

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
18th Legislative Day
Monday, March 5, 2001

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

Prayer by Father Gilbert Patenaude, Augusta (retired).

Pledge of Allegiance.

The Journal of Wednesday, February 28, 2001 was read and approved.

SENATE PAPERS

Bill "An Act to Prohibit Negative Option Sales Without a Consumer's Express Agreement"

(S.P. 324) (L.D. 1092)

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

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

Bill "An Act to Expand the Use of Tobacco Settlement Funds to Support Existing School-based Health Centers"

(S.P. 325) (L.D. 1093)

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** 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 Ensure Independent Decision Making in Appeals of Denials of Abatement of Property Taxes"

(S.P. 307) (L.D. 1054)

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.

Non-Concurrent Matter

Bill "An Act to Ensure that Parents of Children Prescribed Psychotropic Drugs Receive Adequate Information"

(H.P. 818) (L.D. 1072)

REFERRED to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in the House on February 22, 2001.

Came from the Senate **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act to Create a State Program for the Testing of Marine Dredge Spoils and Disposal of Contaminated Spoils"

(H.P. 792) (L.D. 1036)

REFERRED to the Committee on **MARINE RESOURCES** and the Committee on **NATURAL RESOURCES** in the House on February 22, 2001.

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

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

COMMUNICATIONS

The Following Communication: (H.C. 72)

STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

February 27, 2001

Honorable Michael V. Saxl

Speaker of the House

2 State House Station

Augusta, Maine 04333

Re: Petroleum Market Share Act/Annual Report to the Legislature

Dear Speaker Saxl:

Enclosed, in accordance with the provisions of 10 M.R.S.A. § 1677, is the Attorney General's Annual Report to the Legislature concerning levels of concentration in Maine's retail petroleum markets.

Thank you for your consideration of these materials; please do not hesitate to call if you should have any questions in this regard.

Sincerely,

S/Francis Ackerman

Chief, Public Protection Division

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

The Following Communication: (H.C. 73)

STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

February 23, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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. 182 An Act to Award High School Degrees to Certain Members of the Armed Services

L.D. 282 An Act to Award High School Diplomas to World War II Veterans

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

Sincerely,

S/Sen. Betty Lou Mitchell

Senate Chair

S/Rep. Shirley K. Richard

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 74)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

February 23, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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. 4 An Act to Ban Steel Leg-hold Traps
- L.D. 104 An Act to Provide Free Antlerless Deer Permits to Hunters 70 Years of Age or Older

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

Sincerely,

S/Sen. David L. Carpenter

Senate Chair

S/Rep. Matthew Dunlap

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 75)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON LABOR**

February 23, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

- L.D. 41 An Act Relating to Employment Contracts
- L.D. 538 An Act to Require a Recommendation from a Physician Before Being Eligible for Disability Benefits

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

Sincerely,

S/Sen. Betheda G. Edmonds

Senate Chair

S/Rep. Zachary E. Matthews

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 76)

STATE OF MAINE

**ONE HUNDRED AND TWENTIETH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

February 23, 2001

Honorable Michael H. Michaud, President of the Senate

Honorable Michael V. Saxl, Speaker of the House

120th Maine Legislature

State House

Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

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

- L.D. 78 An Act to Clarify the Authority of Counties and Municipalities to Restrict Travel Over Local Roads Based on Gross Registered Vehicle Weight
- L.D. 95 An Act to Prohibit the Use of Handheld Devices While Operating a Motor Vehicle
- L.D. 114 Resolve, Requiring that the Waldo-Hancock Bridge be Replaced
- L.D. 155 Resolve, Requiring the State to Reimburse Towns for the Construction of Salt and Sand Storage Facilities

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

Sincerely,

S/Sen. Christine R. Savage

Senate Chair

S/Rep. Charles D. Fisher

House Chair

READ and ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

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

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act to Establish the Dairy Industry Fund" (EMERGENCY)

(H.P. 1022) (L.D. 1371)

Presented by Representative WESTON of Montville.

Cosponsored by Senator KILKELLY of Lincoln and Representatives: BUMPS of China, CARR of Lincoln, GREEN of Monmouth, McKEE of Wayne, STANLEY of Medway, TESSIER of Fairfield, Senators: KNEELAND of Aroostook, MILLS of Somerset.

Bill "An Act to Require State Parks to Honor the Golden Access Passport"

(H.P. 1061) (L.D. 1424)

Presented by Representative SNOWE-MELLO of Poland.

Cosponsored by Senator YOUNGBLOOD of Penobscot and Representatives: CLARK of Millinocket, ETNIER of Harpswell, FOSTER of Gray, GERZOFKY of Brunswick, GOOLEY of Farmington, JODREY of Bethel, RINES of Wiscasset, Senator: SMALL of Sagadahoc.

Bill "An Act to Establish a Fund for Marketing and Improvements in Agricultural Fairs"

(H.P. 1062) (L.D. 1425)

Presented by Representative WINSOR of Norway.
Cosponsored by Representatives: CHIZMAR of Lisbon, LABRECQUE of Gorham.

Bill "An Act to Allow the Purchase of Rabies Vaccine by Livestock Farmers"

(H.P. 1063) (L.D. 1426)

Presented by Representative HALL of Bristol.
Cosponsored by Representatives: PATRICK of Rumford, SAVAGE of Buxton.

Bill "An Act to Require Licensing of Domestic Cats"

(H.P. 1072) (L.D. 1435)

Presented by Representative LAVERRIERE-BOUCHER of Biddeford.
Cosponsored by Representatives: BROOKS of Winterport, DUDLEY of Portland, LOVETT of Scarborough, Senator: TURNER of Cumberland.

Bill "An Act to Provide for Public Access to Fish, Game and Wildlife Resources"

(H.P. 1056) (L.D. 1419)

Presented by Representative DUNLAP of Old Town.
Cosponsored by Representatives: CARR of Lincoln, LaVERDIERE of Wilton, THOMAS of Orono, USHER of Westbrook, Senators: CARPENTER of York, KILKELLY of Lincoln, WOODCOCK of Franklin.

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

On motion of Representative PINEAU of Jay, **TABLED** pending **REFERENCE** and later today assigned.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act to Establish the Maine Research and Development Evaluation Fund"

(H.P. 988) (L.D. 1325)

Presented by Representative NASS of Acton.
Cosponsored by Representative TESSIER of Fairfield, Senator GOLDTHWAIT of Hancock and Representatives: BRUNO of Raymond, SCHNEIDER of Durham, Senators: President Pro Tem BENNETT of Oxford, CATHCART of Penobscot.

Bill "An Act to Appropriate Funds for Special Testing at the Norridgewock Landfill" (EMERGENCY)

(H.P. 1001) (L.D. 1338)

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

Resolve, to Amend Certain Dates for the Issuance of Bonds (EMERGENCY)

(H.P. 1002) (L.D. 1339)

Presented by Representative MAILHOT of Lewiston.
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: BOUFFARD of Lewiston, BOWLES of Sanford,

CHICK of Lebanon, NASS of Acton, O'BRIEN of Lewiston, SHIELDS of Auburn, TUTTLE of Sanford, Senator: CARPENTER of York.

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

Bill "An Act to Provide Funding for Low-barrier Homeless Teen Shelters"

(H.P. 1016) (L.D. 1365)

Presented by Representative McNEIL of Rockland.
Cosponsored by Senator SAVAGE of Knox and Representatives: ASH of Belfast, BERRY of Belmont, CRABTREE of Hope, DORR of Camden, SKOGLUND of St. George, TRAHAN of Waldoboro, WESTON of Montville, Senator: KILKELLY of Lincoln.

