

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-First Legislature
State of Maine

Volume I

First Regular Session

December 4, 2002 – May 23, 2003

Pages 1-776

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
FIRST REGULAR SESSION
8th Legislative Day
Tuesday, January 28, 2003

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

Prayer by Reverend David E. Butler, First Parish Church, Gorham.

National Anthem by South Bristol Elementary School Hand Bell Choir.

Pledge of Allegiance.

Doctor of the day, Eric Metzler, M.D., West Enfield.

The Journal of Thursday, January 23, 2003 was read and approved.

COMMUNICATIONS

The Following Communication: (H.P. 270)

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

January 24, 2003

Hon. Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Rule 354 of the Joint Rules, I am pleased to appoint the following representatives to serve as members of the Joint Select Committee on Joint Rules:

Representative William S. Norbert of Portland

Representative Robert W. Duplessie of Westbrook

Representative Janet T. Mills of Farmington

Representative Richard W. Rosen of Bucksport

Representative S. Peter Mills of Cornville

If you have any questions regarding these appointments, please do not hesitate to contact me.

Sincerely,

S/Patrick Colwell

Speaker of the House

READ and ORDERED PLACED ON FILE.

Sent for concurrence.

The Following Communication: (H.C. 18)

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

January 22, 2003

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under P.& S.L. 1999, Ch. 58, I am pleased to appoint Representative Arthur L. Lerman of Augusta to serve as a member of the Capital Riverfront Improvement District Governing Board.

If you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Patrick Colwell

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 19)

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

January 15, 2003

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under M.R.S.A. Title 20-A, § 12304, I am pleased to appoint the following members of the public to the Advisory Committee on Dental Education:

Kevin Lewis of Augusta

Jerrold Cohen of Mexico

Karen Cox of Augusta

Judy Feinstein of Augusta

Thomas Patenaude of Augusta

If you have any questions regarding these appointments, please do not hesitate to contact me.

Sincerely,

S/Patrick Colwell

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 21)

**STATE OF MAINE
121ST MAINE LEGISLATURE**

January 13, 2003

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to our authority under M.R.S.A. Title 30-A, § 5042, we are pleased to appoint Don Gean of Alfred to the Interagency Task Force on Homelessness and Housing.

If you have any questions regarding this appointment, please do not hesitate to contact us.

Sincerely,

S/Beverly Daggett

President of the Senate

S/Patrick Colwell

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 22)

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

January 27, 2003

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under 22 MRSA, §3883, I am pleased to appoint Representative Deborah J. Hutton of Bowdoinham as a member of the Maine Children's Trust Fund.

If you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Patrick Colwell

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 20)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
COMMITTEE TO CONTINUE TO STUDY
THE BENEFITS AND COSTS FOR INCREASING
ACCESS TO FAMILY AND MEDICAL LEAVE**

January 22, 2003

The Honorable Beverly C. Daggett, President

The Honorable Patrick Colwell, Speaker

121st Maine Legislature

State House

Augusta, ME 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Resolves 2001, chapter 115, the Committee to Continue to Study the Benefits and Costs For Increasing Access to Family and Medical Leave is pleased to submit its final report including recommended legislation. Copies of the report have been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Senator Betheda Edmonds, Senate Chair

S/Representative Gerald M. Davis, House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Require Use of United States Citizens for Work with the Bureau of Parks and Lands"

(H.P. 227) (L.D. 284)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator MARTIN of Aroostook and Representatives: CARR of Lincoln, JOY of Crystal, LUNDEEN of Mars Hill, PINEAU of Jay, SMITH of Van Buren, Senators: BRYANT of Oxford, KNEELAND of Aroostook, STANLEY of Penobscot.

Bill "An Act to Provide for Proper Identification of Stray Cats by Animal Shelters"

(H.P. 240) (L.D. 297)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator BRYANT of Oxford and Representatives: FLETCHER of Winslow, PINEAU of Jay, SMITH of Monmouth.

Bill "An Act To Ban the Hunting of Animals in an Enclosed Area"

(H.P. 243) (L.D. 300)

Sponsored by Representative BULL of Freeport.

Cosponsored by Representatives: DUNLAP of Old Town, McKEE of Wayne.

