

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
10th Legislative Day
Tuesday, February 4, 2003

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

Prayer by The Reverend Cn. Samuel G. Henderson, St. Luke's Cathedral, Portland.

National Anthem by Rachel Wadsworth, Miss Maine, Hiram.

Pledge of Allegiance.

Doctor of the day, Dr. Julie Pease, M.D., Brunswick.

The Journal of Thursday, January 30, 2003 was read and approved.

SENATE PAPERS

Bill "An Act to Amend School Administrative District Cost-sharing and County Tax Apportionments to Recognize the Value of Property in Municipal Tax Increment Financing Districts"

(S.P. 123) (L.D. 347)

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

On motion of Representative CUMMINGS of Portland, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Encourage the Use of Generic Drugs"

(S.P. 111) (L.D. 329)

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** 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.

Resolve, Authorizing the Commissioner of Inland Fisheries and Wildlife To Allow a Well and Waterline Easement (EMERGENCY)

(S.P. 122) (L.D. 346)

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

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 Promote Clarity Regarding Death Certificates" (EMERGENCY)

(S.P. 127) (L.D. 351)

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

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

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

COMMUNICATIONS

The Following Communication: (H.C. 27)

**STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION**

AUGUSTA, MAINE 04333-0006

January 31, 2003

The Honorable Beverly C. Daggett, President

The Honorable Patrick Colwell, Speaker

121st Maine Legislature

State House, Augusta, ME 04333

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

Dear President Daggett and Speaker Colwell:

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.**

Sent for concurrence.

The Following Communication: (H.C. 26)

MAINE STATE LEGISLATURE

AUGUSTA, MAINE 04333

HEALTH CARE SYSTEM AND

HEALTH SECURITY BOARD

January 29, 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:

This letter is to inform you that the Health Care System and Health Security Board has submitted the attached preliminary report to the Legislative Council pursuant to Public Law 2001, chapter 439, Part ZZZ. Copies of the report have been placed on file with the Law and Legislative Reference Library. Copies will be transmitted to the Joint Standing Committee on Insurance and Financial Services.

Sincerely,

S/Senator John L. Martin, Senate Chair

S/Representative Paul Volenik, House Chair

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

The Following Communication: (S.P. 131)

STATE OF MAINE

121ST MAINE LEGISLATURE

January 28, 2003

Sen. Bruce S. Bryant

Senate Chair, Joint Standing Committee on

Inland Fisheries and Wildlife

Rep. Matthew Dunlap

House Chair, Joint Standing Committee on

Inland Fisheries and Wildlife

121st Legislature

Augusta, ME 04333

Dear Senator Bryant and Representative Dunlap:

Please be advised that Governor John E. Baldacci has nominated Roland (Dan) Martin of Caribou as Commissioner of the Department of Inland Fisheries and Wildlife. Pursuant to Title 12, M.R.S.A. §7031, this nomination will require review by the Joint Standing Committee on Inland Fisheries and Wildlife and confirmation by the Senate.

Sincerely,
S/Beverly Daggett
President of the Senate
S/Patrick Colwell
Speaker of the House

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

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

The Following Communication: (S.C. 26)

**MAINE SENATE
121ST LEGISLATURE
OFFICE OF THE SECRETARY**

January 30, 2003
Honorable Patrick Colwell
Speaker of the House
2 State House Station
Augusta, ME 04333
Dear Speaker Colwell:

In accordance with Joint Rule 506 of the 121st Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Joint Standing Committee on Appropriations and Financial Affairs, the nomination of Rebecca Wyke of Augusta, for appointment as the Commissioner of the Department of Administrative and Financial Services.

Upon the recommendation of the Joint Standing Committee on Criminal Justice and Public Safety, the nomination of Martin Magnusson of Thomaston, for appointment as the Commissioner of the Department of Corrections.

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Appropriate Funds for the Millinocket Area Growth and Investment Council"

(H.P. 351) (L.D. 459)

Sponsored by Representative DUPREY of Medway.

