

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
28th Legislative Day
Tuesday, March 25, 2003

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

Prayer by Reverend Don H. Mayberry, First Congregational Church, South Paris.

National Anthem by Rockland District High School Chorus.

Pledge of Allegiance.

Doctor of the day, Lisa Letourneau, M.D., Scarborough.

The Journal of Thursday, March 20, 2003 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 85)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

March 13, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

L.D. 248 An Act To Amend the Laws Governing the Weighing of Wood

L.D. 297 An Act to Provide for Proper Identification of Stray Cats by Animal Shelters

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

Sincerely,

S/Sen. Bruce Bryant

Senate Chair

S/Rep. Linda Rogers McKee

House Chair

READ and ORDERED PLACED ON FILE.

Representative McKEE of Wayne assumed the Chair.
The House was called to order by the Speaker Pro Tem.

The Following Communication: (H.C. 86)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

March 13, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Business, Research and Economic

Development has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 42 An Act to Establish Rent Caps on Property in Southern Maine

L.D. 384 Resolve, Directing the Maine State Housing Authority To Study Ways To Promote Construction of Affordable Housing for Veterans

L.D. 453 An Act To Promote the Development of Affordable Housing

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

Sincerely,

S/Sen. Lynn Bromley

Senate Chair

S/Rep. Nancy B. Sullivan

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 87)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

March 17, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 13 An Act to Establish a Visual and Performing Arts Position for the Department of Education

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Neria R. Douglass

Senate Chair

S/Rep. Glenn Cummings

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 88)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 13, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

- L.D. 43 An Act To Continue To Allow Young Adults To Remain in Foster Care after Turning 18 Years of Age
- L.D. 44 Resolve, to Change MaineCare Prior Authorization Procedures for Certain Women's Health Care Procedures
- L.D. 61 An Act to Promote Public Awareness of Parkinson's Disease
- L.D. 65 An Act Regarding the Billing for Medical Supplies by a Health Care Provider BY REQUEST
- L.D. 135 An Act to Allow Nursing Homes to Use Leftover Medications
- L.D. 226 Resolve, to Exempt Bona Fide Education Trust Funds from Family Income for Purposes of Determining Benefits from the Department of Human Services
- L.D. 557 Resolve, To Increase the Amount of Emergency Assistance Available to Families
- L.D. 619 An Act Making Substantive and Technical Changes to the General Assistance Laws

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

Sincerely,
 S/Sen. Michael Brennan
 Senate Chair
 S/Rep. Thomas J. Kane
 House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 90)
STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON NATURAL RESOURCES
 March 13, 2003
 Honorable Beverly C. Daggett, President of the Senate
 Honorable Patrick Colwell, Speaker of the House
 121st Maine Legislature
 State House
 Augusta, Maine 04333
 Dear President Daggett and Speaker Colwell:
 Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 590 An Act To Regulate the Disposal of Computers and Related Equipment
- L.D. 633 An Act To Provide for Local Approval of Existing or Former Hydropower Projects To Enable Prioritization of Renewable Indigenous Energy Generation in Maine
- L.D. 670 An Act Regarding the Disposal of Sludge

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

Sincerely,
 S/Sen. John L. Martin
 Senate Chair
 S/Rep. Theodore Koffman
 House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 89)
STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON JUDICIARY

- March 13, 2003
 Honorable Beverly C. Daggett, President of the Senate
 Honorable Patrick Colwell, Speaker of the House
 121st Maine Legislature
 State House
 Augusta, Maine 04333
 Dear President Daggett and Speaker Colwell:
 Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":
- L.D. 80 An Act to Change the Child Protective Laws
 - L.D. 144 An Act To Limit Pretrial Discovery in Libel Actions
 - L.D. 376 An Act To Encourage Lawful Investigations of Suspected Child Abuse and Neglect
 - L.D. 377 An Act To Responsibly Allocate Costs in Child Protection Proceedings
 - L.D. 733 An Act To Create the Fully Informed Jury Act BY REQUEST

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

Sincerely,
 S/Sen. Peggy A. Pendleton
 Senate Chair
 S/Rep. William S. Norbert
 House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 91)
STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON TAXATION