Bill "An Act To Provide a Discount to Farmers Who Are Certified as Organic Farmers and Lease Land from the State"

(H.P. 258) (L.D. 315)

Sponsored by Representative HUTTON of Bowdoinham.

Cosponsored by Senator GAGNON of Kennebec and Representatives: COWGER of Hallowell, DUPLESSIE of Westbrook, KOFFMAN of Bar Harbor, NORTON of Bangor, PATRICK of Rumford, THOMPSON of China, TWOMEY of Biddeford, Senator: MARTIN of Aroostook.

Bill "An Act to Reenact Standards for Road Construction for Forest Management Activities"

(H.P. 262) (L.D. 319)

Sponsored by Representative CARR of Lincoln.

Cosponsored by Senator KNEELAND of Aroostook and Representatives: HONEY of Boothbay, JOY of Crystal, LUNDEEN of Mars Hill, RICHARDSON of Greenville, Senator: DAVIS of Piscataquis.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent for concurrence.

Bill "An Act To Support the Regional Library System"

(H.P. 222) (L.D. 279)

Sponsored by Representative BLANCHETTE of Bangor.

Cosponsored by Senator SAWYER of Penobscot and Representatives: BLISS of South Portland, FAIRCLOTH of Bangor, GERZOFKY of Brunswick, McLAUGHLIN of Cape Elizabeth, NORTON of Bangor, O'BRIEN of Lewiston, PERRY of Bangor.

Bill "An Act To Support Individuals With Developmental Disabilities Who Have Been Physically or Sexually Abused"

(H.P. 235) (L.D. 292)

Sponsored by Representative LERMAN of Augusta.

Cosponsored by Representatives: MAKAS of Lewiston, PINGREE of North Haven, WALCOTT of Lewiston.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for Protected Reserve Funds

(H.P. 264) (L.D. 321)

Sponsored by Representative MILLS of Cornville.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act Concerning the Membership of the Board of Dental Examiners" (EMERGENCY)

(H.P. 218) (L.D. 275)

Sponsored by Representative O'BRIEN of Augusta.

Cosponsored by Representatives: COWGER of Hallowell, DUDLEY of Portland, LEDWIN of Holden, Senator: ROTUNDO of Androscoggin.

Bill "An Act To Amend the Home Construction Contracts Laws"

(H.P. 230) (L.D. 287)

Sponsored by Representative DAVIS of Falmouth.

Cosponsored by Senator GILMAN of Cumberland and Representatives: CLOUGH of Scarborough, MILLETT of Waterford, MURPHY of Kennebunk, ROSEN of Bucksport.

Bill "An Act Regarding the Licensing of Foresters"

(H.P. 239) (L.D. 296)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator TREAT of Kennebec and Representatives: SAVIELLO of Wilton, SMITH of Monmouth, SULLIVAN of Biddeford.

Bill "An Act To Allow Licensed Master Social Workers To Contract with Agencies in the State"

(H.P. 250) (L.D. 307)

Sponsored by Representative LAVERRIERE-BOUCHER of Biddeford.

Cosponsored by Senator BROMLEY of Cumberland and Representatives: BOWLES of Sanford, CAMPBELL of Newfield, CANAVAN of Waterville, DUDLEY of Portland, MAKAS of Lewiston, O'BRIEN of Lewiston, SULLIVAN of Biddeford, TWOMEY of Biddeford.

Bill "An Act To Require Information on New Well Caps"

(H.P. 271) (L.D. 341)

Sponsored by Representative ROGERS of Brewer.

Cosponsored by Senator YOUNGBLOOD of Penobscot and Representatives: BERUBE of Lisbon, STONE of Berwick, SUSLOVIC of Portland.

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

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

Sent for concurrence.

Bill "An Act to Adopt a New Interstate Compact Regarding Adults Who are on Probation and Parole"

(H.P. 254) (L.D. 311)

Sponsored by Representative O'BRIEN of Augusta.

Cosponsored by Representatives: BUNKER of Kossuth Township, SNOWE-MELLO of Poland, TOBIN of Dexter.

Bill "An Act to Create a Crime of Refusing an Alcohol Test in Operating-under-the-influence Cases"

(H.P. 267) (L.D. 324)

Sponsored by Representative CARR of Lincoln.

