey (R-Woolwich)
Deborah K. McNeil (R-Rockland)
Donald P. Berry, Sr. (R-Belmont)

Ethics

Elizabeth Watson, Chair (D-Farmingdale)
Paul Volenik (D-Brooklin)
Patricia T. Jacobs (D-Turner)
Charles E. Mitchell (D-Vassalboro)
Glenys P. Lovett (R-Scarborough)
Howard A. Chick (R-Lebanon)
Richard W. Rosen (R-Bucksport)
David L. Tobin (R-Windham)

Elections

David M. Etnier, Chair (D-Harpswell)
Nancy L. Chizmar (D-Lisbon)
Charles C. LaVerdiere (D-Wilton)
David G. Lemoine (D-Old Orchard Beach)
William J. Schneider (R-Durham)
Arthur F. Mayo III (R-Bath)
Janice E. Labrecque (R-Gorham)
Roger L. Sherman (R-Hodgdon)

Leaves of Absence

Elaine Fuller, Chair (D-Manchester)
Shirley K. Richard (D-Madison)
Marilyn E. Canavan (D-Waterville)
Rosaire "Ross" Paradis, Jr. (D-Frenchville)
Lois A. Snowe-Mello (R-Poland)
Harold A. Clough (R-Scarborough)
Gerald M. Davis (R-Falmouth)
Carol Weston (R-Montville)

Engrossed Bills

Arthur F. Mayo III, Chair (R-Bath)
James G. Skoglund (D-St. George)
Thomas D. Bull (D-Freeport)
Gary J. Wheeler (D-Eliot)
Christopher G. L. Hall (D-Bristol)
Julie Ann O'Brien (R-Augusta)
Roderick W. Carr (R-Lincoln)
Theodore H. Heidrich (R-Oxford)

Rules and Business of the House

The Speaker, Ex Officio
Patrick Colwell (D-Gardiner)
Joseph Bruno (R-Raymond)
William J. Schneider (R-Durham)

Sincerely,

S/Michael V. Saxl

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.P. 15)

**MAINE SENATE
120TH LEGISLATURE
3 STATE HOUSE STATION
AUGUSTA, ME 04333-0003**

January 3, 2001

The Honorable Joy J. O'Brien

Secretary of the Senate

3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

Pursuant to our authority under Senate Rule 203.1, we have made the following appointments to various Joint Standing Committees.

Agriculture, Conservation & Forestry

Richard Kneeland, Chair (R-Aroostook)

John M. Nutting, (D-Androscoggin)

Marge L. Kilkelly, (D-Lincoln)

Appropriations and Financial Affairs

Jill M. Goldthwait, Chair (I-Hancock)

Mary Cathcart, (D-Penobscot)

S. Peter Mills, (R-Somerset)

Banking and Insurance

Lloyd P. LaFountain, III, Chair (D-York)

I. Joel Abromson, (R-Cumberland)

Neria R. Douglass, (D-Androscoggin)

Criminal Justice

Michael J. McAlevey, Chair (R-York)

William B. O'Gara, (D-Cumberland)

Paul T. Davis, Sr. (R-Piscataquis)

Education and Cultural Affairs

Betty Lou Mitchell, Chair (R-Penobscot)

John M. Nutting, (D-Androscoggin)

Peggy Rotundo, (D-Androscoggin)

Health and Human Services

Susan W. Longley, Chair (D-Waldo)

Karl W. Turner, (R-Cumberland)

John L. Martin, (D-Aroostook)

Inland Fisheries and Wildlife

David L. Carpenter, Chair (R-York)

Marge L. Kilkelly, (D-Lincoln)

Chandler E. Woodcock, (R-Franklin)

Judiciary

Anne M. Rand, Chair (D-Cumberland)

Michael J. McAlevey, (R-York)

Norman K. Ferguson, Jr. (R-Oxford)

Labor

Beth G. Edmonds, Chair (D-Cumberland)

Karl W. Turner, (R-Cumberland)

W. Tom Sawyer, Jr. (R-Penobscot)

Legal and Veterans Affairs

Neria R. Douglass, Chair (D-Androscoggin)