Bill "An Act to Renew the New Century Program"

(H.P. 1070) (L.D. 1433)

Presented by Speaker SAXL of Portland.
Under suspension of the rules, cosponsored by President MICHAUD of Penobscot and Representatives: BAKER of Bangor, BERRY of Livermore, BRUNO of Raymond, COLWELL of Gardiner, RICHARD of Madison, Senators: President Pro Tem BENNETT of Oxford, GOLDTHWAIT of Hancock, MITCHELL of Penobscot, SMALL of Sagadahoc.

BANKING AND INSURANCE

Bill "An Act to Provide Health Insurance to Uninsured Maine Residents"

(H.P. 1043) (L.D. 1400)

Presented by Representative PERKINS of Penobscot.
Cosponsored by Senator KILKELLY of Lincoln and Representatives: BELANGER of Caribou, DUGAY of Cherryfield, FULLER of Manchester, MAYO of Bath, McGLOCKLIN of Embden, MITCHELL of Vassalboro, SAVAGE of Buxton, Senator: CARPENTER of York.

BUSINESS AND ECONOMIC DEVELOPMENT

Bill "An Act to Transfer Oversight of Geologists to the Bureau of Geology and Natural Areas"

(H.P. 1012) (L.D. 1349)

Presented by Representative DUPLESSIE of Westbrook.
Cosponsored by Senator TREAT of Kennebec, Senator WOODCOCK of Franklin and Representatives: COLWELL of Gardiner, COWGER of Hallowell, DAIGLE of Arundel, DORR of Camden, GOOLEY of Farmington, KOFFMAN of Bar Harbor, MICHAUD of Fort Kent.

Bill "An Act Providing for the Licensure of Ophthalmic Dispensing"

(H.P. 1050) (L.D. 1407)

Presented by Representative MURPHY of Kennebunk.
Cosponsored by Representatives: CRESSEY of Baldwin, DUGAY of Cherryfield, McNEIL of Rockland.

Bill "An Act to Consolidate the Laws Regulating Transient Sellers and Door-to-door Home Repair Transient Sellers"

(H.P. 981) (L.D. 1305)

Presented by Representative CLOUGH of Scarborough.
Cosponsored by Senator SHOREY of Washington and Representatives: DORR of Camden, HATCH of Skowhegan, MICHAUD of Fort Kent, MURPHY of Kennebunk, THOMAS of Orono.

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

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative MICHAUD of Fort Kent, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Adopt the Uniform Computer Information Transactions Act"

(H.P. 987) (L.D. 1324)

Presented by Representative SAVAGE of Buxton.
Cosponsored by Representatives: COLWELL of Gardiner, HALL of Bristol.

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative MICHAUD of Fort Kent, **TABLED** pending **REFERENCE** and later today assigned.

CRIMINAL JUSTICE

Resolve, Establishing the Commission to Examine the Maine Correctional Institute (EMERGENCY)

(H.P. 993) (L.D. 1330)

Presented by Representative SKOGLUND of St. George.
Cosponsored by President MICHAUD of Penobscot and Representatives: BERRY of Livermore, CANAVAN of Waterville, DORR of Camden, FULLER of Manchester, McGLOCKLIN of Embden, MITCHELL of Vassalboro, Speaker SAXL of Portland, WATERHOUSE of Bridgton.

Bill "An Act to Increase the Penalties for Criminal Speeding and Operating After Suspension"

(H.P. 1006) (L.D. 1343)

Presented by Representative BAKER of Bangor. (BY REQUEST)
Cosponsored by Senator LEMONT of York and Representatives: BROOKS of Winterport, McDONOUGH of Portland, WHEELER of Bridgewater, WHEELER of Eliot, Senators: FERGUSON of Oxford, McALEVEY of York, MITCHELL of Penobscot, SAVAGE of Knox.

Bill "An Act to Reduce the Risks Posed by Intoxicated Persons Under Arrest"

(H.P. 1019) (L.D. 1368)

Presented by Representative DUDLEY of Portland.
Cosponsored by Senator ABROMSON of Cumberland and Representatives: BULL of Freeport, DAVIS of Falmouth, GREEN of Monmouth, MENDROS of Lewiston, MITCHELL of Vassalboro, QUINT of Portland, TARAZEWICH of Waterboro.

Bill "An Act to Require the State to Post the Name, Picture and Location of an Individual who is Convicted of a Child Sex Crime"

(H.P. 1040) (L.D. 1397)

Presented by Representative MATTHEWS of Winslow.

Bill "An Act to Amend the Law Regarding the Release of the Identity of Certain Juveniles Accused of Crimes"

(H.P. 1060) (L.D. 1423)

Presented by Representative BUMPS of China.

Bill "An Act to Encourage Greater Acquisition, Deployment and Use of Automated External Defibrillators"

(H.P. 1069) (L.D. 1432)

Presented by Representative BUMPS of China.
Cosponsored by Representatives: BULL of Freeport, TUTTLE of Sanford.

Bill "An Act to Amend the Maine Criminal Code to Reduce the Incentive to Commit Theft"

(H.P. 1071) (L.D. 1434)

Presented by Representative MURPHY of Kennebunk.
Cosponsored by Representatives: BUCK of Yarmouth, GOOLEY of Farmington, MADORE of Augusta, MURPHY of Berwick, ROSEN of Bucksport, SNOWE-MELLO of Poland, Senators: LEMONT of York, SAWYER of Penobscot.

Bill "An Act to Make Adultery Illegal"

(H.P. 1074) (L.D. 1443)

Presented by Representative KASPRZAK of Newport.
Cosponsored by Representatives: DUPREY of Hampden, SNOWE-MELLO of Poland.

Bill "An Act Creating Offenses Against Unborn Children"

(H.P. 1049) (L.D. 1406)

Presented by Representative ANDREWS of York.
Cosponsored by Representatives: CRESSEY of Baldwin, KASPRZAK of Newport, MENDROS of Lewiston and Representatives: DESMOND of Mapleton, GLYNN of South Portland, LOVETT of Scarborough, MURPHY of Berwick, SNOWE-MELLO of Poland, STEDMAN of Hartland, WESTON of Montville.

Committee on **CRIMINAL JUSTICE** suggested.

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

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act to Permit the Submission of Citizens' Initiatives and Citizens' Vetoes to School Districts"

(H.P. 1004) (L.D. 1341)

Presented by Representative GLYNN of South Portland.
Cosponsored by Representatives: ANDREWS of York, SKOGLUND of St. George, SNOWE-MELLO of Poland.

Bill "An Act to Reinstate the Cost-of-living Factor in the School Funding Formula"

(H.P. 1033) (L.D. 1390)

Presented by Representative ANDREWS of York.
Cosponsored by Senator LEMONT of York and Representatives: BUCK of Yarmouth, COLLINS of Wells, CUMMINGS of Portland, ESTES of Kittery, GLYNN of South Portland, LOVETT of

Scarborough, McKENNEY of Cumberland, MURPHY of Kennebunk.

Bill "An Act to Enhance the Professional Skills of Maine's Educational Technicians"

(H.P. 1036) (L.D. 1393)

Presented by Representative MATTHEWS of Winslow.

Resolve, to Establish the Task Force on School Governance (EMERGENCY)

(H.P. 1046) (L.D. 1403)

Presented by Representative ROSEN of Bucksport.