Cosponsored by Senator HATCH of Somerset and Representatives: FLETCHER of Winslow, GREELEY of Levant, RICHARDSON of Greenville, Senator: DAVIS of Piscataquis.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent for concurrence.

Bill "An Act To Allow Access to State Postsecondary Educational Institutions to Maine Seniors"

(H.P. 244) (L.D. 301)

Sponsored by Representative ASH of Belfast.

Cosponsored by Senator WESTON of Waldo and Representatives: BERRY of Belmont, DUGAY of Cherryfield, MARLEY of Portland, McKEE of Wayne, PARADIS of Frenchville, PELLON of Machias, SULLIVAN of Biddeford, THOMAS of Orono.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

Resolve, Regarding the Criminal Records of Certified Nursing Assistants

(H.P. 224) (L.D. 281)

Sponsored by Representative BUNKER of Kossuth Township.

Cosponsored by Senator STANLEY of Penobscot.

Bill "An Act Directing the Department of Human Services to Adjust Dental Reimbursement Rates under the Medicaid Program"

(H.P. 228) (L.D. 285)

Sponsored by Representative O'BRIEN of Augusta.

Cosponsored by Representatives: DUDLEY of Portland, DUGAY of Cherryfield, KAELIN of Winterport, NUTTING of Oakland, Senator: ROTUNDO of Androscoggin.

Bill "An Act To Revise the Laws Regulating Boarding Homes"

(H.P. 238) (L.D. 295)

Sponsored by Representative LAVERRIERE-BOUCHER of Biddeford.

Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: BOWLES of Sanford, CANAVAN of Waterville, DUDLEY of Portland, MAKAS of Lewiston, O'BRIEN of Lewiston, PINGREE of North Haven, SULLIVAN of Biddeford, TWOMEY of Biddeford.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Increase Protection for Endangered and Threatened Species"

(H.P. 246) (L.D. 303)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator GAGNON of Kennebec and Representatives: ADAMS of Portland, EDER of Portland, MOORE of the Passamaquoddy Tribe, PINEAU of Jay, PINGREE of North Haven, Senator: CATHCART of Penobscot.

Bill "An Act to Raise the Minimum Age for Operation of an ATV from 10 Years of Age to 16 Years of Age"

(H.P. 247) (L.D. 304)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator BRENNAN of Cumberland and Representatives: COWGER of Hallowell, MAILHOT of Lewiston, MARRACHÉ of Waterville, SAVIELLO of Wilton, SMITH of Van Buren.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent for concurrence.

Bill "An Act To Provide Parity in Lending by State-chartered Lenders"

(H.P. 234) (L.D. 291)

Sponsored by Representative O'NEIL of Saco.
Cosponsored by Senator MAYO of Sagadahoc and Representatives: CANAVAN of Waterville, DUPREY of Medway, PERRY of Calais, SNOWE-MELLO of Poland, WOODBURY of Yarmouth, YOUNG of Limestone.

Bill "An Act to Ensure that Property or Casualty Insurance Companies Can Not Deny Policy Owners Who have Foster Children in Their Care"

(H.P. 237) (L.D. 294)

Sponsored by Representative BUNKER of Kossuth Township.
Cosponsored by Senator STANLEY of Penobscot and Representatives: LAVERRIERE-BOUCHER of Biddeford, O'NEIL of Saco, PERRY of Calais.

Bill "An Act to Prohibit Absolute Discretion Clauses in Health Carrier and Excess Loss Carrier Contracts"

(H.P. 259) (L.D. 316)

Sponsored by Representative CANAVAN of Waterville.
Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: BREault of Buxton, FLETCHER of Winslow, MILLS of Farmington, O'NEIL of Saco, PERRY of Calais, PERRY of Bangor, SIMPSON of Auburn, SMITH of Van Buren.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Title Mobile Homes, Boats, All-terrain Vehicles and Snowmobiles"

(H.P. 229) (L.D. 286)

Sponsored by Representative NORBERT of Portland.
Cosponsored by Representatives: MILLS of Cornville, PINEAU of Jay, SIMPSON of Auburn, USHER of Westbrook, Senator: CATHCART of Penobscot.

Bill "An Act To Amend the Abortion Reporting Laws To Eliminate Immunity for a Physician Who Reports Data on an Abortion"

(H.P. 242) (L.D. 299)

Sponsored by Representative GLYNN of South Portland.
Cosponsored by Representative: DUPREY of Hampden.