Chandler E. Woodcock, (R-Franklin)

Lynn Bromley, (D-Cumberland)

Marine Resources

Kenneth F. Lemont, Chair (R-York)

Peggy A. Pendleton, (D-Cumberland)

Beth G. Edmonds, (D-Cumberland)

Natural Resources

John L. Martin, Chair (D-Aroostook)

W. Tom Sawyer, Jr., (R-Penobscot)

Kevin L. Shorey, (R-Washington)

State and Local Government

Peggy A. Pendleton, Chair (D-Cumberland)

Edward M. Youngblood, (R-Penobscot)

Peggy Rotundo, (D-Androscoggin)

Taxation

Kenneth T. Gagnon, Chair (D-Kennebec)

Kenneth F. Lemont, (R-York)

Richard Kneeland, (R-Aroostook)

Transportation

Christine R. Savage, (R-Knox)

William B. O'Gara, (D-Cumberland)

Kenneth T. Gagnon, (D-Kennebec)

Utilities and Energy

Norman K. Ferguson, Jr., Chair (R-Oxford)

Sharon A. Treat, (D-Kennebec)

David L. Carpenter, (R-York)

Sincerely,

S/Michael H. Michaud

President of the Senate

S/Richard A. Bennett

Senate President Pro Tempore

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

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

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act to Fully Fund the Endowment Incentive Fund" (EMERGENCY)

(H.P. 33) (L.D. 42)

Presented by Representative BAKER of Bangor.

Cosponsored by Senator CATHCART of Penobscot and Representatives: BROOKS of Winterport, DESMOND of Mapleton, DUPLESSIE of Westbrook, McDONOUGH of Portland, McKEE of Wayne.

Bill "An Act to Improve the Navigational Aids Program"

(H.P. 38) (L.D. 47)

Presented by Representative FULLER of Manchester.

Cosponsored by Senator GAGNON of Kennebec and Representatives: HEIDRICH of Oxford, LANDRY of Patten, McKEE of Wayne, MICHAUD of Fort Kent, MUSE of Fryeburg, NUTTING of Oakland, Senator: KILKELLY of Lincoln.

Bill "An Act to Require Full Funding of the State's Share of General Purpose Aid"

(H.P. 51) (L.D. 60)

Presented by Representative BAKER of Bangor.

Cosponsored by Senator CATHCART of Penobscot and Representatives: BROOKS of Winterport, DESMOND of Mapleton, DUPLESSIE of Westbrook, McDONOUGH of Portland, McKEE of Wayne.

BANKING AND INSURANCE

Bill "An Act to Create a Mandatory Automobile Insurance Premium Discount for Safe, Mature Drivers"

(H.P. 34) (L.D. 43)

Presented by Representative MAYO of Bath.

Cosponsored by Representatives GLYNN of South Portland, TWOMEY of Biddeford, Senator MILLS of Somerset, Senator McALEVEY of York and Representatives: CLOUGH of

Scarborough, HONEY of Boothbay, MURPHY of Berwick, SULLIVAN of Biddeford.

Bill "An Act Regarding Civil Actions Involving Insurance Coverage"

(H.P. 40) (L.D. 49)

Presented by Representative SAVAGE of Buxton.

Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: BRYANT of Dixfield, BULL of Freeport, DUDLEY of Portland, DUNLAP of Old Town, O'NEIL of Saco, PATRICK of Rumford, PERRY of Bangor, SMITH of Van Buren.

Bill "An Act to Prohibit Cancellation of an Automobile Insurance Policy after an Accident Involving a Deer or Moose"

(H.P. 57) (L.D. 66)

Presented by Representative TESSIER of Fairfield.

Cosponsored by Senator MILLS of Somerset and Representatives: BUNKER of Kossuth Township, CLARK of Millinocket, DESMOND of Mapleton, DUGAY of Cherryfield, DUPLESSIE of Westbrook, GOODWIN of Pembroke, JONES of Greenville, RICHARD of Madison.

Bill "An Act to Allow Certified Insurance Counselors to Qualify as Risk Managers"

(H.P. 71) (L.D. 80)

Presented by Representative O'NEIL of Saco.

