

# 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  
14th Legislative Day  
Friday, February 14, 2003

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

Prayer by Reverend George W. Waterman, Oxford Advent Christian Church.

National Anthem by Jennifer McPherson, Eliot.

Pledge of Allegiance.

Doctor of the day, Andrea Brown, M.D., Portland.

The Journal of Tuesday, February 11, 2003 was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.C. 35)

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

February 10, 2003

Honorable Millicent M. 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 22 § 272, I am pleased to appoint Dr. Daniel Meyer of Readfield to serve as a member of the Tobacco Prevention and Control Advisory Council.

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.**

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The Following Communication: (H.C. 36)

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333  
COMMISSION TO ARRANGE FOR A PLAQUE OR  
PLAQUES AND A FLAG OR FLAGS TO BE DISPLAYED  
IN THE HALL OF FLAGS IN THE STATE HOUSE TO  
HONOR THE MAINE VETERANS OF  
WORLD WAR II AND THE KOREAN WAR**

February 11, 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 Commission to Arrange for a Plaque or Plaques and a Flag or Flags to be Displayed in the Hall of Flags in the State House to Honor the Maine Veterans of World War II and the Korean War has completed its work and submitted its report including recommended legislation pursuant to Resolve 2001, Chapter 113. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Senator Kenneth T. Gagnon, Co-chair

S/Representative Charles D. Fisher, Co-chair

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

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The Following Communication: (H.C. 37)

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333  
MAINE LEGISLATIVE YOUTH  
ADVISORY COUNCIL**

February 11, 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 Maine Legislative Youth Advisory Council has submitted the attached report to the Legislative Council pursuant to Public Law 2001, chapter 436, Part PPPP. Copies of the report have been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Representative Rosaire Paradis, Co-chair

S/Molly Feeney, Co-chair

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

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The Following Communication: (H.C. 38)

**STATE HOUSE AND CAPITOL PARK COMMISSION  
AUGUSTA, MAINE 04333**

February 13, 2003

The Honorable Beverly C. Daggett, President

The Honorable Patrick Colwell, Speaker

121st Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

This letter is to inform you that the State House and Capitol Park Commission has submitted the attached final report on the Establishment of a Living Memorial in Capitol Park in Honor of the Victims and Heroes of the September 11, 2001, Tragedy to the Legislative Council pursuant to Resolve 2001, Chapter 110. 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 State and Local Government.

Sincerely,

S/Earle G. Shettleworth, Jr., Chair

State House and Capitol Park Commission

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

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The Following Communication: (S.C. 41)

**MAINE SENATE  
121ST LEGISLATURE  
OFFICE OF THE SECRETARY  
3 STATE HOUSE STATION  
AUGUSTA, ME 04333-0003**

February 11, 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 nomination:

Upon the recommendation of the Joint Standing Committee on Natural Resources, the nomination of Dawn Gallagher of Hallowell, for appointment as the Commissioner of the Department of Environmental Protection.

Sincerely,

S/Judith M. DeFranco

Assistant Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Resolve, Directing the Department of Conservation To Create the Kennebec River Historic Waterway

(H.P. 497) (L.D. 680)

Sponsored by Speaker COLWELL of Gardiner.

Cosponsored by Senator TREAT of Kennebec and Representatives: COWGER of Hallowell, HUTTON of Bowdoinham, McKEE of Wayne, PERCY of Phippsburg, THOMPSON of China, Senators: BRYANT of Oxford, President DAGGETT of Kennebec, MAYO of Sagadahoc.

Bill "An Act To Amend the Animal Welfare Laws"

(H.P. 519) (L.D. 702)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator BRYANT of Oxford and Representatives: FLETCHER of Winslow, GAGNE-FRIEL of Buckfield, LUNDEEN of Mars Hill, SMITH of Monmouth, TWOMEY of Biddeford.