Cosponsored by Senator TURNER of Cumberland and Representatives: CUMMINGS of Portland, DESMOND of Mapleton, ESTES of Kittery, RICHARD of Madison, STEDMAN of Hartland, TARAZEWICH of Waterboro, WESTON of Montville, Senator: MITCHELL of Penobscot.

HEALTH AND HUMAN SERVICES

Bill "An Act to Create the Maine Health Data Processing Center"

(H.P. 980) (L.D. 1304)

Presented by Representative FULLER of Manchester.

Cosponsored by Senator RAND of Cumberland and Representatives: DUDLEY of Portland, Speaker SAXL of Portland, SHIELDS of Auburn, Senator: MARTIN of Aroostook. Submitted by the Maine Health Data Organization pursuant to Joint Rule 204.

Resolve, Establishing the Blue Ribbon Commission to Review Foster Care and Adoption Systems in the State

(H.P. 1007) (L.D. 1344)

Presented by Representative MacDOUGALL of North Berwick.

Cosponsored by Senator LEMONT of York and Representatives: COLLINS of Wells, CRESSEY of Baldwin, FOSTER of Gray, MENDROS of Lewiston, SHIELDS of Auburn, SNOWE-MELLO of Poland, TRAHAN of Waldoboro, TREADWELL of Carmel.

Resolve, to Establish the Legislative Task Force to Make Legislative and Policy Recommendations to Strengthen Consumer Protection and Quality Outcomes for All In-home and Home Health Care Services

(H.P. 1008) (L.D. 1345)

Presented by Representative RICHARDSON of Brunswick.

Resolve, to Establish a Commission to Study the Health Care Workforce Shortage

(H.P. 1009) (L.D. 1346)

Presented by Representative FULLER of Manchester.

Cosponsored by Senator PENDLETON of Cumberland and Representatives: ANDREWS of York, DUDLEY of Portland, NUTTING of Oakland, SHIELDS of Auburn, TWOMEY of Biddeford, Senator: MITCHELL of Penobscot.

Resolve, to Ensure Access to Care for Breast and Cervical Cancer for Medicaid Recipients

(H.P. 1018) (L.D. 1367)

Presented by Speaker SAXL of Portland.

Cosponsored by Senator CATHCART of Penobscot and Representatives: BAKER of Bangor, BLANCHETTE of Bangor, FULLER of Manchester, LAVERRIERE-BOUCHER of Biddeford,

LOVETT of Scarborough, O'BRIEN of Augusta, WATSON of Farmingdale, Senator: EDMONDS of Cumberland.

Bill "An Act to Make Active Public Health Investigation Records Confidential"

(H.P. 1027) (L.D. 1384)

Presented by Representative FULLER of Manchester.

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

Bill "An Act Relating to Low-cost Prescription Drugs"

(H.P. 1029) (L.D. 1386)

Presented by Representative MICHAEL of Auburn.

Cosponsored by Representatives: MENDROS of Lewiston, SNOWE-MELLO of Poland, WATERHOUSE of Bridgton.

Bill "An Act to Amend the Health Care Facility Immunization Laws"

(H.P. 1044) (L.D. 1401)

Presented by Representative KANE of Saco.

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

Bill "An Act to Amend the Membership of the Substance Abuse Services Commission"

(H.P. 1054) (L.D. 1417)

Presented by Representative BROOKS of Winterport.

Cosponsored by Senator MITCHELL of Penobscot and Representatives: DUDLEY of Portland, DUGAY of Cherryfield, NUTTING of Oakland.

Submitted by the Department of Mental Health, Mental Retardation and Substance Abuse Services pursuant to Joint Rule 204.

Resolve, to Establish a Commission to Examine Methods to Ensure the Safety of Children and Families

(H.P. 1068) (L.D. 1431)

Presented by Representative MENDROS of Lewiston.

Cosponsored by Senator SAWYER of Penobscot and Representatives: CRESSEY of Baldwin, DUDLEY of Portland, MADORE of Augusta, O'NEIL of Saco, SHERMAN of Hodgdon, SHIELDS of Auburn, SNOWE-MELLO of Poland, Senator: FERGUSON of Oxford.

Bill "An Act to Restrict the Issuance of Recreational Licenses for Nonpayment of Child Support"

(H.P. 1010) (L.D. 1347)

Presented by Representative TRACY of Rome.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

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

Bill "An Act to Decrease the Length of Time a Person Has to Make Child Support Payments Before Being Considered Not In Compliance"

(H.P. 1015) (L.D. 1364)

Presented by Representative McNEIL of Rockland.

Cosponsored by Senator O'GARA of Cumberland and Representatives: BAKER of Bangor, COLLINS of Wells, JACOBS of Turner, MARLEY of Portland, O'BRIEN of Augusta, WESTON of Montville, Senators: GOLDTHWAIT of Hancock, SAVAGE of Knox.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

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

Bill "An Act to Ensure Safety and Health Standards in Outpatient Medical or Surgical Facilities"

(H.P. 1034) (L.D. 1391)

Presented by Representative KASPRZAK of Newport.
Cosponsored by Representatives: CARR of Lincoln, DUPREY of Hampden, GLYNN of South Portland, MADORE of Augusta, MENDROS of Lewiston, SNOWE-MELLO of Poland, STANLEY of Medway, WATERHOUSE of Bridgton.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

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

INLAND FISHERIES AND WILDLIFE

Bill "An Act to Authorize the Commissioner of Inland Fisheries and Wildlife to Extend the Deer Hunting Season"

(H.P. 1055) (L.D. 1418)

Presented by Representative DUNLAP of Old Town.
Cosponsored by Senator KILKELLY of Lincoln and Representatives: CHICK of Lebanon, CLARK of Millinocket, HONEY of Boothbay, THOMAS of Orono, USHER of Westbrook, Senators: CARPENTER of York, WOODCOCK of Franklin.

Bill "An Act to Create an Antlerless Deer Hunting License"

(H.P. 1058) (L.D. 1421)

Presented by Representative MENDROS of Lewiston.
Cosponsored by Senator WOODCOCK of Franklin and Representatives: CRESSEY of Baldwin, DUGAY of Cherryfield, DUNLAP of Old Town, JODREY of Bethel, MacDOUGALL of North Berwick, McGLOCKLIN of Embden, McKENNEY of Cumberland, MICHAEL of Auburn.

Bill "An Act to Allow Hunters to Transfer an Antlerless Deer Permit"

(H.P. 1059) (L.D. 1422)

Presented by Representative MENDROS of Lewiston.
Cosponsored by Senator LEMONT of York and Representatives: BERRY of Belmont, DUNLAP of Old Town, MacDOUGALL of North Berwick, McGLOCKLIN of Embden, MICHAEL of Auburn, PERKINS of Penobscot, USHER of Westbrook, Senator: WOODCOCK of Franklin.

JUDICIARY

Bill "An Act Concerning Responsibilities of Conservators for Persons With Disability and Minors"

(H.P. 1017) (L.D. 1366)

Presented by Representative BERRY of Belmont.

Cosponsored by Senator PENDLETON of Cumberland and Representatives: FOSTER of Gray, LOVETT of Scarborough, MacDOUGALL of North Berwick, MURPHY of Berwick, PEAVEY of Woolwich, WESTON of Montville, Senator: SAVAGE of Knox.