Bill "An Act to Further Encourage the Creation of Private Purchasing Alliances"

(H.P. 72) (L.D. 81)

Presented by Representative MAYO of Bath.

Cosponsored by Senator GOLDTHWAIT of Hancock and Representatives: DUDLEY of Portland, O'NEIL of Saco, RICHARDSON of Brunswick, SULLIVAN of Biddeford.

BUSINESS AND ECONOMIC DEVELOPMENT

Bill "An Act to Require That Elevators in Public Buildings be Large Enough to Accommodate Ambulance Stretchers"

(H.P. 56) (L.D. 65)

Presented by Representative BULL of Freeport.

Cosponsored by Representatives: ANDREWS of York, DUGAY of Cherryfield, DUPLESSIE of Westbrook, MacDOUGALL of North Berwick, RINES of Wiscasset, Senator: McALEVEY of York.

Bill "An Act to Permit the Sale of Motorcycles on Sunday"

(H.P. 59) (L.D. 68)

Presented by Representative ANDREWS of York.

Cosponsored by Representative ESTES of Kittery and Representatives: COLLINS of Wells, MURPHY of Berwick, WHEELER of Eliot, Senator: LEMONT of York.

CRIMINAL JUSTICE

Bill "An Act to Prohibit the Removal or Destruction of Street Signs"

(H.P. 35) (L.D. 44)

Presented by Representative HEIDRICH of Oxford.

Cosponsored by President Pro Tem BENNETT of Oxford and Representatives: JACOBS of Turner, JODREY of Bethel,

McKENNEY of Cumberland, ROSEN of Bucksport, SHERMAN of Hodgdon, TRAHAN of Waldoboro.

HEALTH AND HUMAN SERVICES

Bill "An Act to Clarify the Provision of Mental Health Services"

(H.P. 81) (L.D. 90)

Presented by Representative BROOKS of Winterport.

Cosponsored by Senator DAGGETT of Kennebec and Representatives: BAKER of Bangor, LORING of the Penobscot Nation, McKEE of Wayne, O'BRIEN of Augusta, QUINT of Portland, Senators: McALEVEY of York, SAWYER of Penobscot.

INLAND FISHERIES AND WILDLIFE

Bill "An Act to Limit the Number of Chances a Person Has in the Moose Lottery"

(H.P. 43) (L.D. 52)

Presented by Representative PERKINS of Penobscot.

Cosponsored by Representatives: BERRY of Belmont, PINKHAM of Lamoine.

Bill "An Act to Allow the Transfer of a Valid Turkey Permit to a Juvenile or Senior Citizen"

(H.P. 45) (L.D. 54)

Presented by Representative MURPHY of Berwick.

Cosponsored by Representative SCHNEIDER of Durham and Representatives: CHICK of Lebanon, MacDOUGALL of North Berwick, TUTTLE of Sanford, Senators: LEMONT of York, SAVAGE of Knox.

Bill "An Act to Provide an Extra Hunting Opportunity for Junior License Holders"

(H.P. 46) (L.D. 55)

Presented by Representative CHICK of Lebanon.

Cosponsored by Senator CARPENTER of York and Representatives: CLARK of Millinocket, COLLINS of Wells, DUNLAP of Old Town, JACOBS of Turner, STANLEY of Medway, USHER of Westbrook, VOLENIK of Brooklin, WHEELER of Bridgewater.

Bill "An Act to Expand the Lifetime Hunting License"

(H.P. 60) (L.D. 69)

Presented by Representative DUNLAP of Old Town.

Cosponsored by Senator MARTIN of Aroostook and Representatives: CLARK of Millinocket, McGLOCKLIN of Embden, PERKINS of Penobscot, TRACY of Rome, TRAHAN of Waldoboro, USHER of Westbrook, Senators: CARPENTER of York, KILKELLY of Lincoln.

Bill "An Act to Allow Bow Hunters to Take a Deer During Bow Hunting Season in Addition to the Deer Allowed During Firearm Season"

(H.P. 63) (L.D. 72)

Presented by Representative GAGNE of Buckfield.