Bill "An Act Related to the Sale of Personal Sports Mobiles"

(H.P. 523) (L.D. 717)

Sponsored by Representative JOY of Crystal.

Cosponsored by Representatives: ANDREWS of York, ANNIS of Dover-Foxcroft, TOBIN of Windham.

Bill "An Act To Require an Annual Report for the Allagash Wilderness Waterway"

(H.P. 529) (L.D. 723)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator BENNETT of Oxford and Representatives: ANNIS of Dover-Foxcroft, DUNLAP of Old Town, FISCHER of Presque Isle, JACKSON of Fort Kent, KOFFMAN of Bar Harbor, LORING of the Penobscot Nation, MOODY of Manchester, PINEAU of Jay.

Bill "An Act To Save Maine Dairy Farms"

(H.P. 544) (L.D. 738)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator BRYANT of Oxford and Representatives: EDER of Portland, FAIRCLOTH of Bangor, PINEAU of Jay, PIOTTI of Unity, SAVIELLO of Wilton, SMITH of Monmouth, THOMPSON of China, TWOMEY of Biddeford.

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.

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Resolve, To Address the Maine Nursing Workforce Shortage through the Expansion of Nursing Education

(H.P. 540) (L.D. 734)

Sponsored by Representative RICHARDSON of Brunswick.

Cosponsored by Senator BRENNAN of Cumberland and Representatives: ANDREWS of York, BREault of Buxton, FISCHER of Presque Isle, LEDWIN of Holden, Senators: DOUGLASS of Androscoggin, PENDLETON of Cumberland.

Bill "An Act to Increase Faculty in Maine Nursing Education Programs"

(H.P. 541) (L.D. 735)

Sponsored by Representative RICHARDSON of Brunswick.

Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: ANDREWS of York, BREault of Buxton, FISCHER of Presque Isle, LEDWIN of Holden, Senators: BRENNAN of Cumberland, PENDLETON of Cumberland.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$8,200,000 for Use in Implementing the Maine Library of Geographic Information"

(H.P. 546) (L.D. 740)

Sponsored by Representative SUSLOVIC of Portland.

Cosponsored by Representatives: BERUBE of Lisbon, EDER of Portland, KOFFMAN of Bar Harbor, ROGERS of Brewer, USHER of Westbrook, WOODBURY of Yarmouth.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Control State Spending Based on Certain Guidelines

(H.P. 555) (L.D. 749)

Sponsored by Representative ANDREWS of York.

Cosponsored by Representatives: BOWEN of Rockport, MILLETT of Waterford, Senator LEMONT of York and Representatives: COURTNEY of Sanford, JOY of Crystal, LEWIN of Eliot, MILLS of Cornville, MURPHY of Kennebunk, SHERMAN of Hodgdon, VAUGHAN of Durham, Senator: YOUNGBLOOD of Penobscot.

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.

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Bill "An Act To Increase the Amount Transferred through State-municipal Revenue Sharing"

(H.P. 515) (L.D. 698)

Sponsored by Representative CRESSEY of Baldwin.

Cosponsored by Senator YOUNGBLOOD of Penobscot and Representatives: CARR of Lincoln, McNEIL of Rockland, NUTTING of Oakland, PEAHEY-HASKELL of Greenbush, RICHARDSON of Skowhegan, ROSEN of Bucksport, TOBIN of Dexter, VAUGHAN of Durham.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

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

Bill "An Act To Ensure Improved Stability in School Funding Distributions"

(H.P. 550) (L.D. 744)

Sponsored by Representative LEMOINE of Old Orchard Beach.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

On motion of Representative MAILHOT of Lewiston, the Bill was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, ordered printed and sent for concurrence.

Bill "An Act to Provide Funding for the Maine Computer Crimes Program" (EMERGENCY)

(H.P. 553) (L.D. 747)

Sponsored by Representative CARR of Lincoln.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: CHURCHILL of Washburn, FLETCHER of Winslow, SHERMAN of Hodgdon.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

On motion of Representative MAILHOT of Lewiston, the Bill was **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, ordered printed and sent for concurrence.