Bill "An Act to Encourage and Support a Mother's Decision to Breast-feed in this State"

(H.P. 1039) (L.D. 1396)

Presented by Representative SIMPSON of Auburn.
Cosponsored by Senator CATHCART of Penobscot and Representatives: BULL of Freeport, DORR of Camden, JACOBS of Turner, McLAUGHLIN of Cape Elizabeth, MITCHELL of Vassalboro, O'BRIEN of Lewiston, Senators: DOUGLASS of Androscoggin, FERGUSON of Oxford.

Bill "An Act to Encourage Joint Child Rearing Between Divorced Parents"

(H.P. 1048) (L.D. 1405)

Presented by Representative DORR of Camden.
Cosponsored by Representatives: CUMMINGS of Portland, JACOBS of Turner, McKEE of Wayne, TESSIER of Fairfield.

Bill "An Act to Protect Parents from Undue Influence in Child Protective Actions"

(H.P. 1081) (L.D. 1450)

Presented by Representative MENDROS of Lewiston.
Cosponsored by Senator FERGUSON of Oxford and Representatives: CRESSEY of Baldwin, DUGAY of Cherryfield, MADORE of Augusta, McKENNEY of Cumberland, SHERMAN of Hodgdon, SNOWE-MELLO of Poland.

Bill "An Act to Amend the Laws that Govern Property that is Exempt from Attachment and Execution"

(H.P. 1084) (L.D. 1453)

Presented by Representative SMITH of Van Buren.
Cosponsored by Senator MARTIN of Aroostook and Representatives: DUDLEY of Portland, HUTTON of Bowdoinham, TARAZEWICH of Waterboro.

LABOR

Bill "An Act to Support Continued Operation of the Workers' Compensation Board" (EMERGENCY)

(H.P. 989) (L.D. 1326)

Presented by Representative MATTHEWS of Winslow.
Cosponsored by Senator EDMONDS of Cumberland and Representatives: HUTTON of Bowdoinham, TARAZEWICH of Waterboro.

Bill "An Act to Improve Retirement Benefits for Marine Patrol Officers"

(H.P. 995) (L.D. 1332)

Presented by Representative ETNIER of Harpswell.
Cosponsored by Senator GOLDTHWAIT of Hancock and Representatives: BERRY of Livermore, HONEY of Boothbay, LEMOINE of Old Orchard Beach, MAILHOT of Lewiston, Senators: DAVIS of Piscataquis, EDMONDS of Cumberland, LEMONT of York, SMALL of Sagadahoc.

Bill "An Act to Clarify the Employment Status of Owner-operators in the Trucking Industry"

(H.P. 998) (L.D. 1335)

Presented by Representative TREADWELL of Carmel.
Cosponsored by Senator SAWYER of Penobscot and Representatives: DAVIS of Falmouth, MacDOUGALL of North Berwick.

Bill "An Act to Prohibit the Use of State Funds by Health Care Providers to Influence Union Organizing"

(H.P. 1037) (L.D. 1394)

Presented by Representative MATTHEWS of Winslow.

Bill "An Act to Improve Working Conditions for Migrant Workers"

(H.P. 1038) (L.D. 1395)

Presented by Representative MATTHEWS of Winslow.

Bill "An Act to Prioritize Access to Training Under the Workforce Investment Act of 1998"

(H.P. 1042) (L.D. 1399)

Presented by Representative MATTHEWS of Winslow.

Bill "An Act to Require Employers to Offer Benefits to Cohabitants of Employees"

(H.P. 1057) (L.D. 1420)

Presented by Representative MENDROS of Lewiston.
Cosponsored by Representatives: BERRY of Belmont, CRESSEY of Baldwin, JODREY of Bethel, KASPRZAK of Newport, MacDOUGALL of North Berwick, MICHAEL of Auburn, SNOWE-MELLO of Poland.

Bill "An Act to Provide Equity in the Retirement Plans for State Law Enforcement Officers and Prison Guards"

(H.P. 1073) (L.D. 1436)

Presented by Representative DUNLAP of Old Town.
Cosponsored by Representatives: CHICK of Lebanon, CLARK of Millinocket, HONEY of Boothbay, USHER of Westbrook, Senators: CARPENTER of York, KILKELLY of Lincoln.

Bill "An Act to Clarify and Update the Security Requirements for Employers Self-insured for Workers' Compensation Liabilities"

(H.P. 1045) (L.D. 1402)

Presented by Representative MATTHEWS of Winslow.
Cosponsored by Senator EDMONDS of Cumberland and Representatives: O'NEIL of Saco, SULLIVAN of Biddeford, Senators: DOUGLASS of Androscoggin, LaFOUNTAIN of York, SAWYER of Penobscot.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Committee on LABOR suggested.

On motion of Representative HUTTON of Bowdoinham, **TABLED** pending **REFERENCE** and later today assigned.

LEGAL AND VETERANS AFFAIRS

Bill "An Act to Change the Status of the Discount State Liquor Store in Calais"

(H.P. 984) (L.D. 1321)

Presented by Representative MORRISON of Baileyville.
Cosponsored by Representatives: DUGAY of Cherryfield, GOODWIN of Pembroke.

Bill "An Act to Shorten the Period in which the Bureau of Liquor Enforcement Acts on Appeals"

(H.P. 986) (L.D. 1323)

Presented by Representative DUPLESSIE of Westbrook.
Cosponsored by Representatives: CHIZMAR of Lisbon, TUTTLE of Sanford, USHER of Westbrook.

Bill "An Act to Hold Petition Circulators to the Same Standards as Political Candidates"

(H.P. 1000) (L.D. 1337)

Presented by Representative LaVERDIERE of Wilton.
(GOVERNOR'S BILL)

Cosponsored by Senator KILKELLY of Lincoln and Representatives: CARR of Lincoln, ESTES of Kittery, ETNIER of Harpswell, MAYO of Bath, O'NEIL of Saco, SHERMAN of Hodgdon, Senators: KNEELAND of Aroostook, PENDLETON of Cumberland.

Bill "An Act to Hold an Advisory Referendum on Term Limits"

(H.P. 1003) (L.D. 1340)

Presented by Representative TUTTLE of Sanford.
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: BERRY of Livermore, BLANCHETTE of Bangor, BLISS of South Portland, CHIZMAR of Lisbon, HALL of Bristol, HUTTON of Bowdoinham, MITCHELL of Vassalboro, O'BRIEN of Lewiston.

Bill "An Act to Amend the Laws Regarding Investigations by the Commission on Governmental Ethics and Election Practices"

(H.P. 1020) (L.D. 1369)

Presented by Representative CANAVAN of Waterville.
Cosponsored by Senator BROMLEY of Cumberland and Representatives: CRESSEY of Baldwin, DUDLEY of Portland, HUTTON of Bowdoinham, MORRISON of Baileyville, TUTTLE of Sanford, Senator: DAGGETT of Kennebec.

Bill "An Act to Amend the Laws Governing Lobbyists and the Laws Administered by the Commission on Governmental Ethics and Election Practices"

(H.P. 1024) (L.D. 1373)

Presented by Representative CANAVAN of Waterville.

Resolve, to Study the Various Types of Ballots Used in the State

(H.P. 1032) (L.D. 1389)

Presented by Representative MICHAEL of Auburn.
Cosponsored by Representatives: MENDROS of Lewiston, SNOWE-MELLO of Poland.

Bill "An Act to Amend the Laws Regarding Harness Racing"

(H.P. 1052) (L.D. 1415)

Presented by Representative CHIZMAR of Lisbon.
Cosponsored by Senator KNEELAND of Aroostook and Representatives: BLANCHETTE of Bangor, COTE of Lewiston, DUNCAN of Presque Isle, HEIDRICH of Oxford, MAYO of Bath, Senator: SAWYER of Penobscot.