Cosponsored by Representative MICHAUD of Fort Kent, Senator FERGUSON of Oxford and Representatives: CLARK of Millinocket, COTE of Lewiston, JACOBS of Turner, JONES of Greenville, WINSOR of Norway.

Resolve, Directing the Department of Inland Fisheries and Wildlife to Establish a Preference Point System for the Moose Lottery

(H.P. 66) (L.D. 75)

Presented by Representative DUNLAP of Old Town.
Cosponsored by Senator MARTIN of Aroostook and Representatives: BRYANT of Dixfield, CLARK of Millinocket, TRACY of Rome, Senator: CARPENTER of York.

Resolve, to Simplify the System of Licenses Issued by the Department of Inland Fisheries and Wildlife

(H.P. 67) (L.D. 76)

Presented by Representative DUNLAP of Old Town.
Cosponsored by Senator MARTIN of Aroostook and Representatives: BRYANT of Dixfield, CLARK of Millinocket, PERKINS of Penobscot, TRACY of Rome, Senator: CARPENTER of York.

Bill "An Act to Allow a Hunter a 2nd Deer During the Muzzle-loading Hunting Season"

(H.P. 68) (L.D. 77)

Presented by Representative McGLOCKLIN of Embden.
Cosponsored by Representative WATERHOUSE of Bridgton, Senator McALEVEY of York and Representatives: DUPLESSIE of Westbrook, JACOBS of Turner, TARAZEWICH of Waterboro, TRACY of Rome, TRAHAN of Waldoboro, USHER of Westbrook, Senator: MILLS of Somerset.

JUDICIARY

Bill "An Act to Provide the Right to a Jury Trial in Civil Actions for Civil Rights Violations"

(H.P. 47) (L.D. 56)

Presented by Representative SAVAGE of Buxton.
Cosponsored by Representatives: COWGER of Hallowell, DUNLAP of Old Town, DUPLESSIE of Westbrook, HAWES of Standish, LaVERDIERE of Wilton, PERRY of Bangor.

Bill "An Act Requiring Compensation for Loss of Property Value Due to State or Local Regulation"

(H.P. 76) (L.D. 85)

Presented by Representative GLYNN of South Portland.
Cosponsored by Representative: WATERHOUSE of Bridgton.

LABOR

Bill "An Act Relating to Employment Contracts"

(H.P. 32) (L.D. 41)

Presented by Representative BRYANT of Dixfield.
Cosponsored by President MICHAUD of Penobscot and Representatives: DUNLAP of Old Town, DUPLESSIE of Westbrook, HATCH of Skowhegan, PATRICK of Rumford, PINEAU of Jay, STANLEY of Medway.

Bill "An Act to Require That Certain Employees Be Paid on a Weekly Basis"

(H.P. 48) (L.D. 57)

Presented by Representative TWOMEY of Biddeford.
Cosponsored by Representatives: BRYANT of Dixfield, MATTHEWS of Winslow, VOLENIK of Brooklin, Senator: RAND of Cumberland.

Bill "An Act to Ban Permanent Replacement Workers in a Labor Dispute"

(H.P. 74) (L.D. 83)

Presented by Representative PINEAU of Jay.
Cosponsored by Senator EDMONDS of Cumberland and Representatives: BRYANT of Dixfield, DUNLAP of Old Town, DUPLESSIE of Westbrook, HATCH of Skowhegan, MATTHEWS of Winslow, PATRICK of Rumford, STANLEY of Medway.

Bill "An Act to Create a Uniform Standard Governing Legislative Leaves of Absence"

(H.P. 53) (L.D. 62)

Presented by Representative PERKINS of Penobscot.
Cosponsored by Representatives: BROOKS of Winterport, DUGAY of Cherryfield, PINKHAM of Lamoine.

Committee on LABOR suggested.

On motion of Representative MATTHEWS of Winslow, TABLED pending REFERENCE and later today assigned.

LEGAL AND VETERANS AFFAIRS

Bill "An Act to Prohibit a Liquor Licensee from Employing a Manager or Person in Charge if that Person has a Criminal Record"

(H.P. 39) (L.D. 48)

Presented by Representative LABRECQUE of Gorham.
Cosponsored by Senator McALEVEY of York and Representative: ANDREWS of York.