Cosponsored by Senator STANLEY of Penobscot and Representatives: BARSTOW of Gorham, CARR of Lincoln, CLARK of Millinocket, FAIRCLOTH of Bangor, MAILHOT of Lewiston, Senators: BRYANT of Oxford, DAVIS of Piscataquis.

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2003" (EMERGENCY)

(H.P. 372) (L.D. 483)

Sponsored by Representative BRANNIGAN of Portland. (GOVERNOR'S BILL)

Cosponsored by Senator CATHCART of Penobscot and Representatives: COWGER of Hallowell, DUDLEY of Portland, MAILHOT of Lewiston, MILLETT of Waterford, PINGREE of North Haven, ROSEN of Bucksport, Senators: ROTUNDO of Androscoggin, TURNER of Cumberland.

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.

By unanimous consent, (L.D. 483) having been acted upon was **ORDERED SENT FORTHWITH**.

Bill "An Act To Promote the Development of Affordable Housing"

(H.P. 345) (L.D. 453)

Sponsored by Representative SULLIVAN of Biddeford.

Cosponsored by Representatives: GERZOFKY of Brunswick, LAVERRIERE-BOUCHER of Biddeford, McKEE of Wayne, O'BRIEN of Lewiston, PINGREE of North Haven, Senators: BROMLEY of Cumberland, HALL of Lincoln.

Resolve, To Establish the Task Force To Study Regulatory Barriers to Affordable Housing (EMERGENCY)

(H.P. 364) (L.D. 472)

Sponsored by Representative SULLIVAN of Biddeford.

Cosponsored by Representatives: GERZOFKY of Brunswick, LAVERRIERE-BOUCHER of Biddeford, McKEE of Wayne, O'BRIEN of Lewiston, Senators: BROMLEY of Cumberland, HALL of Lincoln.

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 Limit the Interest Rate on Consumer Credit Transactions"

(H.P. 365) (L.D. 473)

Sponsored by Representative TWOMEY of Biddeford.

Cosponsored by Representative GOODWIN of Pembroke and Representatives: ADAMS of Portland, BLISS of South Portland, CANAVAN of Waterville, HUTTON of Bowdoinham, LUNDEEN of Mars Hill, O'BRIEN of Lewiston.

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

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

Bill "An Act To Amend the Laws Governing Penalties for Writing Bad Checks"

(H.P. 321) (L.D. 413)

Sponsored by Representative PEAVEY-HASKELL of Greenbush.

Cosponsored by Senator NASS of York and Representatives: CLARK of Millinocket, COLLINS of Wells, DUNLAP of Old Town, LEDWIN of Holden, STONE of Berwick.

Resolve, Requiring the State Police To Develop a Form for Use in Private Firearm Sales

(H.P. 353) (L.D. 461)

Sponsored by Representative SNOWE-MELLO of Poland.

Bill "An Act To Clarify Arrest Powers of Law Enforcement Officers"

(H.P. 361) (L.D. 469)

Sponsored by Representative GERZOFKY of Brunswick.

Cosponsored by Senator STRIMLING of Cumberland and Representatives: BLANCHETTE of Bangor, BUNKER of Kossuth Township, CHURCHILL of Washburn, COURTNEY of Sanford, GREELEY of Levant, LESSARD of Topsham, SNOWE-MELLO of Poland, Senator: MAYO of Sagadahoc.

Bill "An Act To Improve Conditions for Inmates with Mental Illness"

(H.P. 367) (L.D. 475)

Sponsored by Representative GERZOFKY of Brunswick.

Cosponsored by President DAGGETT of Kennebec and Representatives: BLANCHETTE of Bangor, BRANNIGAN of Portland, CANAVAN of Waterville, DUDLEY of Portland, GREELEY of Levant, O'BRIEN of Lewiston, RINES of Wiscasset, TWOMEY of Biddeford.

Bill "An Act Requiring Lifetime Probation for Dangerous Sexual Offenders"

(H.P. 370) (L.D. 478)

Sponsored by Representative O'BRIEN of Augusta.

Cosponsored by President DAGGETT of Kennebec and Representatives: BLANCHETTE of Bangor, CANAVAN of Waterville, LERMAN of Augusta, NUTTING of Oakland, O'BRIEN of Lewiston, 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 Regarding the School Board of the Governor Baxter School for the Deaf"

(H.P. 328) (L.D. 420)

Sponsored by Representative CUMMINGS of Portland.