Bill "An Act To Require Church Officials To Report Suspected Abuse"

(H.P. 252) (L.D. 309)

Sponsored by Representative BULL of Freeport.
Cosponsored by Representative SIMPSON of Auburn and Representatives: DUDLEY of Portland, O'BRIEN of Augusta, Senator: BRENNAN of Cumberland.

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

REFERRED to the Committee on **JUDICIARY** and ordered printed.

Sent for concurrence.

Bill "An Act To Prohibit Municipal Elections within 60 Days of a Statewide Election"

(H.P. 225) (L.D. 282)

Sponsored by Representative ASH of Belfast.
Cosponsored by Senator WESTON of Waldo and Representatives: DUGAY of Cherryfield, JENNINGS of Leeds, MARLEY of Portland, McKEE of Wayne, PELLON of Machias, SAVIELLO of Wilton, SULLIVAN of Biddeford, THOMAS of Orono.

Resolve, to Authorize Michelle Booker to Sue the State

(H.P. 231) (L.D. 288)

Sponsored by Representative PERRY of Bangor.
Cosponsored by Senator MAYO of Sagadahoc and Representatives: BLANCHETTE of Bangor, CANAVAN of Waterville, DUGAY of Cherryfield, GAGNE-FRIEL of Buckfield, NORTON of Bangor, RINES of Wiscasset, Senator: SAWYER of Penobscot.

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

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act To Improve Guidance to the Commissioner of Marine Resources for Granting Marine Aquaculture Leases"

(H.P. 214) (L.D. 271)

Sponsored by Representative LEMOINE of Old Orchard Beach.

Bill "An Act to Expand Aquaculture Site Location Criteria to Include Aesthetic Impact and Property Value Changes"

(H.P. 215) (L.D. 272)

Sponsored by Representative LEMOINE of Old Orchard Beach.

Bill "An Act to Allow the Sale of Lobster and Crab Fishing Licenses"

(H.P. 219) (L.D. 276)

Sponsored by Representative ASH of Belfast.
Cosponsored by Senator LEMONT of York and Representatives: DUGAY of Cherryfield, GOODWIN of Pembroke, JENNINGS of Leeds, PARADIS of Frenchville, PELLON of Machias, SAVIELLO of Wilton, SULLIVAN of Biddeford, USHER of Westbrook.

Bill "An Act to Amend the Eligibility Requirements for a Lobster and Crab Fishing License"

(H.P. 220) (L.D. 277)

Sponsored by Representative ASH of Belfast.
Cosponsored by Representatives: DUGAY of Cherryfield, GOODWIN of Pembroke, PARADIS of Frenchville, PELLON of Machias, SAVIELLO of Wilton, USHER of Westbrook, Senators: LEMONT of York, SAWYER of Penobscot.

Committee on **MARINE RESOURCES** suggested and ordered printed.

REFERRED to the Committee on **MARINE RESOURCES** and ordered printed.

Sent for concurrence.

Bill "An Act To Eliminate the Restriction on Municipal Investment of Trust Funds"

(H.P. 221) (L.D. 278)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth. Cosponsored by Senator STANLEY of Penobscot and Representatives: BLISS of South Portland, PEAVEY-HASKELL of Greenbush, ROSEN of Bucksport, STONE of Berwick, SUKEFORTH of Union, WOODBURY of Yarmouth, Senators: HALL of Lincoln, YOUNGBLOOD of Penobscot.

Bill "An Act to Clarify the Jurisdiction of the Department of Inland Fisheries and Wildlife and the Department of Marine Resources"

(H.P. 223) (L.D. 280)

Sponsored by Representative BUNKER of Kossuth Township. Cosponsored by Senator STANLEY of Penobscot and Representatives: CLARK of Millinocket, GOODWIN of Pembroke, Senators: BRYANT of Oxford, KNEELAND of Aroostook.

Bill "An Act To Clarify the Law on County Capital Expenditure Accounts"

(H.P. 226) (L.D. 283)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth. Cosponsored by Senator BROMLEY of Cumberland and Representatives: BLANCHETTE of Bangor, BLISS of South Portland, BOWEN of Rockport, CROSTHWAITE of Ellsworth, Senators: GILMAN of Cumberland, HALL of Lincoln, YOUNGBLOOD of Penobscot.