Bill "An Act to Increase the Penalty for Furnishing Liquor to a Minor if Injury or Death Results"

(H.P. 42) (L.D. 51)

Presented by Representative LaVERDIERE of Wilton.
Cosponsored by Representatives: ETNIER of Harpswell, KANE of Saco, LEMOINE of Old Orchard Beach, McDONOUGH of Portland, O'NEIL of Saco, QUINT of Portland, Senators: McALEVEY of York, RAND of Cumberland.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Increase the Number of Signatures Required on Direct Initiative Petitions

(H.P. 50) (L.D. 59)

Presented by Representative MAYO of Bath.
Cosponsored by Senator SHOREY of Washington, Senator NUTTING of Androscoggin and Representatives: BRUNO of Raymond, MURPHY of Berwick, TRAHAN of Waldoboro, Senator: McALEVEY of York.

Resolve, Authorizing Zelma Rudge to Sue the State

(H.P. 79) (L.D. 88)

Presented by Representative STANLEY of Medway.
Cosponsored by Representatives: BRYANT of Dixfield, DUGAY of Cherryfield, TRACY of Rome.

NATURAL RESOURCES

Resolve, to Create a Greenhouse Gas Registry

(H.P. 78) (L.D. 87)

Presented by Representative DAIGLE of Arundel.

Cosponsored by Senator MARTIN of Aroostook and Representatives: CLARK of Millinocket, COWGER of Hallowell, DUPLESSIE of Westbrook, TOBIN of Windham, TWOMEY of Biddeford, Senators: SAWYER of Penobscot, TREAT of Kennebec.

STATE AND LOCAL GOVERNMENT

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Direct Popular Election of the Attorney General

(H.P. 49) (L.D. 58)

Presented by Representative PERKINS of Penobscot.
Cosponsored by Representative MENDROS of Lewiston and Representatives: BERRY of Belmont, DUGAY of Cherryfield, PINKHAM of Lamoine, Senator: CARPENTER of York.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Eliminate the Ability of the Legislature to Pass Legislation Imposing Mandates on Municipalities

(H.P. 52) (L.D. 61)

Presented by Representative PERKINS of Penobscot.
Cosponsored by Representatives: BERRY of Belmont, DUGAY of Cherryfield, PINKHAM of Lamoine, Senator: CARPENTER of York.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide 4-year Terms for Senators and Members of the House of Representatives

(H.P. 54) (L.D. 63)

Presented by Representative LABRECQUE of Gorham.
Cosponsored by Representative: ANDREWS of York, Senator: McALEVEY of York.

Bill "An Act to Designate the Second Saturday in September as Youth Field Day"

(H.P. 61) (L.D. 70)

Presented by Representative DUNLAP of Old Town.
Cosponsored by Senator CARPENTER of York and Representatives: CLARK of Millinocket, McGLOCKLIN of Embden, PERKINS of Penobscot, SAVAGE of Buxton, Speaker SAXL of Portland, TRAHAN of Waldoboro, USHER of Westbrook, Senator: MARTIN of Aroostook.

TAXATION

Bill "An Act to Exempt Full-time Military Personnel from the State Income Tax"

(H.P. 44) (L.D. 53)

Presented by Representative CLARK of Millinocket.
Cosponsored by Senator DAVIS of Piscataquis and Representatives: BERRY of Belmont, BUNKER of Kossuth Township, CARR of Lincoln, DUNCAN of Presque Isle, DUNLAP of Old Town, GOODWIN of Pembroke, WHEELER of Bridgewater.

Bill "An Act to Increase the Veterans' Property Tax Exemption"

(H.P. 55) (L.D. 64)

Presented by Representative SCHNEIDER of Durham.
Cosponsored by Senator DAVIS of Piscataquis and Representatives: BRUNO of Raymond, COLLINS of Wells,

HEIDRICH of Oxford, MAYO of Bath, MORRISON of Baileyville, MURPHY of Berwick, NASS of Acton, SNOWE-MELLO of Poland.