Cosponsored by Representative: KANE of Saco.

Resolve, To Prepare Maine's Students for Active Citizenship (EMERGENCY)

(H.P. 333) (L.D. 425)

Sponsored by Representative CUMMINGS of Portland.

Cosponsored by Senator ROTUNDO of Androscoggin and Representative: PINGREE of North Haven, Senator: CATHCART of Penobscot.

Bill "An Act To Establish the Maine Week of Heroes"

(H.P. 369) (L.D. 477)

Sponsored by Representative VAUGHAN of Durham.

Under suspension of the rules, cosponsored by Senator EDMONDS of Cumberland and Representatives: ANNIS of Dover-Foxcroft, BLISS of South Portland, BRANNIGAN of Portland, BREault of Buxton, BRYANT-DESCHENES of Turner, BULL of Freeport, BUNKER of Kossuth Township, CLARK of Millinocket, COLLINS of Wells, Speaker COLWELL of Gardiner, CROSTHWAITE of Ellsworth, DUDLEY of Portland,

DUNLAP of Old Town, DUPLESSIE of Westbrook, GLYNN of South Portland, GREELEY of Levant, HOTHAM of Dixfield, HUTTON of Bowdoinham, KOFFMAN of Bar Harbor, LEMOINE of Old Orchard Beach, MAILHOT of Lewiston, McCORMICK of West Gardiner, McKEE of Wayne, McLAUGHLIN of Cape Elizabeth, MOODY of Manchester, MOORE of the Passamaquoddy Tribe, NORBERT of Portland, O'BRIEN of Lewiston, PEAVEY-HASKELL of Greenbush, RICHARDSON of Brunswick, SNOWE-MELLO of Poland, SULLIVAN of Biddeford, TOBIN of Windham, TRAHAN of Waldoboro, TREADWELL of Carmel, USHER of Westbrook, Senators: BENNETT of Oxford, STRIMLING of Cumberland, TREAT of Kennebec.

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.

Bill "An Act To Include a Representative of Mental Health Providers on the Board of Directors of the Maine Health Data Organization"

(H.P. 329) (L.D. 421)

Sponsored by Representative LAVERRIERE-BOUCHER of Biddeford.

Cosponsored by Senator BRENNAN of Cumberland and Representatives: BRANNIGAN of Portland, CANAVAN of Waterville, LEMOINE of Old Orchard Beach, McLAUGHLIN of Cape Elizabeth, PINGREE of North Haven, SHERMAN of Hodgdon, SUKEFORTH of Union, WALCOTT of Lewiston.

Resolve, Regarding Coverage of Durable Medical Equipment in the MaineCare Program

(H.P. 336) (L.D. 444)

Sponsored by Representative MARRACHÉ of Waterville.

Cosponsored by Representatives: GOODWIN of Pembroke, JACKSON of Fort Kent, PARADIS of Frenchville, PERRY of Calais, SMITH of Van Buren.

Resolve, To Study Obesity and Methods To Decrease the Cost of Health Care and Increase the Public Health

(H.P. 363) (L.D. 471)

Sponsored by Representative FAIRCLOTH of Bangor.

Cosponsored by Senator BRENNAN of Cumberland and Representatives: DAIGLE of Arundel, EARLE of Damariscotta, KANE of Saco, LAVERRIERE-BOUCHER of Biddeford, WALCOTT of Lewiston, Senators: MARTIN of Aroostook, MAYO of Sagadahoc, WESTON of Waldo.

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 Regarding the Presumption of Violations of the Hunting-on-Sunday Prohibition"

(H.P. 316) (L.D. 408)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator KNEELAND of Aroostook and Representatives: CARR of Lincoln, DUNLAP of Old Town, FISCHER of Presque Isle, GOODWIN of Pembroke, SMITH of Van Buren, TRAHAN of Waldoboro, WOTTON of Littleton, Senator: MARTIN of Aroostook.