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

Bill "An Act to Require Political Workers to Wear Name Tags and to Identify Themselves as Political Workers"
(H.P. 1077) (L.D. 1446)
Presented by Representative MICHAEL of Auburn.
Cosponsored by Representative: MENDROS of Lewiston.

Bill "An Act to Protect Off-track Betting Facilities"
(H.P. 1078) (L.D. 1447)
Presented by Representative MENDROS of Lewiston.
Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: CRESSEY of Baldwin, DUGAY of Cherryfield, MICHAEL of Auburn, SHIELDS of Auburn, Senator: NUTTING of Androscoggin.

MARINE RESOURCES

Resolve, to Allow Coastal Municipalities to Regulate the Use of Personal Watercraft

(H.P. 990) (L.D. 1327)
Presented by Representative BULL of Freeport.
Cosponsored by Senator EDMONDS of Cumberland and Representatives: ETNIER of Harpswell, HONEY of Boothbay, KOFFMAN of Bar Harbor, SULLIVAN of Biddeford, VOLENIK of Brooklin, Senator: GOLDTHWAIT of Hancock.

Bill "An Act to Modify Municipal Shellfish Ordinances"
(H.P. 997) (L.D. 1334)
Presented by Representative ETNIER of Harpswell.
Cosponsored by Representative: BULL of Freeport.

Bill "An Act to Establish a Buffer Zone for Aquaculture Leases for Mussels" (EMERGENCY)
(H.P. 1023) (L.D. 1372)
Presented by Representative BAGLEY of Machias.
Cosponsored by Representatives: BUNKER of Kossuth Township, DUGAY of Cherryfield, ETNIER of Harpswell, GOODWIN of Pembroke.

Bill "An Act to Create the Maine Soft-shell Clam Advisory Council"
(H.P. 1025) (L.D. 1374)
Presented by Representative ETNIER of Harpswell.
Cosponsored by Senator SMALL of Sagadahoc.

Bill "An Act to Set the Mussel Size Limit"
(H.P. 1035) (L.D. 1392)
Presented by Representative HONEY of Boothbay.
Cosponsored by Representative BAGLEY of Machias and Representatives: BUNKER of Kossuth Township, DUGAY of Cherryfield, GOODWIN of Pembroke, McNEIL of Rockland, PINKHAM of Lamoine.

Bill "An Act to Amend the Aquaculture Leasing Law" (EMERGENCY)
(H.P. 1065) (L.D. 1428)
Presented by Representative PERKINS of Penobscot. (BY REQUEST)

Cosponsored by Representatives: PINKHAM of Lamoine, VOLENIK of Brooklin.

NATURAL RESOURCES

Bill "An Act to Ensure the Financial Stability and Effectiveness of Certain Pollution Abatement Programs Administered by the Department of Environmental Protection"
(H.P. 1011) (L.D. 1348)

Presented by Representative TWOMEY of Biddeford.
Cosponsored by Representative: DUPLESSIE of Westbrook, Senator: MARTIN of Aroostook.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

Resolve, to Create a Stakeholders Group to Modernize Maine's Clean Air Policy
(H.P. 1047) (L.D. 1404)

Presented by Representative DAIGLE of Arundel.
Cosponsored by Senator MARTIN of Aroostook and Representatives: COWGER of Hallowell, DUPLESSIE of Westbrook, Senator: SAWYER of Penobscot.

Bill "An Act to Pay for Cleanup of Contamination at a Waste Oil Disposal Site in Plymouth" (EMERGENCY)
(H.P. 1051) (L.D. 1408)

Presented by Representative STANLEY of Medway.
Under suspension of the rules, cosponsored by Representative COWGER of Hallowell, Senator MARTIN of Aroostook and Representatives: ANNIS of Dover-Foxcroft, BELANGER of Caribou, BROOKS of Winterport, BRYANT of Dixfield, BUNKER of Kossuth Township, CARR of Lincoln, CLARK of Millinocket, DUGAY of Cherryfield, DUNCAN of Presque Isle, DUNLAP of Old Town, FISHER of Brewer, FOSTER of Gray, GOODWIN of Pembroke, GOOLEY of Farmington, HALL of Bristol, HASKELL of Milford, JODREY of Bethel, JONES of Greenville, KASPRZAK of Newport, MAYO of Bath, McGLOCKLIN of Embden, McKENNEY of Cumberland, MURPHY of Berwick, PERKINS of Penobscot, PINKHAM of Lamoine, RICHARD of Madison, Speaker SAXL of Portland, SHERMAN of Hodgdon, STEDMAN of Hartland, TOBIN of Dexter, TREADWELL of Carmel, TWOMEY of Biddeford, WESTON of Montville, WHEELER of Bridgewater, YOUNG of Limestone, Senators: CATHCART of Penobscot, DAVIS of Piscataquis, KNEELAND of Aroostook, President MICHAUD of Penobscot, YOUNGBLOOD of Penobscot.

Resolve, to Assess the Consequences of Climate Change in the State
(H.P. 1066) (L.D. 1429)

Presented by Representative KOFFMAN of Bar Harbor.
Cosponsored by Senator SAWYER of Penobscot and Representatives: BAKER of Bangor, COWGER of Hallowell, DAIGLE of Arundel, DUPLESSIE of Westbrook, HALL of Bristol, SIMPSON of Auburn, TWOMEY of Biddeford, Senator: MARTIN of Aroostook.

Bill "An Act to Ensure Municipal Authority over Sludge and Septage Land Spreading Sites"

(H.P. 1080) (L.D. 1449)

Presented by Representative COWGER of Hallowell.
Cosponsored by Senator KILKELLY of Lincoln and Representative: DUPLESSIE of Westbrook, Senator: TREAT of Kennebec.

Resolve, to Study the Establishment of the Department of Environmental Protection as the Lead Response Agency in All Emergency Releases and Spills of Toxic or Hazardous Materials

(H.P. 1085) (L.D. 1454)

Presented by Representative DUPLESSIE of Westbrook.
Cosponsored by Senator MARTIN of Aroostook and Representatives: BERRY of Livermore, BULL of Freeport, COLWELL of Gardiner, COWGER of Hallowell, DAIGLE of Arundel, Senator: TREAT of Kennebec.

Bill "An Act to Establish the Maine Building Rehabilitation Code"

(H.P. 994) (L.D. 1331)

Presented by Representative KOFFMAN of Bar Harbor.
Cosponsored by Senator TREAT of Kennebec and Representatives: DUPLESSIE of Westbrook, LEMOINE of Old Orchard Beach, McLAUGHLIN of Cape Elizabeth, TOBIN of Windham, Senators: ABROMSON of Cumberland, GAGNON of Kennebec, MARTIN of Aroostook, NUTTING of Androscoggin.

Committee on **NATURAL RESOURCES** suggested.

On motion of Representative COWGER of Hallowell, **TABLED** pending **REFERENCE** and later today assigned.

STATE AND LOCAL GOVERNMENT

Bill "An Act to Amend the Laws Governing Registers of Deeds"

(H.P. 991) (L.D. 1328)

Presented by Representative BRANNIGAN of Portland.
Cosponsored by Senator KILKELLY of Lincoln and Representatives: HONEY of Boothbay, TRAHAN of Waldoboro, Senator: FERGUSON of Oxford.