Bill "An Act to Exempt Qualifying Snowmobile Trail Grooming Equipment From State Sales Tax"

(H.P. 62) (L.D. 71)

Presented by Representative CLARK of Millinocket.
Cosponsored by Senator KNEELAND of Aroostook and Representatives: BERRY of Belmont, BUNKER of Kossuth Township, CARR of Lincoln, DUNCAN of Presque Isle, DUNLAP of Old Town, HONEY of Boothbay, STANLEY of Medway, WHEELER of Bridgewater.

Bill "An Act to Exempt Merchandise That is Donated to a Nonprofit Organization from Use Tax"

(H.P. 64) (L.D. 73)

Presented by Representative LEMOINE of Old Orchard Beach.
Cosponsored by Senator LEMONT of York and Representatives: COLLINS of Wells, DUNLAP of Old Town, ESTES of Kittery, RICHARDSON of Brunswick.

Bill "An Act to Reinstate Tax Deductibility of Qualified Long-term Care Insurance"

(H.P. 70) (L.D. 79)

Presented by Representative KANE of Saco.
Cosponsored by Senator GAGNON of Kennebec and Representatives: FULLER of Manchester, LEMOINE of Old Orchard Beach, O'NEIL of Saco.

Bill "An Act to Allow Municipalities to Establish a Local Option Sales and Use Tax"

(H.P. 73) (L.D. 82)

Presented by Representative BULL of Freeport.
Cosponsored by Representatives NORBERT of Portland, PERRY of Bangor.

Bill "An Act to Exclude Antique Autos from Excise Tax"

(H.P. 77) (L.D. 86)

Presented by Representative BROOKS of Winterport.
Cosponsored by Senator McALEVEY of York and Representatives: BAKER of Bangor, COTE of Lewiston, COWGER of Hallowell, LORING of the Penobscot Nation, O'BRIEN of Augusta, POVICH of Ellsworth, QUINT of Portland.

Bill "An Act to Provide for Graduated Eligibility Requirements for the Elderly Low-cost Drug Program"

(H.P. 41) (L.D. 50)

Presented by Representative SAVAGE of Buxton.
Cosponsored by Senator MARTIN of Aroostook and Representatives: BERRY of Livermore, BRYANT of Dixfield, COLWELL of Gardiner, LaVERDIERE of Wilton, McGLOCKLIN of Embden, NORBERT of Portland, RICHARDSON of Brunswick, Speaker SAXL of Portland.

Committee on TAXATION suggested.

On motion of Representative GREEN of Monmouth, TABLED pending REFERENCE and later today assigned.

TRANSPORTATION

Bill "An Act to Prohibit the Collection of Tolls on the Maine Turnpike Over Labor Day Weekend"

(H.P. 36) (L.D. 45)

Presented by Representative MAYO of Bath.
Cosponsored by Senator McALEVEY of York and Representatives: ANDREWS of York, CLOUGH of Scarborough, COLLINS of Wells, HONEY of Boothbay, LOVETT of Scarborough, O'NEIL of Saco.

Bill "An Act to Allow Funeral Escort Vehicles in a Funeral Procession to be Equipped With Flashing Purple Lights"

(H.P. 37) (L.D. 46)

Presented by Representative MAYO of Bath.
Cosponsored by Senator SAVAGE of Knox and Representatives: BELANGER of Caribou, BUMPS of China, DUNCAN of Presque Isle, FULLER of Manchester, SCHNEIDER of Durham, TWOMEY of Biddeford.

Bill "An Act to Create an Emergency Medical Technician License Plate"

(H.P. 58) (L.D. 67)

Presented by Representative BULL of Freeport.
Cosponsored by Representatives: DUGAY of Cherryfield, DUPLESSIE of Westbrook.

Bill "An Act to List the Manufacturer's Suggested Retail Price on the Certificate of Title"

(H.P. 65) (L.D. 74)

Presented by Representative BELANGER of Caribou.
Cosponsored by Senator KNEELAND of Aroostook and Representatives: BOWLES of Sanford, CLARK of Millinocket, COLLINS of Wells, STANLEY of Medway, WHEELER of Bridgewater, Senators: FERGUSON of Oxford, SAVAGE of Knox.