Bill "An Act Regarding Bear Hunting"

(H.P. 338) (L.D. 446)

Sponsored by Representative DUNLAP of Old Town.

Bill "An Act To Exempt a Watercraft That Is Equipped with an Electric Outboard Motor from Paying a Fee for the Certificate of Number"

(H.P. 340) (L.D. 448)

Sponsored by Representative CLARK of Millinocket.

Cosponsored by Senator STANLEY of Penobscot and Representatives: DUPREY of Medway, WATSON of Bath, WHEELER of Kittery.

Bill "An Act To Ban the Use of Snares"

(H.P. 347) (L.D. 455)

Sponsored by Representative BULL of Freeport.

Cosponsored by Representative: NORTON of Bangor.

Bill "An Act To Encourage Dog Tracking of Wounded Big Game Animals"

(H.P. 352) (L.D. 460)

Sponsored by Representative TRAHAN of Waldoboro.

Cosponsored by Senator HALL of Lincoln and Representative: SNOWE-MELLO of Poland.

Bill "An Act To Amend the Ice Fishing and Fishing Derby Laws"

(H.P. 360) (L.D. 468)

Sponsored by Representative DUNLAP of Old Town.

Bill "An Act To Strengthen the ATV Laws of the State"

(H.P. 366) (L.D. 474)

Sponsored by Representative TRAHAN of Waldoboro.

Cosponsored by Senator HALL of Lincoln and Representatives: DAIGLE of Arundel, DUNLAP of Old Town, SNOWE-MELLO of Poland, Senator: SAVAGE of Knox.

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 Allow a Former Spouse or Domestic Partner To Cancel a Life Insurance Policy in That Person's Name"

(H.P. 317) (L.D. 409)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator EDMONDS of Cumberland and Representatives: CANAVAN of Waterville, FISCHER of Presque Isle, MARRACHÉ of Waterville, PERCY of Phippsburg.

Bill "An Act To Improve the Process of Credentialing Health Care Providers"

(H.P. 331) (L.D. 423)

Sponsored by Representative MARRACHÉ of Waterville.

Cosponsored by Senator GAGNON of Kennebec and Representatives: FINCH of Fairfield, GLYNN of South Portland, McLAUGHLIN of Cape Elizabeth, O'NEIL of Saco, PERRY of Calais, SMITH of Van Buren.

Bill "An Act To Ensure Fairness Regarding Use of Consumer Credit Reports in Insurance Underwriting"

(H.P. 362) (L.D. 470)

Sponsored by Representative CANAVAN of Waterville.

Cosponsored by Representative SUSLOVIC of Portland, President DAGGETT of Kennebec and Representatives: DUDLEY of Portland, O'NEIL of Saco, PERRY of Calais, RECTOR of Thomaston, RICHARDSON of Brunswick, THOMPSON of China, TRAHAN of Waldoboro, Senator: BRENNAN of Cumberland.

Bill "An Act Clarifying the Maine Consumer Credit Code"

(H.P. 374) (L.D. 485)

Sponsored by Representative O'NEIL of Saco.

Bill "An Act To Amend the Maine Insurance Guaranty Association Act"

(H.P. 376) (L.D. 487)

Sponsored by Representative O'NEIL of Saco.

Bill "An Act To Reduce Administrative Expenses in Health Insurance"

(H.P. 377) (L.D. 488)

Sponsored by Representative O'NEIL of Saco.

Bill "An Act To Encourage Agricultural Cooperative Associations To Provide Group Health Plans" (EMERGENCY)

(H.P. 381) (L.D. 492)

Sponsored by Representative O'NEIL of Saco.

Bill "An Act To Enhance Consumer Protections in Relation to Certain Mortgages"

(H.P. 383) (L.D. 494)

Sponsored by Representative O'NEIL of Saco.

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 Restore Federal Protections to Maine State Employees"

(H.P. 323) (L.D. 415)

Sponsored by Representative RICHARDSON of Brunswick.

Cosponsored by Senator TREAT of Kennebec and Representatives: BULL of Freeport, COWGER of Hallowell, DUPLESSIE of Westbrook, HATCH of Skowhegan, LERMAN of Augusta, NORBERT of Portland, THOMPSON of China, Senator: MAYO of Sagadahoc.