Resolve, to Create Health Days in Maine

(H.P. 999) (L.D. 1336)

Presented by Representative MacDOUGALL of North Berwick.
Cosponsored by Senator LEMONT of York and Representatives: DAVIS of Falmouth, LOVETT of Scarborough, MENDROS of Lewiston, SHIELDS of Auburn, SNOWE-MELLO of Poland, TRAHAN of Waldoboro, TREADWELL of Carmel.

Bill "An Act to Require the Secretary of State to Make Available at Cost the Laws of Maine on CD-ROM"

(H.P. 1030) (L.D. 1387)

Presented by Representative MICHAEL of Auburn.
Cosponsored by Representatives: CHASE of Levant, CLOUGH of Scarborough, MENDROS of Lewiston, SNOWE-MELLO of Poland, WATERHOUSE of Bridgton.

Bill "An Act to Protect Maine Land Titles by Bringing Finality to Zoning and Subdivision Decisions of Municipalities and the Maine Land Use Regulation Commission"

(H.P. 1031) (L.D. 1388)

Presented by Representative RICHARDSON of Brunswick.
Cosponsored by Representative: SULLIVAN of Biddeford.

Bill "An Act to Expand Participation Between Adjoining Towns for Approval of Subdivisions"

(H.P. 1067) (L.D. 1430)

Presented by Representative GLYNN of South Portland.
Cosponsored by Senator BROMLEY of Cumberland and Representatives: BAGLEY of Machias, BLISS of South Portland, HASKELL of Milford, KASPRZAK of Newport, MURPHY of Berwick, Senator: PENDLETON of Cumberland.

Bill "An Act to Enhance Local Accountability"

(H.P. 1075) (L.D. 1444)

Presented by Representative KASPRZAK of Newport.
Cosponsored by Representatives: ANNIS of Dover-Foxcroft, DUPREY of Hampden, WATERHOUSE of Bridgton.

Bill "An Act to Designate a Day of Reflection and Tolerance"

(H.P. 1079) (L.D. 1448)

Presented by Representative TWOMEY of Biddeford.
Cosponsored by Representatives: BULL of Freeport, COWGER of Hallowell, DUPLESSIE of Westbrook, JACOBS of Turner, McDONOUGH of Portland, NORBERT of Portland, O'BRIEN of Lewiston, VOLENIK of Brooklin.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Popular Election of the Constitutional Officers and State Auditor

(H.P. 1083) (L.D. 1452)

Presented by Representative TWOMEY of Biddeford.

Bill "An Act to Allow a Legislator to Opt Out of the Partisan Staff System"

(H.P. 1076) (L.D. 1445)

Presented by Representative MICHAEL of Auburn.
Cosponsored by Representative: MENDROS of Lewiston.
Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative BAGLEY of Machias, **TABLED** pending **REFERENCE** and later today assigned.

TAXATION

Bill "An Act to Establish Standards of Depreciation in Determining the Assessed Value of Personal Property in the Business Equipment Reimbursement Program"

(H.P. 992) (L.D. 1329)

Presented by Representative ROSEN of Bucksport.

Bill "An Act to Increase the Tax Deduction Benefit for Retired Teachers to \$10,000"

(H.P. 1021) (L.D. 1370)

Presented by Representative PARADIS of Frenchville.
Cosponsored by Senator O'GARA of Cumberland and Representatives: DESMOND of Mapleton, HALL of Bristol, MARLEY of Portland, MICHAUD of Fort Kent, SHERMAN of Hodgdon, SMITH of Van Buren, Senators: CATHCART of Penobscot, SAVAGE of Knox.

Bill "An Act to Establish Minimum Standards of Eligibility for the Property Tax Exemption for Charitable Institutions"

(H.P. 1026) (L.D. 1375)

Presented by Representative GOOLEY of Farmington.

Cosponsored by Senator LEMONT of York and Representatives: COTE of Lewiston, CRESSEY of Baldwin, DAVIS of Falmouth, GAGNE of Buckfield, McNEIL of Rockland, MURPHY of Berwick, Senators: CATHCART of Penobscot, MILLS of Somerset.

Bill "An Act to Remove the Tax on Food, Nonalcoholic Beverages and Medicine"

(H.P. 1082) (L.D. 1451)

Presented by Representative MICHAEL of Auburn.

Cosponsored by Representatives: GERZOFSKY of Brunswick, MENDROS of Lewiston, SNOWE-MELLO of Poland.

Bill "An Act to Enhance, Upgrade and Encourage Passenger Rail Service in Maine through the Creation of a Rail Trust Fund"

(H.P. 1005) (L.D. 1342)

Presented by Representative RICHARDSON of Brunswick.

Cosponsored by Representatives: BLISS of South Portland, BULL of Freeport, COTE of Lewiston, CUMMINGS of Portland, DUDLEY of Portland, GERZOFSKY of Brunswick, GREEN of Monmouth, HUTTON of Bowdoinham.

Committee on **TAXATION** suggested.

On motion of Representative GREEN of Monmouth, the Bill was **REFERRED** to the Committee on **TAXATION** and the Committee on **TRANSPORTATION**, ordered printed and sent for concurrence.

Bill "An Act to Create a Sprawl Offset Tax"

(H.P. 1041) (L.D. 1398)

Presented by Representative LEMOINE of Old Orchard Beach.

Committee on **TAXATION** suggested.

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

TRANSPORTATION

Resolve, to Authorize the Development of a New Railroad Bridge on the Union Branch Railroad Line over Back Cove in Portland

(H.P. 1053) (L.D. 1416)

Presented by Representative FISHER of Brewer.

Cosponsored by Representative: MARLEY of Portland, Senator: SAVAGE of Knox.

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

Bill "An Act to Prohibit Roadblocks for the Purpose of Enforcing the Seat Belt Law for Adults" (EMERGENCY)

(H.P. 1064) (L.D. 1427)

Presented by Representative PERKINS of Penobscot.

Cosponsored by Senator WOODCOCK of Franklin and Representatives: CLARK of Millinocket, CRESSEY of Baldwin, DUNLAP of Old Town, GAGNE of Buckfield, McKENNEY of Cumberland, MENDROS of Lewiston, SHERMAN of Hodgdon, WATERHOUSE of Bridgton.

UTILITIES AND ENERGY

Bill "An Act to Increase the Borrowing Capacity of the Topsham Sewer District" (EMERGENCY)

(H.P. 985) (L.D. 1322)

Presented by Representative LESSARD of Topsham.

Cosponsored by Senator SMALL of Sagadahoc and Representatives: GERZOFSKY of Brunswick, LANDRY of Patten.

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

Bill "An Act to Permit Consumer-owned Water Utilities to Exercise Local Control Regarding Matters within the Jurisdiction of the Public Utilities Commission"

(H.P. 996) (L.D. 1333)

Presented by Representative SAVAGE of Buxton.

Cosponsored by Senator DAGGETT of Kennebec and Representatives: BERRY of Belmont, CLOUGH of Scarborough, COWGER of Hallowell, Speaker SAXL of Portland, Senators: CARPENTER of York, DOUGLASS of Androscoggin, GOLDTHWAIT of Hancock, SMALL of Sagadahoc.

Bill "An Act to Amend the Laws Regarding When the Public Utilities Commission Must Give Notice of its Proceedings"

(H.P. 1028) (L.D. 1385)

Presented by Representative SAVAGE of Buxton.