Bill "An Act to Clarify the Authority of Counties and Municipalities to Restrict Travel Over Local Roads Based on Gross Registered Vehicle Weight"

(H.P. 69) (L.D. 78)

Presented by Representative PINEAU of Jay.
Cosponsored by Senator WOODCOCK of Franklin and Representatives: BRYANT of Dixfield, DORR of Camden, HUTTON of Bowdoinham, MARLEY of Portland, McLAUGHLIN of Cape Elizabeth, USHER of Westbrook.

Bill "An Act Regarding the Use of Lights and Sirens on Personal Vehicles Used by Volunteer Firefighters and EMS Personnel"

(H.P. 75) (L.D. 84)

Presented by Representative GLYNN of South Portland.

Bill "An Act Regarding Notice to the Secretary of State When a Motor Vehicle Insurance Policy is Cancelled"

(H.P. 82) (L.D. 91)

Presented by Representative BROOKS of Winterport.
Cosponsored by Representatives: ASH of Belfast, BAKER of Bangor, COWGER of Hallowell, LORING of the Penobscot Nation, POVICH of Ellsworth, QUINT of Portland, Senators: McALEVEY of York, PENDLETON of Cumberland.

Bill "An Act to Eliminate the Requirement That a Person Provide a Social Security Number for a Driver's License"

(H.P. 80) (L.D. 89)

Presented by Representative CLOUGH of Scarborough.
Cosponsored by Representative MURPHY of Berwick, Senator McALEVEY of York and Representatives: LABRECQUE of Gorham, SNOWE-MELLO of Poland, TRACY of Rome, TREADWELL of Carmel, TWOMEY of Biddeford, USHER of Westbrook, WESTON of Montville, Senator: O'GARA of Cumberland.

Committee on **TRANSPORTATION** suggested.

On motion of Representative FISHER of Brewer, **TABLED** pending **REFERENCE** and later today assigned.

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, January 4, 2001, 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 Expand Eligibility for the Veterans' Property Tax Exemption"

(H.P. 26) (L.D. 26)

(Committee on **TAXATION** suggested)

TABLED - January 4, 2001 (Till Later Today) by Representative GREEN of Monmouth.

PENDING - REFERENCE.

Subsequently, the Bill was **REFERRED** to the Committee on **TAXATION** and sent for concurrence.

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

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

SENATE PAPERS

Bill "An Act to Increase the Fine for Allowing a Dog to Roam at Large"

(S.P. 22) (L.D. 38)

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 Authorize a General Fund Bond Issue in the Amount of \$9,000,000 to Purchase School Buses for Public Schools"

(S.P. 23) (L.D. 39)

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 Rights of Parents and Other Family Members of Adults with Mental Retardation"
(S.P. 19) (L.D. 35)

Bill "An Act to Amend the Law Governing the Child Care Advisory Council and to Gather Data on Child Care Services in the State" (EMERGENCY)
(S.P. 21) (L.D. 37)

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 Designate the Maine Dirigo Tartan the Official State Tartan"
(S.P. 24) (L.D. 40)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.
REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Bill "An Act to Increase the Eligibility for the Elderly Low-cost Drug Program"
(S.P. 18) (L.D. 34)

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.

Bill "An Act to Exempt Income Derived from National Guard Service from the State Income Tax"
(S.P. 16) (L.D. 32)

Bill "An Act to Amend the Definition of "Commercial Agricultural Production" in the Laws Governing Taxation"
(S.P. 20) (L.D. 36)

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 Eliminate the Fee for Veterans Registration Plates"
(S.P. 14) (L.D. 31)

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

Bill "An Act to Lower In-state Phone Costs for Rural Maine"
(S.P. 17) (L.D. 33)

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.

ORDERS

On motion of Representative PERKINS of Penobscot, the following Joint Order: (H.P. 83)

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 304 by adding at the end a new paragraph to read:

After testimony has been offered in favor of and against a bill before the committee, the sponsor of that bill may either speak a final time or designate a witness to offer rebuttal testimony on behalf of the bill. The rebuttal testimony is limited to 5 minutes.