Bill "An Act To Expand the Membership of the Plumbers' Examining Board To Include a Local Plumbing Inspector"

(H.P. 499) (L.D. 682)

Sponsored by Representative O'NEIL of Saco.

Bill "An Act To Provide Incentives for Municipalities To Adopt a Building Rehabilitation Code"

(H.P. 505) (L.D. 688)

Sponsored by Representative KOFFMAN of Bar Harbor.

Cosponsored by Senator MARTIN of Aroostook and Representatives: Speaker COLWELL of Gardiner, DUNLAP of Old Town, HUTTON of Bowdoinham, LEMOINE of Old Orchard Beach, McLAUGHLIN of Cape Elizabeth, NORBERT of Portland, RICHARDSON of Brunswick, Senator: TREAT of Kennebec.

Bill "An Act To Protect Consumer Privacy Rights"

(H.P. 509) (L.D. 692)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator TREAT of Kennebec and Representatives: ANNIS of Dover-Foxcroft, BULL of Freeport, CARR of Lincoln, DUPREY of Hampden, FLETCHER of Winslow, JACKSON of Fort Kent, MAILHOT of Lewiston, NORBERT of Portland.

Resolve, Directing the Department of Labor and the Department of Economic and Community Development To Include Information on the Canadian Maritime Provinces in Their Comparison Reports

(H.P. 554) (L.D. 748)

Sponsored by Representative SHERMAN of Hodgdon.

Cosponsored by Representatives: BIERMAN of Sorrento, CARR of Lincoln, CHURCHILL of Washburn, JACKSON of Fort Kent, ROSEN of Bucksport, TOBIN of Windham, Senator: KNEELAND of Aroostook.

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 Require Periodic In-person Meetings Between a Probationer and a Probation Officer"

(H.P. 506) (L.D. 689)

Sponsored by Representative LAVERRIERE-BOUCHER of Biddeford.

Cosponsored by Representatives: MILLS of Farmington, THOMAS of Orono.

Bill "An Act Regarding Criminal Liability in an OUI Case When the Passenger Is Also under the Influence of Alcohol or Drugs"

(H.P. 511) (L.D. 694)

Sponsored by Representative GLYNN of South Portland.

Bill "An Act To Protect Children 14 and 15 Years of Age from Sexual Contact with Adults"

(H.P. 528) (L.D. 722)

Sponsored by Representative SMITH of Monmouth.

Cosponsored by Representatives: BRUNO of Raymond, CRAVEN of Lewiston, DUPLESSIE of Westbrook, MAKAS of Lewiston, RICHARDSON of Brunswick, Senators: BENNETT of Oxford, SAWYER of Penobscot, TREAT of Kennebec.

Bill "An Act To Repeal the Crime of Plundering at Fires as Larceny"

(H.P. 534) (L.D. 728)

Sponsored by Representative MILLS of Farmington.

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 Home Schooled Athletes To Play on Private School Teams"

(H.P. 504) (L.D. 687)

Sponsored by Representative HEIDRICH of Oxford.

Cosponsored by Senator BLAIS of Kennebec and Representatives: COLLINS of Wells, DAVIS of Falmouth, SNOWE-MELLO of Poland.

Resolve, To Address Multicultural Education Needs of Maine Teachers

(H.P. 516) (L.D. 699)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: CRAVEN of Lewiston, EDER of Portland, FINCH of Fairfield, GAGNE-FRIEL of Buckfield, LAVERRIERE-BOUCHER of Biddeford, O'BRIEN of Lewiston, SULLIVAN of Biddeford.

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 Protect Children by Allowing Child Care Facilities To Fingerprint Employees"

(H.P. 533) (L.D. 727)

Sponsored by Representative DUPREY of Hampden.  
Cosponsored by Senator SAWYER of Penobscot and Representatives: CARR of Lincoln, CROSTHWAITE of Ellsworth, GREELEY of Levant, O'BRIEN of Augusta.