- March 13, 2003
 Honorable Beverly C. Daggett, President of the Senate
 Honorable Patrick Colwell, Speaker of the House
 121st Maine Legislature
 State House
 Augusta, Maine 04333
 Dear President Daggett and Speaker Colwell:
 Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bills out "Ought Not to Pass":
- L.D. 38 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect the Commercial Fishing Industry
 - L.D. 141 An Act to Increase Revenue Sharing to a Municipality by 5% of its Allocation if it Shares Fire, Police and Recreation Services with Adjoining Municipalities
 - L.D. 209 An Act to Increase the Tax on All Tobacco Products
 - L.D. 289 An Act to Create the Family Technology Assistance Tax Credit
 - L.D. 320 An Act Concerning Counties' Share of the Real Estate Transfer Tax
 - L.D. 447 An Act To Exempt from Sales Tax the Sales of Adaptive Equipment To Make a Vehicle Handicapped Accessible
 - L.D. 559 An Act To Increase the Value of a Parsonage That is Exempt from the Property Tax

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

Sincerely,
S/Sen. Stephen Stanley
Senate Chair
S/Rep. David G. Lemoine
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 92)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

March 13, 2003
Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 298 An Act To Define Standard-offer Service as a Service of Last Resort
L.D. 330 An Act To Clarify the Ability of Transmission and Distribution Utilities To Market Electricity at Retail
L.D. 548 An Act To Require Fair Treatment of Ratepayers When Electric Utilities Are Sold

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

Sincerely,
S/Sen. Christopher Hall
Senate Chair
S/Rep. Lawrence Bliss
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 93)

**UNIVERSITY OF SOUTHERN MAINE
COLLEGE OF EDUCATION AND HUMAN DEVELOPMENT
CENTER FOR EDUCATION POLICY,
APPLIED RESEARCH & EVALUATION
119 BAILEY HALL
GORHAM, ME 04038**

March 17, 2003
Representative Patrick Colwell
Speaker of the House
2 State House Station
Augusta, ME 04333-0002

Dear Speaker Colwell,
The Maine State Legislature requested the Maine Education Policy Research Institute, University of Southern Maine Office, to compile and publish a comprehensive description of public education in Maine each year. Appropriately, the recently completed book is entitled *The Condition of K-12 Public Education in Maine 2003*.

We would like to provide you and your staff with copies of the book for use in your daily deliberations. We hope you will find the

information broad yet focused on the many aspects of K-12 public education.

Sincerely,
S/David L. Silvernail
Director
S/A. Mavourneen Thompson
Research Analyst

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (S.P. 462)

**STATE OF MAINE
121ST MAINE LEGISLATURE**

March 18, 2003
Sen. Neria R. Douglass
Senate Chair, Joint Standing Committee on
Education and Cultural Affairs
Rep. Glenn A. Cummings
House Chair, Joint Standing Committee on
Education and Cultural Affairs
121st Legislature
Augusta, ME 04333

Dear Senator Douglass and Representative Cummings:
Please be advised that Governor John E. Baldacci has nominated William J. Cody of Calais as Student Representative to the Board of Trustees, Maine Technical College System. Pursuant to Title 20-A, M.R.S.A. §12705, this nomination will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

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

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

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

The Following Communication: (S.C. 100)

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

March 20, 2003
The Honorable Millicent M. MacFarland
Clerk of the House
State House Station 2
Augusta, ME 04333

Dear Clerk MacFarland:
Please be advised the Senate today Adhered to its previous action whereby the Minority Ought Not To Pass Report from the Committee on Criminal Justice and Public Safety on Bill, "An Act to Clarify That Possession of More Than 1 ¼ Ounces of Marijuana is a Crime," (S.P. 68) (L.D. 145), was accepted.

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 Improve Farmer Participation in the Agricultural Marketing Loan Fund"

(H.P. 1049) (L.D. 1430)

Sponsored by Representative PINEAU of Jay.

Cosponsored by Senator YOUNGBLOOD of Penobscot and Representatives: HONEY of Boothbay, LUNDEEN of Mars Hill, McKEE of Wayne, Senators: BRYANT of Oxford, KNEELAND of Aroostook.

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

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 Ensure Basic Standards for Death Investigations by Law Enforcement Agencies"

(H.P. 1053) (L.D. 1434)

Sponsored by Representative BUNKER of Kossuth Township.

Cosponsored by Senator STRIMLING of Cumberland.

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

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 Factors Used for General Purpose Aid in the Essential Programs and Services Model for 'English as a 2nd Language' Students"

(H.P. 1051) (L.D. 1432)

Sponsored by Representative ADAMS of Portland.