READ.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative PERKINS: Mr. Speaker, Men and Women of the House. This would just allow a rebuttal period. This way it is not the chairs who have discretion almost entirely in the order of presentation and testimony. I respect that and that makes a lot of sense except it came to light here last term. I had some constituents ask me to put a bill in. They did a lot of research on it. They came over and did a good job presenting their idea. I presented it for them, of course. They advocated for it and then the department came in against it. There was some other testimony against it. My constituents were whispering to me that that is false. I needed to correct that. After the opponents spoke, there was no chance. These people got left out of the process. There was no chance to rebut. What my intention was, was up to five minutes and then have that to be the discretion, but to at least give five minutes of rebuttal after the opponents have spoken. It just seems to make common sense. It is kind of a common practice in all of the courts of the land that I know of that are even more involved than this. I am not asking for that. Just one shot. Those people are still frustrated every time I talk to them. They never got a chance to rebut that. That is what this is about.

Representative O'NEIL of Saco moved that the Joint Order and all accompanying papers be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on his motion to **INDEFINITELY POSTPONE** the Joint Order and all accompanying papers.

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 O'Neil.

Representative O'NEIL: Mr. Speaker, Men and Women of the House. I respect the intentions of the good Representative from Penobscot. Having served on the Rules Committee, one of the overriding themes of what we tried to do was to streamline wherever possible the legislative process. While we didn't take up this particular proposal, my decision to move to Indefinitely Postpone rests upon the thinking that we legislators pretty much have the last word anyway whenever we have a work session. This would kind of fly in the face of the intent of the Rules Committee. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the

Joint Order and all Accompanying Papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 2

YEA - Annis, Ash, Baker, Berry RL, Blanchette, Bliss, Brannigan, Brooks, Bryant, Bull, Bunker, Canavan, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Cummings, Daigle, Desmond, Dorr, Dudley, Dugay, Dunlap, Duplessie, Ethier, Fisher, Gagne, Gerzofsky, Goodwin, Green, Hall, Hatch, Hutton, Jacobs, Jones, Koffman, Landry, LaVerdiere, Lemoine, Lundeen, Mailhot, Marley, Marrache, Matthews, Mayo, McDonough, McGowan, McKee, Michaud, Mitchell, Murphy E, Muse C, Norbert, Norton, O'Brien LL, O'Neil, Paradis, Patrick, Perry, Pineau, Povich, Richard, Richardson, Rines, Savage, Simpson, Smith, Stanley, Tessier, Thomas, Tobin J, Tuttle, Usher, Watson, Wheeler GJ, Mr. Speaker.

NAY - Andrews, Belanger, Berry DP, Bouffard, Bowles, Bruno, Bumps, Carr, Chase, Clough, Collins, Crabtree, Cressey, Davis, Duncan, Duprey, Foster, Fuller, Glynn, Gooley, Haskell, Hawes, Heidrich, Honey, Jodrey, Kasprzak, Labrecque, Laverriere-Boucher, Ledwin, Lessard, Lovett, MacDougall, Madore, McGlocklin, McKenney, McLaughlin, McNeil, Mendros, Morrison, Murphy T, Muse K, Nass, Nutting, O'Brien JA, Peavey, Perkins, Pinkham, Rosen, Schneider, Sherman, Shields, Skoglund, Snowe-Mello, Stedman, Tarazewich, Tobin D, Tracy, Trahan, Treadwell, Twomey, Volenik, Waterhouse, Weston, Wheeler EM, Winsor, Young.

ABSENT - Bagley, Buck, Estes, Kane, Michael, Quint, Sullivan.

Yes, 78; No, 66; Absent, 7; Excused, 0.

78 having voted in the affirmative and 66 voted in the negative, with 7 being absent, and accordingly the Joint Order and all accompanying papers were **INDEFINITELY POSTPONED**.

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

On motion of Representative LANDRY of Patten, the House adjourned at 11:13 a.m., until 10:00 a.m., Thursday, January 11, 2001 in honor and lasting tribute to Vernard C. Crockett III, of Patten Pond and Ron Hanson, of Winthrop.