Bill "An Act To Change Child-to-staff Ratios in Child Care Centers"

(H.P. 538) (L.D. 732)

Sponsored by Representative DUPREY of Hampden.  
Cosponsored by Senator SAWYER of Penobscot and Representatives: BLANCHETTE of Bangor, CROSTHWAITE of Ellsworth, LEDWIN of Holden, MARLEY of Portland.

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.

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Bill "An Act to Permit Sunday Hunting in Maine"

(H.P. 496) (L.D. 679)

Sponsored by Representative FISCHER of Presque Isle.  
Cosponsored by Senator BRYANT of Oxford and Representatives: CLARK of Millinocket, DUNLAP of Old Town, JACKSON of Fort Kent, McGLOCKLIN of Embden, WOTTON of Littleton.

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.

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Resolve, Directing the Bureau of Insurance To Determine the Costs of All Existing Health Insurance Mandates

(H.P. 503) (L.D. 686)

Sponsored by Representative GLYNN of South Portland.  
Cosponsored by Representatives: SNOWE-MELLO of Poland, YOUNG of Limestone.

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.

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Bill "An Act Regarding the Suspension of Licenses for Failure To Pay a Fine"

(H.P. 518) (L.D. 701)

Sponsored by Representative MILLS of Farmington.  
Cosponsored by Senator WOODCOCK of Franklin and Senator: PENDLETON of Cumberland.  
Submitted by the Judicial Department pursuant to Joint Rule 204.

Bill "An Act Regarding Case Management Officers"

(H.P. 537) (L.D. 731)

Sponsored by Representative NORBERT of Portland.  
Cosponsored by Representative: TARDY of Newport.  
Submitted by the Judicial Department pursuant to Joint Rule 204.

Bill "An Act To Create the Fully Informed Jury Act"

(H.P. 539) (L.D. 733)

Sponsored by Representative JOY of Crystal. (BY REQUEST)  
Cosponsored by Representatives: ANDREWS of York, ANNIS of Dover-Foxcroft, SHERMAN of Hodgdon.

Bill "An Act To Specify Information Required in a Divorce Decree"

(H.P. 542) (L.D. 736)

Sponsored by Representative NORBERT of Portland.  
Cosponsored by Senator PENDLETON of Cumberland and Representatives: MILLS of Farmington, SIMPSON of Auburn, TARDY of Newport.

Bill "An Act To Expand the Powers and Authority of Case Management Officers in the Family Division"

(H.P. 547) (L.D. 741)

Sponsored by Representative TARDY of Newport.  
Cosponsored by Representatives: BRYANT-DESCHENES of Turner, BULL of Freeport, CARR of Lincoln, DUPREY of Hampden, NORBERT of Portland, SHERMAN of Hodgdon.

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

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

Sent for concurrence.

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Bill "An Act To Clarify the Standard for Review of Preconviction Bail"

(H.P. 535) (L.D. 729)

Sponsored by Representative MILLS of Cornville.  
Cosponsored by Representative MILLS of Farmington and Representative: NORBERT of Portland.

Committee on **JUDICIARY** suggested.

On motion of Representative NORBERT of Portland, the Bill was **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, ordered printed and sent for concurrence.

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Bill "An Act To Create a New Pension System for Newly Hired Teachers and State Employees"

(H.P. 524) (L.D. 718)

Sponsored by Representative MILLS of Cornville.

Bill "An Act To Protect Health Care Workers Who Report Medical Errors"

(H.P. 526) (L.D. 720)

Sponsored by Representative NORBERT of Portland.  
Cosponsored by Representatives: BULL of Freeport, DUPLESSIE of Westbrook, SIMPSON of Auburn.

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

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

Sent for concurrence.