Cosponsored by Representatives: CUMMINGS of Portland, EARLE of Damariscotta, PARADIS of Frenchville, WALCOTT of Lewiston.

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 Give Moose Permits to Members of the Wesget-Sipu Organization"

(H.P. 1045) (L.D. 1426)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Representative: PARADIS of Frenchville, Senator: MARTIN of Aroostook.

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

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 Relating to the Award of Attorneys' Fees and Damages under the Maine Human Rights Act"

(H.P. 1043) (L.D. 1424)

Sponsored by Representative NORBERT of Portland.

Cosponsored by Senator PENDLETON of Cumberland and Representative: SIMPSON of Auburn.

Submitted by the Maine Human Rights Commission pursuant to Joint Rule 204.

Bill "An Act Relating to the Protection of Whistleblowers"

(H.P. 1044) (L.D. 1425)

Sponsored by Representative SIMPSON of Auburn.

Cosponsored by Senator PENDLETON of Cumberland and Representatives: BULL of Freeport, DUPLESSIE of Westbrook, MILLS of Farmington, NORBERT of Portland, RICHARDSON of Brunswick, SHERMAN of Hodgdon, SMITH of Van Buren, Senator: EDMONDS of Cumberland.

Submitted by the Maine Human Rights Commission pursuant to Joint Rule 204.

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

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

Sent for concurrence.

Bill "An Act To Clarify Immunity and Workers' Compensation for Search and Rescue Volunteers"

(H.P. 1054) (L.D. 1435)

Sponsored by Representative DUPLESSIE of Westbrook.

Cosponsored by Senator BRYANT of Oxford and Representatives: CLARK of Millinocket, DUNLAP of Old Town, DUPREY of Medway, TRAHAN of Waldoboro, WATSON of Bath, WHEELER of Kittery, WOTTON of Littleton.

Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.

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

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

Sent for concurrence.

Bill "An Act To Authorize the Department of Audit To Perform Other Audits and Reviews"

(H.P. 1048) (L.D. 1429)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth.

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

Bill "An Act To Update the Requirements of Counties' and Municipalities' Audit Reports"

(H.P. 1050) (L.D. 1431)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth.

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

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 Allow Municipalities To Establish Areas within Which Engine Brakes Are Prohibited"

(H.P. 1047) (L.D. 1428)

Sponsored by Representative ROGERS of Brewer.

Cosponsored by Senator YOUNGBLOOD of Penobscot and Representatives: LEDWIN of Holden, PEAVEY-HASKELL of Greenbush, TREADWELL of Carmel.

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

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

On motion of Representative SUKEFORTH of Union, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Make Changes in Maine's Tax Laws"
(H.P. 1041) (L.D. 1418)

Sponsored by Representative PERRY of Bangor.

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

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

Sent for concurrence.

Bill "An Act To Require That Temporary Registration Plates Identify the Issuing Dealership"

(H.P. 1046) (L.D. 1427)

Sponsored by Representative SNOWE-MELLO of Poland.

Cosponsored by Senator BENNETT of Oxford and Representatives: AUSTIN of Gray, HEIDRICH of Oxford, McNEIL of Rockland, VAUGHAN of Durham, Senator: SAVAGE of Knox.

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

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

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

Sent for concurrence.

Bill "An Act To Facilitate the Implementation, Maintenance and Operation of the E-9-1-1 Emergency System"

(H.P. 1042) (L.D. 1423)

Sponsored by Representative BLISS of South Portland.

Cosponsored by Senator STRIMLING of Cumberland and Representatives: ADAMS of Portland, BERRY of Belmont.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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
Department of Audit**

Representative LEMOINE for the **Department of Audit** pursuant to the Maine Revised Statutes, Title 36, section 1604 asks leave to report that the accompanying Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2003-04" (EMERGENCY)

(H.P. 1052) (L.D. 1433)

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

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

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Paul Benjamin and Jamie Issacson, of Rockland, recipients of the Economic Enhancement Award. Presented by the Rockland-Thomaston Area Chamber of Commerce, the award was given to Paul and Jamie for their significant contribution to the area's economic security by hosting the North Atlantic Blues Festival. We recognize the importance of this world-class event and extend our congratulations and best wishes to Jamie and Paul on their successes;

(HLS 362)

Presented by Representative McNEIL of Rockland.