Bill "An Act To Increase the Compensation of Jurors"

(H.P. 344) (L.D. 452)

Sponsored by Representative GOODWIN of Pembroke.

Cosponsored by Representatives: BUNKER of Kossuth Township, CLARK of Millinocket, JACKSON of Fort Kent.

Bill "An Act Concerning Citizens' Property Rights"

(H.P. 379) (L.D. 490)

Sponsored by Representative COLLINS of Wells.

Cosponsored by Senator GILMAN of Cumberland and Representatives: CROSTHWAITE of Ellsworth, McGOWAN of Pittsfield, PEAVEY-HASKELL of Greenbush, STONE of Berwick, SUSLOVIC of Portland.

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

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

Sent for concurrence.

Bill "An Act To Provide Employees Fair Access to Personnel Files"

(H.P. 319) (L.D. 411)

Sponsored by Representative HATCH of Skowhegan.
Cosponsored by Senator EDMONDS of Cumberland and Representatives: HUTTON of Bowdoinham, JACKSON of Fort Kent, Senator: HATCH of Somerset.

Bill "An Act To Require the State To Fully Pay for Health Insurance for Maine's Retired Educators"

(H.P. 322) (L.D. 414)

Sponsored by Representative FISCHER of Presque Isle.
Cosponsored by Senator MAYO of Sagadahoc and Representatives: CLARK of Millinocket, DAVIS of Falmouth, DUDLEY of Portland, PINGREE of North Haven, SHERMAN of Hodgdon, SMITH of Van Buren, Senators: CATHCART of Penobscot, EDMONDS of Cumberland.

Bill "An Act To Supplement Benefits for State Employees and Teachers Whose Pensions Are Subject to Reductions Enacted in 1993"

(H.P. 349) (L.D. 457)

Sponsored by Representative MILLS of Cornville.

Bill "An Act To Protect Maine Families When Workplace Fatalities Occur"

(H.P. 368) (L.D. 476)

Sponsored by Representative DUPLESSIE of Westbrook.
Cosponsored by Senator EDMONDS of Cumberland and Representatives: HATCH of Skowhegan, KETTERER of Madison, PATRICK of Rumford, SIMPSON of Auburn, SMITH of Van Buren, WATSON of Bath, Senators: BRYANT of Oxford, HATCH of Somerset.

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

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

Sent for concurrence.

Bill "An Act To Preserve the Integrity of the Voting Process"

(H.P. 334) (L.D. 426)

Sponsored by Representative THOMAS of Orono.
Cosponsored by Senator CATHCART of Penobscot and Representatives: Speaker COLWELL of Gardiner, DUNLAP of Old Town, DUPLESSIE of Westbrook, NORBERT of Portland, RICHARDSON of Brunswick, TRAHAN of Waldoboro, Senators: President DAGGETT of Kennebec, MAYO of Sagadahoc.

Bill "An Act To Allow the Transfer of Spirits within Existing Businesses"

(H.P. 342) (L.D. 450)

Sponsored by Representative TRAHAN of Waldoboro.
Cosponsored by Senator HALL of Lincoln and Representatives: DUNLAP of Old Town, SNOWE-MELLO of Poland, TOBIN of Dexter.

Bill "An Act To Clarify Campaign Finance Penalty Provisions"

(H.P. 346) (L.D. 454)

Sponsored by Representative CANAVAN of Waterville.
Cosponsored by Senator GAGNON of Kennebec and Representatives: CLARK of Millinocket, EDER of Portland, FLETCHER of Winslow, GAGNE-FRIEL of Buckfield, HOTHAM

of Dixfield, SMITH of Monmouth, THOMPSON of China, TWOMEY of Biddeford.

Bill "An Act Concerning the Issuance of a Temporary Liquor License"

(H.P. 358) (L.D. 466)

Sponsored by Representative COWGER of Hallowell.
Cosponsored by Senator GAGNON of Kennebec and Representatives: BULL of Freeport, BUNKER of Kossuth Township, COLLINS of Wells, JODREY of Bethel, KOFFMAN of Bar Harbor, THOMPSON of China, Senators: HALL of Lincoln, MAYO of Sagadahoc.