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Bill "An Act Relating to Harness Racing Laws"

(H.P. 521) (L.D. 704)

Sponsored by Representative LUNDEEN of Mars Hill.  
Cosponsored by Senator BRYANT of Oxford and Representatives: PARADIS of Frenchville, TWOMEY of Biddeford.

Resolve, Allowing Christy Reposa and Michaela Corbin-Burnford to Sue the State

(H.P. 536) (L.D. 730)

Sponsored by Representative JOY of Crystal. (BY REQUEST)  
Cosponsored by Representatives: ANDREWS of York, ANNIS of Dover-Foxcroft, CROSTHWAITE of Ellsworth, DUPREY of Hampden, TOBIN of Windham, TREADWELL of Carmel.

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.

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Bill "An Act To Change the Options for a Lobster Management Zone and To Change Entry Criteria for Noncommercial Licensees"

(H.P. 520) (L.D. 703)

Sponsored by Representative HONEY of Boothbay.  
Cosponsored by Senator HALL of Lincoln and Representatives: EARLE of Damariscotta, RINES of Wiscasset.

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

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

Sent for concurrence.

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Bill "An Act To Ensure the Safety of Children Touring Hazardous Facilities"

(H.P. 510) (L.D. 693)

Sponsored by Representative TWOMEY of Biddeford.  
Cosponsored by Senator MARTIN of Aroostook and Representatives: BLANCHETTE of Bangor, DUPLESSIE of Westbrook, HUTTON of Bowdoinham, NORTON of Bangor, O'BRIEN of Lewiston, PATRICK of Rumford, SAVIELLO of Wilton, WOTTON of Littleton.

Bill "An Act To Amend the Laws Governing Minimum Lot Size"

(H.P. 512) (L.D. 695)

Sponsored by Representative McNEIL of Rockland.  
Cosponsored by Representative ASH of Belfast, Senator SAVAGE of Knox and Representative: BOWEN of Rockport, Senator: WESTON of Waldo.

Bill "An Act To Maintain Beaches as Recreation Sites for the Public"

(H.P. 513) (L.D. 696)

Sponsored by Representative COWGER of Hallowell.  
Cosponsored by Senator MARTIN of Aroostook and Representatives: ANNIS of Dover-Foxcroft, HUTTON of Bowdoinham, KOFFMAN of Bar Harbor, SAVIELLO of Wilton, THOMPSON of China, TWOMEY of Biddeford, Senators: EDMONDS of Cumberland, SAWYER of Penobscot.

Bill "An Act To Require the Installation of Dental Amalgam Separator Systems in Dental Offices"

(H.P. 514) (L.D. 697)

Sponsored by Representative COWGER of Hallowell.  
Cosponsored by Senator MARTIN of Aroostook and Representatives: ANNIS of Dover-Foxcroft, DAIGLE of Arundel, HUTTON of Bowdoinham, KOFFMAN of Bar Harbor, SAVIELLO

of Wilton, THOMPSON of China, TWOMEY of Biddeford, Senator: EDMONDS of Cumberland.

Bill "An Act To Protect Public Health and the Environment through the Collection and Recycling of Electronic Waste"

(H.P. 549) (L.D. 743)

Sponsored by Representative THOMPSON of China.  
Cosponsored by Senator MARTIN of Aroostook and Representatives: COWGER of Hallowell, DUPLESSIE of Westbrook, HUTTON of Bowdoinham, KOFFMAN of Bar Harbor, MAKAS of Lewiston, SAVIELLO of Wilton, TWOMEY of Biddeford, Senator: SAWYER of Penobscot.

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

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

Sent for concurrence.

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Bill "An Act To Require the State To Assume All Costs for Corrections Currently Paid by Local Taxpayers"

(H.P. 500) (L.D. 683)

Sponsored by Representative BLANCHETTE of Bangor.  
Cosponsored by Representative RINES of Wiscasset, Senator STANLEY of Penobscot and Representatives: GAGNE-FRIEL of Buckfield, McLAUGHLIN of Cape Elizabeth, NORTON of Bangor, O'BRIEN of Lewiston, PERRY of Bangor, WATSON of Bath.