Bill "An Act to Streamline Maine's Planning Process" (EMERGENCY)

(H.P. 251) (L.D. 308)

Sponsored by Representative GLYNN of South Portland. Cosponsored by Representatives: JOY of Crystal, McKENNEY of Cumberland, MURPHY of Kennebunk.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the Legislature Beginning in 2005

(H.P. 253) (L.D. 310)

Sponsored by Representative RICHARDSON of Skowhegan. Cosponsored by Senator MITCHELL of Penobscot, Senator DAVIS of Piscataquis and Representatives: BLISS of South Portland, BRUNO of Raymond, FLETCHER of Winslow, McGOWAN of Pittsfield, McLAUGHLIN of Cape Elizabeth, MILLS of Cornville, Senators: GILMAN of Cumberland, WOODCOCK of Franklin.

Bill "An Act To Prohibit Expenditures To Implement Treaties Not Ratified by the United States Senate"

(H.P. 260) (L.D. 317)

Sponsored by Representative JOY of Crystal. (BY REQUEST) Cosponsored by Representatives: ANNIS of Dover-Foxcroft, BERRY of Belmont, CARR of Lincoln, GLYNN of South Portland, GOODWIN of Pembroke, SHERMAN of Hodgdon.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

Bill "An Act to Create the Family Technology Assistance Tax Credit"

(H.P. 232) (L.D. 289)

Sponsored by Representative BLISS of South Portland. Cosponsored by Senator HALL of Lincoln and Representatives: FISCHER of Presque Isle, LUNDEEN of Mars Hill, McLAUGHLIN of Cape Elizabeth, SAVIELLO of Wilton, THOMPSON of China, TWOMEY of Biddeford.

Bill "An Act To Amend the Lien Procedures for Time-share Estates"

(H.P. 248) (L.D. 305)

Sponsored by Representative COLLINS of Wells. Cosponsored by Senator STANLEY of Penobscot and Representatives: CLOUGH of Scarborough, COURTNEY of Sanford, McCORMICK of West Gardiner, McGOWAN of Pittsfield, McNEIL of Rockland, TARDY of Newport, WHEELER of Kittery, Senator: NASS of York.

Resolve, To Study the Property Valuation Process

(H.P. 257) (L.D. 314)

Sponsored by Representative BULL of Freeport. Cosponsored by Senator EDMONDS of Cumberland and Representatives: BARSTOW of Gorham, BLISS of South Portland, COURTNEY of Sanford, MURPHY of Kennebunk, WOODBURY of Yarmouth, Senators: BROMLEY of Cumberland, LEMONT of York, STANLEY of Penobscot.

Bill "An Act Concerning Counties' Share of the Real Estate Transfer Tax"

(H.P. 263) (L.D. 320)

Sponsored by Representative DUPLESSIE of Westbrook. Cosponsored by Senator SAVAGE of Knox and Representatives: ADAMS of Portland, HUTTON of Bowdoinham, Senators: KNEELAND of Aroostook, LEMONT of York.

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

REFERRED to the Committee on **TAXATION** and ordered printed.

Sent for concurrence.

Bill "An Act To Ensure That Title Applications are Timely Delivered"

(H.P. 233) (L.D. 290)

Sponsored by Representative O'NEIL of Saco. Cosponsored by Senator MAYO of Sagadahoc and Representatives: CANAVAN of Waterville, PERRY of Calais, SNOWE-MELLO of Poland, VAUGHAN of Durham, WOODBURY of Yarmouth, YOUNG of Limestone, Senator: ROTUNDO of Androscoggin.

Bill "An Act To Require Additional Driving Time and a 30-day Waiting Period for Retesting Minors Who Fail Their Driver's Exams"

(H.P. 236) (L.D. 293)

Sponsored by Representative COURTNEY of Sanford. Cosponsored by Senator NASS of York and Representatives: CAMPBELL of Newfield, CLOUGH of Scarborough, COLLINS of Wells, FLETCHER of Winslow, HEIDRICH of Oxford, LANDRY of Sanford, McCORMICK of West Gardiner, Senator: CARPENTER of York.