Bill "An Act To Protect Communities Affected by Casino Gambling Operations"

(H.P. 375) (L.D. 486)

Sponsored by Representative LEMOINE of Old Orchard Beach.
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 Manage Water Resources"

(H.P. 380) (L.D. 491)

Sponsored by Representative COLLINS of Wells.
Cosponsored by Senator MARTIN of Aroostook and Representatives: ANNIS of Dover-Foxcroft, COWGER of Hallowell, DUPLESSIE of Westbrook, TOBIN of Windham, TWOMEY of Biddeford.

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

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

Sent for concurrence.

Bill "An Act To Amend the County Contingent Fund"

(H.P. 324) (L.D. 416)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth.
Cosponsored by Representatives: BARSTOW of Gorham, BLISS of South Portland.

Bill "An Act To Provide Cumberland County Budget Advisory Committee with Final Budget Approval Authority"

(H.P. 325) (L.D. 417)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth.
Cosponsored by Senator GILMAN of Cumberland and Representatives: AUSTIN of Gray, BARSTOW of Gorham, BLISS of South Portland, GLYNN of South Portland, MOORE of Standish.

Bill "An Act To Limit the Undesignated Surplus of Counties to 15% of the Annual Operating Budget"

(H.P. 326) (L.D. 418)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth.
Cosponsored by Representatives: BARSTOW of Gorham, BLISS of South Portland, BUNKER of Kossuth Township, CLOUGH of Scarborough, DUDLEY of Portland, GLYNN of South Portland, MOORE of Standish, Senator: GILMAN of Cumberland.

Bill "An Act To Repeal Outdated and Unfunded Municipal and Educational Mandates"

(H.P. 327) (L.D. 419)

Sponsored by Representative MILLETT of Waterford.

Cosponsored by Representatives: BROWNE of Vassalboro, GAGNE-FRIEL of Buckfield, SYKES of Harrison, TOBIN of Windham.

Resolve, Directing the Department of Administrative and Financial Services to Examine the Potential Cost Savings of Offering State Employees Early Retirement

(H.P. 348) (L.D. 456)

Sponsored by Representative LERMAN of Augusta.

Cosponsored by Representatives: McLAUGHLIN of Cape Elizabeth, RICHARDSON of Brunswick, SUSLOVIC of Portland.

Bill "An Act To Make Transportation More Affordable for Low-income Families"

(H.P. 357) (L.D. 465)

Sponsored by Representative McGLOCKLIN of Embden.

Cosponsored by Representatives: ADAMS of Portland, DAIGLE of Arundel, DUGAY of Cherryfield, KANE of Saco, MILLS of Cornville, TWOMEY of Biddeford, WALCOTT of Lewiston, Senator: SAVAGE of Knox.

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell Certain Real Estate Lands of the Long Creek Youth Development Center in South Portland

(H.P. 378) (L.D. 489)

Sponsored by Representative GLYNN of South Portland.

Cosponsored by Representative: MAIETTA of South Portland.

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 Require All Fees, Fines and Penalties To Be Deposited into the General Fund"

(H.P. 341) (L.D. 449)

Sponsored by Representative JOY of Crystal.

Cosponsored by Representatives: ANNIS of Dover-Foxcroft, CARR of Lincoln, SHERMAN of Hodgdon, TRAHAN of Waldoboro, Senator: STANLEY of Penobscot.

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

On motion of Representative BARSTOW of Gorham, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, ordered printed and sent for concurrence.

Bill "An Act To Facilitate Farmer Participation in the Land for Maine's Future Program"

(H.P. 337) (L.D. 445)

Sponsored by Representative SMITH of Monmouth.

Cosponsored by Senator KNEELAND of Aroostook and Representatives: JENNINGS of Leeds, McKEE of Wayne, MILLS of Cornville, PINEAU of Jay, PIOTTI of Unity, SAVIELLO of Wilton, SUSLOVIC of Portland, Senator: HALL of Lincoln.