Resolve, To Create the Task Force To Study County Government Efficiency (EMERGENCY)

(H.P. 517) (L.D. 700)

Sponsored by Representative BARSTOW of Gorham.  
Cosponsored by Senator MAYO of Sagadahoc and Representatives: BULL of Freeport, DUNLAP of Old Town, McLAUGHLIN of Cape Elizabeth, PARADIS of Frenchville, PINGREE of North Haven, RECTOR of Thomaston, SMITH of Monmouth, Senator: ROTUNDO of Androscoggin.

Bill "An Act To Protect and Encourage Firearms Shooting Ranges Throughout the State"

(H.P. 525) (L.D. 719)

Sponsored by Representative DUNLAP of Old Town.  
Cosponsored by Senator BRYANT of Oxford and Representatives: BARSTOW of Gorham, EARLE of Damariscotta, HONEY of Boothbay, McGLOCKLIN of Embden, TOBIN of Dexter, USHER of Westbrook, Senators: CARPENTER of York, KNEELAND of Aroostook.

Bill "An Act To Establish a System of Self-governance for Unorganized Areas"

(H.P. 548) (L.D. 742)

Sponsored by Representative JOY of Crystal.  
Cosponsored by Representatives: ANDREWS of York, ANNIS of Dover-Foxcroft.

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 Timely Posting of Roll Call Votes on the Internet"

(H.P. 502) (L.D. 685)

Sponsored by Representative GLYNN of South Portland.

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

Representative NORBERT of Portland, pursuant to House Rule 107, asked the chair to rule if the Bill was properly before the body.

The SPEAKER: The Chair will read House Rule 107 to the body. "Legislation establishing House proceedings statutorily. A member may question the appropriateness of a bill that attempts to establish proceedings of the House in statute. Such legislation may be ruled not properly before the House by the Speaker." As the Chair looks at this bill, it is the Chair's ruling that this item, LD 685, is a statutory attempt to establish the rules of the House.

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

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Bill "An Act To Allow Municipalities To Assess a Surcharge on New Construction That Is Not in a Designated Growth Area"

(H.P. 551) (L.D. 745)

Sponsored by Representative LEMOINE of Old Orchard Beach.

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

On motion of Representative McLAUGHLIN of Cape Elizabeth, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES**, ordered printed and sent for concurrence.

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Bill "An Act To Amend the Law Pertaining to Tax Exemptions for Public and Private Pensions"

(H.P. 498) (L.D. 681)

Sponsored by Representative DAVIS of Falmouth.

Cosponsored by Senator STANLEY of Penobscot and Representatives: BERRY of Belmont, CARR of Lincoln, CHURCHILL of Washburn, FLETCHER of Winslow, GOODWIN of Pembroke, RICHARDSON of Greenville, SNOWE-MELLO of Poland, TREADWELL of Carmel.

Bill "An Act To Provide Health Coverage for Smokers Who Suffer from Smoking-related Illnesses"

(H.P. 501) (L.D. 684)

Sponsored by Representative JOY of Crystal.

Cosponsored by Representatives: BLANCHETTE of Bangor, CARR of Lincoln, DUPREY of Medway, GOODWIN of Pembroke, JACKSON of Fort Kent.

Bill "An Act to Encourage More Dentists to Practice in the State"

(H.P. 527) (L.D. 721)

Sponsored by Representative DUDLEY of Portland.

Cosponsored by Representative MILLS of Farmington, Senator MARTIN of Aroostook and Representatives: COWGER of Hallowell, CRAVEN of Lewiston, KANE of Saco, LAVERRIERE-BOUCHER of Biddeford, MILLETT of Waterford, PINGREE of North Haven, WALCOTT of Lewiston, Senator: TURNER of Cumberland.