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

Pursuant to Joint Order

Committee to Study Further Decriminalization of the Criminal Laws of Maine

Representative LaVERDIERE for the **Committee to Study Further Decriminalization of the Criminal Laws of Maine** pursuant to 1999 Joint Study Order, (H.P. 1914) asks leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Committee to Study Further Decriminalization of the Criminal Laws of Maine"

(H.P. 1086) (L.D. 1455)

Be **REFERRED** to the Committee on **JUDICIARY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Public Law

Task Force on Educational Programming at Juvenile Correctional Facilities

Representative RICHARD for the **Task Force on Educational Programming at Juvenile Correctional Facilities** pursuant to Public Law 1999, chapter 770 asks leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Task Force on Educational Programming at Juvenile Correctional Facilities"

(H.P. 982) (L.D. 1306)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.
Sent for concurrence.

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

Pursuant to Statute

Commission on Governmental Ethics and Election Practices
Representative TUTTLE for the **Commission on Governmental Ethics and Election Practices** pursuant to the Maine Revised Statutes, Title 1, section 1007 asks leave to report that the accompanying Bill "An Act to Amend the Lobbyist Disclosure Procedures Laws Administered by the Commission on Governmental Ethics and Election Practices"

(H.P. 983) (L.D. 1307)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Commission on Governmental Ethics and Election Practices
Representative TUTTLE for the **Commission on Governmental Ethics and Election Practices** pursuant to the Maine Revised Statutes, Title 1, section 1007 asks leave to report that the accompanying Bill "An Act to Amend the Provisions Governing Reports by Political Action Committees Administered by the Commission on Governmental Ethics and Election Practices"

(H.P. 1013) (L.D. 1350)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Commission on Governmental Ethics and Election Practices
Representative TUTTLE for the **Commission on Governmental Ethics and Election Practices** pursuant to the Maine Revised Statutes, Title 1, section 1007 asks leave to report that the accompanying Bill "An Act to Amend Provisions Governing Reports on Campaigns for Office in the Laws Administered by the Commission on Governmental Ethics and Election Practices"

(H.P. 1014) (L.D. 1351)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Falmouth High School Boys' Soccer Team, who won the 2000 Class B State Championship and remain the undefeated State champions. The team's Head Coach, David Halligan, and Assistant Coach Todd Whitcomb also received national ranking recognition by the National Soccer Coaches' Association. We recognize the dedication and talents of team members and coaches alike and extend our congratulations to them;

(HLS 103)

Presented by Representative DAVIS of Falmouth.

Cosponsored by Senator ABROMSON of Cumberland.

On **OBJECTION** of Representative DAVIS of Falmouth, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Falmouth, Representative Davis.

Representative **DAVIS**: Mr. Speaker, Men and Women of the House. I would like to speak briefly about the Falmouth Soccer Team. In 1998, they were Class C Champions and they moved to Class B. This year, 2000, they are the Class B Champions. Would you young men stand up please? As you can see, they are a very fine group of young athletes. Todd Whitcomb, the Assistant Coach is a former student of mine and assistant coach. Coach David Halligan is perhaps, I say this with some prejudice, is perhaps the best coach in the state. Wherever he has gone, he has had championship teams. Falmouth has had many, many of them. It is with great pride and high honor that I introduce you to the Falmouth 2000 Soccer Champions. Thank you very much.

PASSED and sent for concurrence.

CONSENT CALENDAR

Second Day

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

(H.P. 150) (L.D. 161) Resolve, Regarding Legislative Review of Chapter 11: Rules for the Maine Biomedical Research Program, a Major Substantive Rule of the Department of Economic and Community Development (EMERGENCY)

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

ENACTORS

Emergency Measure

An Act to Establish Maine Lighthouse Week

(H.P. 102) (L.D. 106)

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 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH**.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Wednesday, February 28, 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 Ensure Statewide Assistance to Maine's Homeless Youth"

(S.P. 50) (L.D. 218)

- In Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested)

TABLED - January 18, 2001 (Till Later Today) by Representative BERRY of Livermore.

PENDING - **REFERENCE** in concurrence.

Subsequently, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act to Enhance the Quality and Accessibility of HIV Services and Prevention Services"

(H.P. 779) (L.D. 1023)

- In House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** on February 20, 2001.

- In Senate, **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

TABLED - February 28, 2001 (Till Later Today) by Representative LaVERDIERE of Wilton.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, the House voted to **RECEDE AND CONCUR**.

Bill "An Act to Require the State to Provide Flags for Persons Who Are Listed on the Memorials Located on State Street in Augusta"

(S.P. 363) (L.D. 1201)

- In Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE**.

TABLED - February 28, 2001 (Till Later Today) by Representative POVICH of Ellsworth.

PENDING - **REFERENCE** in concurrence.

On motion of Representative POVICH of Ellsworth, the Bill was **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in **NON-CONCURRENCE** and sent for concurrence.

Bill "An Act to Allow Families to Request Flags for Deceased Police Officers and Firefighters that have not Died in the Line of Duty"

(S.P. 364) (L.D. 1202)

- In Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE**.

TABLED - February 28, 2001 (Till Later Today) by Representative POVICH of Ellsworth.

PENDING - **REFERENCE** in concurrence.

On motion of Representative POVICH of Ellsworth, the Bill was **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in **NON-CONCURRENCE** and sent for concurrence.

MATTERS PENDING RULING

Bill "An Act to Amend the Law Regarding the Maine Governmental Facilities Authority"

(H.P. 430) (L.D. 551)

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested)

TABLED - February 20, 2001 by Speaker SAXL of Portland.

PENDING - **RULING** of the Chair.

The SPEAKER: The Chair has considered the question of the Representative from Wilton, Representative LaVerdiere, as to the propriety of LD 551 under Rule 107 of the House Rules of the 120th Legislature. Citing the March 4, 1999 Ruling of my predecessor, Speaker Rowe, the Chair finds that since LD 551 proposes to change from a majority to a 2/3 supermajority the requisite vote necessary for the House to take an action, this bill attempts to establish the proceedings of the House in statute. In this case when attempting to establish a requisite 2/3 supermajority, the proper method of altering House procedures is by amending the Constitution of Maine. Therefore, this bill is not properly before the House.

Additionally, to the Ruling of Speaker Rowe I would like to add as authority several new Sections from Mason's Manual of Legislative Procedure (2000 ed.) (hereinafter Mason's).

The following sections of Mason's elucidate that the duties and responsibilities of the Legislature must be carried out by a majority, and not a minority:

- § 51(6): "The duties and responsibilities vested in a group are of necessity to be exercised by the majority unless granted subject to other conditions. Such a body cannot delegate its essential powers to a minority even of its own members. A provision in the rules—for example, that a two-thirds vote is necessary to take a particular action—would delegate to any minority of more than one-third of the members the power to prevent the action being taken and grant to that minority the power to control the determinations of the body. The powers of the body to that extent would be delegated to a minority."

- § 518 (1) (in part): "The power of any legislative body to enact legislation or take final action requiring the use of discretion cannot be delegated to a minority."

The following sections of Mason's add further support to the statement in Speaker Rowe's earlier Ruling that, "The House is established by the Maine Constitution and, in its internal affairs, is constrained only by the Maine Constitution": §§ 6(2), 7(1), 10(3), and 12(1).

That is the ruling of the Chair.

Subsequently, the Chair **RULED** the Bill was not properly before the body pursuant to House Rule 107.

Bill "An Act to Restore the Maine Court Facilities Authority"

(H.P. 511) (L.D. 651)

(Committee on **STATE AND LOCAL GOVERNMENT** suggested)

TABLED - February 20, 2001 by Speaker SAXL of Portland.

PENDING - **RULING** of the Chair.