Bill "An Act To Exempt from Sales Tax the Sales of Adaptive Equipment To Make a Vehicle Handicapped Accessible"

(H.P. 339) (L.D. 447)

Sponsored by Representative TWOMEY of Biddeford.

Cosponsored by Representatives: BLANCHETTE of Bangor, DAVIS of Falmouth, LAVERRIERE-BOUCHER of Biddeford, McKEE of Wayne, O'BRIEN of Lewiston, PARADIS of Frenchville, SIMPSON of Auburn, Senator: EDMONDS of Cumberland.

Bill "An Act To Clarify Tax Appeal Procedures"

(H.P. 343) (L.D. 451)

Sponsored by Representative LEMOINE of Old Orchard Beach.

Resolve, To Study the Policies of the Department of Administrative and Financial Services, Bureau of Revenue Services Regarding Tax Collection Practices

(H.P. 359) (L.D. 467)

Sponsored by Representative PERRY of Bangor.

Cosponsored by Senator LEMONT of York and Representatives: DAIGLE of Arundel, DUNLAP of Old Town, McGOWAN of Pittsfield, RINES of Wiscasset, SIMPSON of Auburn, THOMAS of Orono, Senator: SAWYER of Penobscot.

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

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

Sent for concurrence.

Bill "An Act To Change the Legislative License Plate to a Combination Plate"

(H.P. 318) (L.D. 410)

Sponsored by Representative DAIGLE of Arundel.

Cosponsored by Representatives: McKENNEY of Cumberland, USHER of Westbrook.

Resolve, To Require Reports from the Maine State Police Regarding Commercial Trucks

(H.P. 320) (L.D. 412)

Sponsored by Representative SHERMAN of Hodgdon.

Cosponsored by Senator STANLEY of Penobscot and Representatives: CARR of Lincoln, GOODWIN of Pembroke, JACKSON of Fort Kent, JOY of Crystal, TOBIN of Dexter, Senator: KNEELAND of Aroostook.

Bill "An Act To Honor Purple Heart Award Recipients"

(H.P. 330) (L.D. 422)

Sponsored by Representative NORBERT of Portland. (BY REQUEST)

Bill "An Act To Increase the Availability of Handicapped Parking Spaces for People with Disabilities"

(H.P. 332) (L.D. 424)

Sponsored by Representative MARLEY of Portland.

Bill "An Act Regarding Motorcycle Noise Emission Control Standards"

(H.P. 350) (L.D. 458)

Sponsored by Representative LEMOINE of Old Orchard Beach.

Cosponsored by Representatives: KANE of Saco, O'NEIL of Saco, SULLIVAN of Biddeford, TWOMEY of Biddeford.

Bill "An Act To Direct the Department of Transportation to Incorporate Regionalism into the Transit Bonus Payment Program"

(H.P. 354) (L.D. 462)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth. Cosponsored by Senator DAMON of Hancock and Representatives: DAIGLE of Arundel, KOFFMAN of Bar Harbor, SUSLOVIC of Portland, USHER of Westbrook, Senators: GILMAN of Cumberland, HALL of Lincoln, HATCH of Somerset.

Bill "An Act to Enhance Integration of Transportation and Land Use Planning"

(H.P. 355) (L.D. 463)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth. Cosponsored by Senator DAMON of Hancock and Representatives: BARSTOW of Gorham, DAIGLE of Arundel, KOFFMAN of Bar Harbor, SUSLOVIC of Portland, USHER of Westbrook, Senators: HALL of Lincoln, HATCH of Somerset, YOUNGBLOOD of Penobscot.

Bill "An Act To Allow Fire and Emergency Medical Services Response Vehicles To Display One Blue Light at the Rear of the Vehicle"

(H.P. 356) (L.D. 464)

Sponsored by Representative BULL of Freeport. Cosponsored by Senator SAVAGE of Knox and Representatives: ANDREWS of York, BUNKER of Kossuth Township, DUGAY of Cherryfield, MARLEY of Portland, McNEIL of Rockland, RINES of Wiscasset, STONE of Berwick, USHER of Westbrook.