Bill "An Act To Authorize Towns and Cities To Give Property Tax Relief to Volunteer Firefighters and Emergency Medical Services Providers"

(H.P. 531) (L.D. 725)

Sponsored by Representative BLANCHETTE of Bangor.

Cosponsored by Senator BRYANT of Oxford and Representatives: BULL of Freeport, CARR of Lincoln, DAVIS of Falmouth, GOODWIN of Pembroke, KAELIN of Winterport, RICHARDSON of Greenville, TREADWELL of Carmel, Senator: STANLEY of Penobscot.

Bill "An Act to Eliminate the Maine Sales Tax on United States Flags"

(H.P. 532) (L.D. 726)

Sponsored by Representative COLLINS of Wells.

Cosponsored by Senator SAVAGE of Knox and Representatives: DUPREY of Hampden, HEIDRICH of Oxford, KAELIN of Winterport, McKENNEY of Cumberland, McNEIL of Rockland, SMITH of Monmouth, TREADWELL of Carmel, USHER of Westbrook.

Bill "An Act To Adopt a Streamlined Sales and Use Tax Agreement That Allows for Local Option Taxes"

(H.P. 552) (L.D. 746)

Sponsored by Representative LEMOINE of Old Orchard Beach.

Cosponsored by Senator STANLEY of Penobscot.

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

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

Sent for concurrence.

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Bill "An Act To Create a Registration Plate for Experimental Automobiles"

(H.P. 507) (L.D. 690)

Sponsored by Representative ANNIS of Dover-Foxcroft.

Cosponsored by Representatives: ANDREWS of York, COLLINS of Wells, COWGER of Hallowell, JOY of Crystal, SHERMAN of Hodgdon, TOBIN of Windham, TOBIN of Dexter, Senator: DAVIS of Piscataquis.

Bill "An Act To Amend the Distribution of the General Highway Fund"

(H.P. 508) (L.D. 691)

Sponsored by Representative McKENNEY of Cumberland.

Cosponsored by Representatives: COLLINS of Wells, JODREY of Bethel, MURPHY of Kennebunk, Senators: BENNETT of Oxford, LEMONT of York.

Bill "An Act To Clarify Inspection Standards Related to Vehicle Wheel Size"

(H.P. 543) (L.D. 737)

Sponsored by Representative SMITH of Monmouth.

Cosponsored by Representatives: COLLINS of Wells, MARLEY of Portland, McKEE of Wayne, McKENNEY of Cumberland, O'BRIEN of Lewiston, SUSLOVIC of Portland, Senator: SAWYER of Penobscot.



Bill "An Act To Clarify Handicapped Parking Status for Disabled Veterans" (EMERGENCY)

(H.P. 545) (L.D. 739)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator TREAT of Kennebec and Representatives: COWGER of Hallowell, LAVERRIERE-BOUCHER of Biddeford, LORING of the Penobscot Nation, McLAUGHLIN of Cape Elizabeth, SAVIELLO of Wilton, THOMPSON of China, WHEELER of Kittery.

Bill "An Act To Create Novice Incentive Licenses"

(H.P. 556) (L.D. 750)

Sponsored by Representative FAIRCLOTH of Bangor.

Cosponsored by Senator DAMON of Hancock and Representatives: MARLEY of Portland, MARRACHÉ of Waterville, McNEIL of Rockland, PARADIS of Frenchville, SAMPSON of Auburn, Senator: HATCH of Somerset.

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

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

Sent for concurrence.

Bill "An Act To Enhance Homeland Security"

(H.P. 530) (L.D. 724)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator TREAT of Kennebec and Representatives: BLISS of South Portland, BUNKER of Kossuth Township, LESSARD of Topsham, LORING of the Penobscot Nation, LUNDEEN of Mars Hill.

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

##### Legislative Youth Advisory Council

Representative PARADIS for the **Legislative Youth Advisory Council** pursuant to the Maine Revised Statutes, Title 3, section 168-A asks leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Legislative Youth Advisory Council" (EMERGENCY)

(H.P. 557) (L.D. 751)

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.