The SPEAKER: The Chair has considered the question of the Representative from Wilton, Representative LaVerdiere, as to the propriety of LD 551 under Rule 107 of the House Rules of the 120th Legislature. For the reasons stated previously regarding LD 551, even though LD 651 includes other provisions and seeks to replace the Maine Governmental Facilities Authority with the Maine Court Facilities Authority, LD 651 still attempts to establish the proceedings of the House in statute,

thereby violating the Rules, and is thus not properly before the House.

Subsequently, the Chair **RULED** the Bill was not properly before the body pursuant to House Rule 107.

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

SENATE PAPERS

Bill "An Act to Define 'Agriculture' in the Laws Establishing the Department of Agriculture, Food and Rural Resources"
(S.P. 424) (L.D. 1379)

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 Fund the Capital Construction and Improvements Reserve Fund"
(S.P. 397) (L.D. 1313)

Bill "An Act Requiring Reimbursement to Counties for Courthouse Facilities" (EMERGENCY)
(S.P. 400) (L.D. 1316)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$28,000,000 to Provide Funds for Public School Renovations"
(S.P. 403) (L.D. 1319)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$65,200,000 for the State's 7 Public Universities and the Maine Maritime Academy"
(S.P. 422) (L.D. 1378)

Bill "An Act to Provide Legal Assistance to Victims of Domestic Violence"
(S.P. 435) (L.D. 1437)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$7,000,000 to Fund Capital Expenses for Applied Technology Centers and Regions"
(S.P. 437) (L.D. 1439)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$7,000,000 to Provide Adequate Facilities for Business Expansion or Relocation in the State"
(S.P. 438) (L.D. 1440)

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 Relating to the Office of Substance Abuse and the Licensing of Substance Abuse Personnel"
(S.P. 404) (L.D. 1320)

Resolve, to Study the Statutes Pertaining to Funeral Homes, Crematories and Cemeteries
(S.P. 413) (L.D. 1357)

Bill "An Act to Strengthen the Maine Sister City Relationship with Aomori, Japan"
(S.P. 436) (L.D. 1438)

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

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

Bill "An Act to Expand the Crime of Assault on a Law Enforcement Officer"
(S.P. 399) (L.D. 1315)

Bill "An Act to Increase the Fire Investigation and Prevention Tax, Repeal Certain Fire Inspection Fees and Direct the Commissioner of Public Safety to Set Certain Fire Inspection Fees by Rule"
(S.P. 418) (L.D. 1362)

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

REFERRED to the Committee on **CRIMINAL JUSTICE** in concurrence.

Bill "An Act to Eliminate the \$1,000,000 Cap Eligibility Requirement for the School Revolving Renovation Fund"
(S.P. 396) (L.D. 1312)

Bill "An Act to Improve the Academic Climate in Schools"
(S.P. 402) (L.D. 1318)

Bill "An Act to Ensure Safe and Healthy Schools"
(S.P. 415) (L.D. 1359)

Resolve, to Establish a Task Force to Study Improving Economic Opportunities for Maine People Through Higher Education Attainment (EMERGENCY)
(S.P. 416) (L.D. 1360)

Bill "An Act to Credit a Town for Payment from Local Funds for School Construction"
(S.P. 421) (L.D. 1377)

Bill "An Act to Fully Fund the Geographic Isolation Adjustment" (EMERGENCY)
(S.P. 428) (L.D. 1383)

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

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

Bill "An Act to Amend the Maine Health Data Organization Laws"
(S.P. 395) (L.D. 1310)

Bill "An Act to Reduce Medical Errors and Improve Patient Health"
(S.P. 419) (L.D. 1363)

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.

Resolve, Establishing a Commission to Examine the Fisheries Division of the Department of Inland Fisheries and Wildlife
(S.P. 401) (L.D. 1317)

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

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

Bill "An Act to Prohibit the Use of Memorandum Decisions"
(S.P. 411) (L.D. 1355)

Bill "An Act Concerning the State Court Library System"
(S.P. 420) (L.D. 1376)

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

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

Bill "An Act to Remove the Penalty for Education Retirees Who Work After Retirement"

(S.P. 398) (L.D. 1314)

Bill "An Act to Transfer Administration of the Workers' Compensation Employment Rehabilitation Fund to a Voluntary Coalition of Parties in Interest"

(S.P. 433) (L.D. 1413)

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

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

Resolve, Authorizing the Adjutant General to File a Finalized Declaration of Covenants and Restrictions with the Kennebec County Registry of Deeds in the Veterans' Memorial Cemetery Located on the Mount Vernon Road in Augusta

(S.P. 408) (L.D. 1352)

Bill "An Act to Permit Internet-based Communications to Facilitate the Purchase and Distribution of Wine"

(S.P. 427) (L.D. 1382)

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

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

Bill "An Act to Amend the Laws Pertaining to the Harvest of Adult Eels"

(S.P. 394) (L.D. 1309)

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

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

Bill "An Act to Exempt Municipalities from Having to Zone for Mobile Home Parks"

(S.P. 412) (L.D. 1356)

Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.

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 Address the Health Effects of Mercury Fillings"

(S.P. 429) (L.D. 1409)

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

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

Bill "An Act to Extend the Homestead Property Tax Exemption to Persons Living in Cooperative Housing"

(S.P. 426) (L.D. 1381)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Repeal Constraints on the Property Tax and to Make the State Jointly Responsible with Municipalities for Equity in Education

(S.P. 430) (L.D. 1410)

Bill "An Act to Provide Private Landowners Incentives for Conservation and Public Access"

(S.P. 439) (L.D. 1441)

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 Increase the Maine Turnpike Authority Bond Limit"

(S.P. 409) (L.D. 1353)

Bill "An Act to Allow the Maine Turnpike Authority to Levy an Administrative Fee against Toll Evaders"

(S.P. 417) (L.D. 1361)

Bill "An Act Regarding Uninsured Drivers"

(S.P. 425) (L.D. 1380)

Bill "An Act to Protect Highway Travelers and Maine's Highway System by Increasing Fines on Excessively Loaded Trucks"

(S.P. 431) (L.D. 1411)

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2002 and June 30, 2003" (EMERGENCY)

(S.P. 434) (L.D. 1414)

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

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

Bill "An Act Relating to the Transfer of Certain Privileges Bestowed by the Legislature upon Great Northern Paper, Inc. to Great Northern Energy, LLC"

(S.P. 432) (L.D. 1412)

Bill "An Act to Create the Boothbay Region Water District" (EMERGENCY)

(S.P. 440) (L.D. 1442)

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

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

Pursuant to Statute

Worker's Compensation Commission

Report of the **Worker's Compensation Commission** pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11 asks leave to report that the accompanying Bill "An Act to Amend the Workers' Compensation Laws Regarding Contracts for Services to Administer Reimbursement Requests"

(S.P. 405) (L.D. 1311)

Be **REFERRED** to the Committee on **LABOR** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR** in concurrence.

Pursuant to Public Law

Joint Standing Committee on Natural Resources

Report of the **Joint Standing Committee on Natural Resources** pursuant to Public Law 1999, chapter 500, section 6 asks leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Department of Environmental Protection on Ambient Water Quality Criteria for Mercury" (EMERGENCY)

(S.P. 393) (L.D. 1308)

Be **REFERRED** to the Committee on **NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **NATURAL RESOURCES** in concurrence.

On motion of Representative BRUNO of Raymond, the House adjourned at 12:12 p.m., until 10:00 a.m., Thursday, March 8, 2001.