Resolve, Directing the Department of Transportation to Perform a Regional Corridor Traffic Study

(H.P. 255) (L.D. 312)

Sponsored by Representative CROSTHWAITE of Ellsworth.

Under suspension of the rules, cosponsored by Senator DAMON of Hancock and Representatives: BERUBE of Lisbon, BIERMAN of Sorrento, BUNKER of Kossuth Township, CHURCHILL of Orland, DUGAY of Cherryfield, KOFFMAN of Bar Harbor, PINGREE of North Haven, ROSEN of Bucksport, Senators: SAWYER of Penobscot, YOUNGBLOOD of Penobscot.

Bill "An Act to Rename the Gasoline Tax the 'Road Services Fee'"

(H.P. 256) (L.D. 313)

Sponsored by Representative LEMOINE of Old Orchard Beach.

Cosponsored by Representative: USHER of Westbrook.

Resolve, To Direct the Department of Transportation To Develop Rules To Control Wheel Spray from Large Commercial Vehicles

(H.P. 261) (L.D. 318)

Sponsored by Representative COWGER of Hallowell.

Cosponsored by Representative: MARLEY of Portland.

Bill "An Act To Set Limits on Fines That May Be Assessed for Nonhabitual Offenders under Maine's Truck Weight Laws"

(H.P. 265) (L.D. 322)

Sponsored by Representative MILLS of Cornville.

Bill "An Act To Allow Modular Home Transporters To Obtain Trailer Transit Plates" (EMERGENCY)

(H.P. 266) (L.D. 323)

Sponsored by Representative JOY of Crystal.

Cosponsored by Senator BENNETT of Oxford and Representatives: HEIDRICH of Oxford, LEDWIN of Holden, SHERMAN of Hodgdon.

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

REFERRED to the Committee on **TRANSPORTATION** and ordered printed.

Sent for concurrence.

Bill "An Act To Define Standard-offer Service as a Service of Last Resort"

(H.P. 241) (L.D. 298)

Sponsored by Representative BERRY of Belmont.

Cosponsored by Representative: GOODWIN of Pembroke.

Bill "An Act To Make Adjustments to the Renewable Energy Portfolio"

(H.P. 245) (L.D. 302)

Sponsored by Representative BERRY of Belmont.

Cosponsored by Representatives: GOODWIN of Pembroke, JOY of Crystal, RINES of Wiscasset, ROSEN of Bucksport.

Bill "An Act To Ensure Recovery of Extraordinary, Terrorism-related Security Costs for Public Utilities" (EMERGENCY)

(H.P. 249) (L.D. 306)

Sponsored by Representative BERRY of Belmont.

Cosponsored by Representative: GOODWIN of Pembroke.

Committee on **UTILITIES AND ENERGY** suggested and ordered printed.

REFERRED to the Committee on **UTILITIES AND ENERGY** and ordered printed.

Sent for concurrence.

Pursuant to Statute

Criminal Law Advisory Commission

Representative NORBERT for the **Criminal Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act To Modify Certain Criminal Appeal Statutes in View of the New Maine Rules of Appellate Procedure"

(H.P. 216) (L.D. 273)

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 Statute

Revisor of Statutes

Representative NORBERT for the **Revisor of Statutes** pursuant to the Maine Revised Statutes, Title 1, section 94 asks leave to report that the accompanying Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

(H.P. 217) (L.D. 274)

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 Statute

Criminal Law Advisory Commission

Representative NORBERT for the **Criminal Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act To Amend Certain Aspects of Post-conviction Review Procedure"

(H.P. 269) (L.D. 340)

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 Statute

Workers' Compensation Board

Representative SMITH for the **Workers' Compensation Board** pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11 asks leave to report that the accompanying Bill "An Act To Require the Workers' Compensation Board To Adopt Rules To Require Electronic Filing"

(H.P. 268) (L.D. 339)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR** 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:

In Memory of:

Bradley A. Beckett, of Cushing, who taught school for 26 years. As a teacher at Thomaston Grammar School, he was often seen keeping score at sports events, filming a school concert or teaching local history on field trips around Thomaston. Bradley, who was recently named Town Historian, volunteered countless hours recording oral history from senior citizens. Bradley Beckett's community will greatly feel his loss;

(HLS 63)

Presented by Representative **RECTOR** of Thomaston. Cosponsored by Representative **EARLE** of Damariscotta, Senator **SAVAGE** of Knox.