#### ORDERS

On motion of Representative LEMOINE of Old Orchard Beach, the following Joint Order: (H.P. 522)

**ORDERED**, the Senate concurring, that the Joint Standing Committee on Taxation report out, to the House, a bill to reform Maine's tax structure.

**READ** and **PASSED**.

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

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 17)

**ORDERED**, that Representative Christian D. Greeley of Levant be excused Thursday, February 6th for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Henry L. Joy of Crystal be excused Thursday, February 6th for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Roger A. Landry of Sanford be excused Tuesday, February 4th for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Lisa T. Marraché of Waterville be excused Thursday, January 23rd for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Christopher P. O'Neil of Saco be excused Thursday, February 6th for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Leila J. Percy of Phippsburg be excused Tuesday, February 4th, Thursday, February 6th and Tuesday, February 11th for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Thomas F. Shields of Auburn be excused Thursday, January 30th and Tuesday, February 4th for health reasons.

**READ** and **PASSED**.

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

#### SENATE PAPERS

The following Joint Order: (S.P. 256)

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 18, 2003, at 10:00 in the morning.

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

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

#### ENACTORS

##### Emergency Measure

An Act Eliminating the Receipt by the Maine Veterans' Homes of Any Reimbursement from the MaineCare Program for the Costs of Renovating the Existing 120-bed Maine Veterans' Homes Nursing Facility in Augusta

(H.P. 293) (L.D. 373)

(C. "A" H-10)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

Representative CLARK of Millinocket **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

#### ROLL CALL NO. 7

**YEA** - Adams, Andrews, Annis, Ash, Austin, Barstow, Bennett, Berry, Berube, Bierman, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brown R, Browne W, Bruno, Bryant-Deschenes, Bull, Bunker, Campbell, Canavan, Carr, Churchill E, Churchill J, Clark, Clough, Collins, Courtney, Cowger, Craven, Cressey, Crosthwaite, Cummings, Curley, Daigle, Davis, Dudley, Dugay, Dunlap, Duplessie, Duprey B, Earle, Eder, Faircloth,

Finch, Fischer, Fletcher, Gagne-Friel, Gerzofsky, Glynn, Greeley, Grose, Hatch, Heidrich, Honey, Hotham, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kane, Ketterer, Koffman, Landry, Laverriere-Boucher, Ledwin, Lemoine, Lerman, Lessard, Lewin, Maietta, Mailhot, Makas, Marraché, McCormick, McGowan, McKee, McKenney, McLaughlin, McNeil, Millett, Mills S, Moody, Moore, Murphy, Muse, Norbert, Nutting, O'Brien J, O'Brien L, O'Neil, Patrick, Peavey-Haskell, Pellon, Percy, Pineau, Pingree, Piotti, Rector, Richardson E, Richardson M, Rines, Rogers, Rosen, Sampson, Sherman, Shields, Snowe-Mello, Stone, Sukeforth, Suslovic, Sykes, Tardy, Thomas, Thompson, Tobin D, Tobin J, Twomey, Usher, Vaughan, Walcott, Watson, Wheeler, Woodbury, Wotton, Mr. Speaker.

NAY - NONE.

ABSENT - Breault, Duprey G, Goodwin, Kaelin, Lundeen, Marley, McGlocklin, Mills J, Norton, Paradis, Perry A, Perry J, Richardson J, Saviello, Simpson, Smith N, Smith W, Sullivan, Trahan, Treadwell, Young.

Yes, 130; No, 0; Absent, 21; Excused, 0.

130 having voted in the affirmative and 0 voted in the negative, with 21 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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On motion of Representative LANDRY of Sanford, the House adjourned at 10:29 a.m., until 10:00 a.m., Tuesday, February 18, 2003 pursuant to the Joint Order (S.P. 256).