Resolve, To Name the Washington County Portion of US Rt. 9 the Tony Tammaro Memorial Highway

(H.P. 371) (L.D. 482)

Sponsored by Representative BUNKER of Kossuth Township. Under suspension of the rules, cosponsored by Senator SHOREY of Washington and Representatives: BROWNE of Vassalboro, COLLINS of Wells, DUGAY of Cherryfield, GOODWIN of Pembroke, JODREY of Bethel, MARLEY of Portland, MARRACHÉ of Waterville, McKENNEY of Cumberland, McNEIL of Rockland, PARADIS of Frenchville, PELLON of Machias, PERRY of Calais, SAMPSON of Auburn, USHER of Westbrook, Senator: HATCH of Somerset.

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

(H.P. 382) (L.D. 493)

Sponsored by Representative GLYNN of South Portland.

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

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

Sent for concurrence.

Pursuant to Resolve

State House and Capitol Park Commission

Representative McLAUGHLIN for the **State House and Capitol Park Commission** pursuant to Resolve 2001, chapter 110 asks leave to report that the accompanying Bill "An Act To Implement the Recommendations of the State House and Capitol Park Commission Regarding a Living Memorial in Capitol Park"

(H.P. 373) (L.D. 484)

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

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

Sent for concurrence.

ORDERS

On motion of Representative GOODWIN of Pembroke, the following Joint Order: (H.P. 335)

ORDERED, the Senate concurring, that the Joint Standing Committee on Utilities and Energy shall review the electric industry restructuring required by the Maine Revised Statutes, Title 35-A, chapter 32, including the effects of the law since its enactment in Public Law 1997, chapter 316, and determine whether changes to the law are necessary to effectuate the intent of that public law. If the committee determines that changes are necessary, the committee shall report out to the Legislature a bill with those changes.

READ and **PASSED**.

Sent for concurrence. **ORDERED SENT FORTHWITH**.

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

Jayson Allen McCutcheon, of Pittston, who died recently after a lifelong battle with cystic fibrosis. A sophomore at Gardiner Area High School, Jayson will be sadly missed by his family and friends;

(HLS 81)

Presented by Speaker COLWELL of Gardiner.

Cosponsored by Senator HALL of Lincoln, Senator TREAT of Kennebec, Representative COWGER of Hallowell, Representative McCORMICK of West Gardiner.

On **OBJECTION** of Representative COLWELL of Gardiner, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Hallowell, Representative Cowger.

Representative **COWGER**: Mr. Speaker, Colleagues of the House. As you just heard, Jayson was a sophomore at Gardiner High School. Jayson was very well liked by his classmates, his neighbors and his entire community. Jayson fought a valiant and courageous battle with cystic fibrosis. He helped educate many of us as to the debilitating affects of this terrible disease. Jayson's neighbors pulled together over the last year to help raise money for him to get a lung transplant that would save his life. These efforts, by the way, included a benefit concert, which included our own Speaker Colwell. Very sadly, however, Jayson died while awaiting a suitable set of lungs. One set that was identified for him were so damaged by cigarette smoke that they could not be used. That was his only hope at that time.

This energetic and ever optimistic 17 year old will be sadly missed by his family, friends and the entire Kennebec Valley Community. The bravery of Jayson McCutcheon's battle with this disease is to be admired by all of the people of Maine. He will indeed be sadly missed. Thank you Mr. Speaker.

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

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, January 30, 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 Provide Consumers at Chain Restaurants with Accurate, Accessible Nutrition Information"

(H.P. 311) (L.D. 391)

(Committee on **HEALTH AND HUMAN SERVICES** suggested)

TABLED - January 30, 2003 (Till Later Today) by Representative KANE of Saco.

PENDING - **REFERENCE.**

On motion of Representative LAVERRIERE-BOUCHER of Biddeford, the Bill was **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**, ordered printed and sent for concurrence.

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

At this point, the Members of the House stood and joined in a moment of silence in honor of the brave men and women who lost their lives on the Space Shuttle Columbia.

On motion of Representative COWGER of Hallowell, the House adjourned at 11:48 a.m., until 3:00 p.m., Wednesday, February 3, 2003 in honor and lasting tribute to Jayson Allen McCutcheon, of Pittston.