On **OBJECTION** of Representative **RECTOR** of Thomaston, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Thomaston, Representative **Rector**.

Representative **RECTOR**: Mr. Speaker, Ladies and Gentlemen of the House. I speak today about Bradley Beckett of Cushing who recently died at too young an age. He was a man of accomplishment beyond his years. Brad was nearly a student of and later a fellow teacher and very close friend of my predecessor, the Honorable James Skoglund. I promised Jim to speak briefly about Brad's accomplishments.

Brad taught school for 26 years at the Thomaston Grammar School passing along to his students a passion for our history. Brad's knowledge of the past brought history to life. He authored three history books and acted as a valuable resource to area historical societies. His passion for the past inspired him to gather the oral recollections of many of our older residents to create a lasting record for future generations. He served as the official town historian for the Town of Cushing. In addition to these interests, Brad was a gifted amateur photographer. Growing up on the coast he had a passion for sailing and delighted in sharing that skill with family and friends. In a broader context, Brad was a champion of our democracy and a strong advocate for the civil liberties of all of our citizens. Students and colleagues at the Thomaston Grammar School, his family, his many friends in the community sadly miss him.

Subsequently, **ADOPTED** and sent for concurrence.

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, January 23, 2003, 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 Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Promote Affordable Housing"

(S.P. 25) (L.D. 39)

- In Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

(Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested)

TABLED - January 21, 2003 (Till Later Today) by Representative **BRANNIGAN** of Portland.

PENDING - **REFERENCE IN CONCURRENCE**.

On motion of Representative **BRANNIGAN** of Portland, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

The following item was taken up out of order by unanimous consent:

Bill "An Act To Provide for the Passage of Anadromous Fish Species into the Little River"

(H.P. 132) (L.D. 173)

(Committee on **INLAND FISHERIES AND WILDLIFE** suggested)

TABLED - January 21, 2003 (Till Later Today) by Representative **PINEAU** of Jay.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**, ordered printed and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(H.P. 25) (L.D. 18) Bill "An Act to Make Corrections to Laws in Conflict with **MCJUSTIS** Changes" (**EMERGENCY**) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-5)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence. **ORDERED SENT FORTHWITH**.

SENATE PAPERS

Bill "An Act to Prevent Abuse of Elephants"

(S.P. 109) (L.D. 327)

Bill "An Act to Stabilize the Maine Dairy Industry" (**EMERGENCY**)

(S.P. 120) (L.D. 338)

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 Endowment Incentive Fund"

(S.P. 118) (L.D. 336)

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 To Increase Access to Higher Education"

(S.P. 108) (L.D. 326)

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

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

Resolve, Affecting the MaineCare Reimbursement Formula

(S.P. 114) (L.D. 332)

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 Give Priority in the Antlerless Deer Permit System to a Person Who Owns 100 Acres or More of Land and Permits Hunting on the Land"

(S.P. 106) (L.D. 270)

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 Amend the Law Relating to Annuities"

(S.P. 121) (L.D. 342)

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

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

Bill "An Act to Increase Courthouse Security"

(S.P. 110) (L.D. 328)

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 Establish a Transportation Assistance Program and Revolving Loan Fund"

(S.P. 116) (L.D. 334)

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

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

Bill "An Act Concerning Boards of Assessment Review"

(S.P. 103) (L.D. 267)

Bill "An Act To Clarify the Laws Pertaining to the Surcharge for Records Preservation for the Registry of Deeds"

(S.P. 107) (L.D. 325)

Resolve, Directing the Department of Audit To Establish a Fraud Hotline

(S.P. 115) (L.D. 333)

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 Exempt Special Mobile Equipment from Sales Tax"

(S.P. 105) (L.D. 269)

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 Clarify the Ability of Transmission and Distribution Utilities To Market Electricity at Retail"

(S.P. 112) (L.D. 330)

Bill "An Act Restricting Telemarketers from Blocking Their Telephone Numbers When Making Solicitation Calls"

(S.P. 113) (L.D. 331)

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.

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

On motion of Representative RECTOR of Thomaston, the House adjourned at 11:21 a.m., until 10:00 a.m., Thursday, January 30, 2003 in honor and lasting tribute to Bradley A. Beckett, of Cushing.