Cosponsored by Senator SAVAGE of Knox.

On **OBJECTION** of Representative McNEIL of Rockland, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Rockland, Representative O'Neil.

Representative **O'NEIL**: Madam Speaker, Men and Women of the House. Thanks to Paul Benjamin and Jamie Issacson, the annual North Atlantic Blues Festival has become a destination for thousands of blues lovers each summer bringing excitement and economic enhancement to the great city of Rockland. They have been promoters of the year. They have been given awards for their Blues Festival enhancement. They have brought a great sense of pride to the City of Rockland. I would like to thank them today on behalf of myself and Senator Savage from Knox County. I am grateful that they are here today. Thank you very much.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Old Orchard, Representative Lemoine.

Representative **LEMOINE**: Madam Speaker, Men and Women of the House. I couldn't let the moment go by without adding my level of congratulations as well. This was an effort that I saw develop from its very earliest moments. I know it has been a great success for the area, for the music industry in the State of Maine. It also has been a great success for folks that I care a great deal about. I want to say thank you to Jamie, especially, who had the good judgment to marry my cousin. Thank you for the great work you have done down in the coast.

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

Recognizing:

Michael Lothrop, of Rockland, recipient of the Youth Volunteer Leadership Award from the Rockland-Thomaston Area Chamber of Commerce. He has been a selfless volunteer for the Kiwanis Key Club and the Maine Lobster Festival. We acknowledge his hard work and extend our congratulations and best wishes to him;

(HLS 363)

Presented by Representative McNEIL of Rockland.

Cosponsored by Senator SAVAGE of Knox.

On **OBJECTION** of Representative McNEIL of Rockland, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Rockland, Representative McNeil.

Representative **MCNEIL**: Madam Speaker, Ladies and Gentlemen of the House. For the last four years that I have served in this chamber, I have gotten to know Michael Lothrop and known the work he has done in our community and he is fast becoming a young community leader in all that he does in his community for his schools and for the people around him. He is a great example of young people today. I congratulate him on receiving this award. It was the first award that had been designated of this. He was the first recipient of this. We are very proud of him back in Rockland.

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

Recognizing:

Domino's Pizza, of Rockland, recipient of the Community Service Award from the Rockland-Thomaston Area Chamber of Commerce. Domino's has been a go-to partner for the local Chamber of Commerce and for many other community organizations. This recognition is given in appreciation of Domino's community spirit and can-do attitude and we join the Chamber in applauding their efforts;

(HLS 364)

Presented by Representative McNEIL of Rockland.

Cosponsored by Senator SAVAGE of Knox.

On **OBJECTION** of Representative McNEIL of Rockland, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Rockland, Representative McNeil.

Representative **MCNEIL**: Madam Speaker, Ladies and Gentlemen of the House. Pat and Beth Provost of Dominos Pizza have given generously to their church and their community. We are very fortunate in the City of Rockland to have such a fine young couple run such a great business. We congratulate them, Senator Savage and I, on all that they do in receiving this award, which is another first for the Chamber of Commerce. Thank you.

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

Recognizing:

the following members of the Rockland District High School Cheering Squad, winners of their first Class B Maine State Cheering Competition: Dianne Grade, Melissa Leiter, Stacia Matthews, Beth Allen, Lindsey Appleby, Charissa Cayouette, Jaime Fogg, Gretchen Appleby, Heather Brown, Sean Curtin, Trevor Davis, Jesse Passmore, Matt Haj, Ryan Curtin and coaches Mary Sidelinger, Rachel Collamore and Becky Howard. We extend our congratulations to them;

(HLS 370)

Presented by Representative McNEIL of Rockland.

Cosponsored by Representative RECTOR of Thomaston, Senator SAVAGE of Knox.

On **OBJECTION** of Representative McNEIL of Rockland, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Rockland, Representative McNeil.

Representative **MCNEIL**: Madam Speaker, Ladies and Gentlemen of the House. It gives me great honor today to recognize these young people for winning the Class B Maine Cheering Competition. Earlier in the year they had won the Eastern B Class B Cheering Championship. I think every one of

us on this floor would like to have the energy and excitement that these young people have in them. They have brought a great amount of pride and honor to the City of Rockland and to their school district and their parents. I would like to congratulate them today on behalf of myself, Representative Rector of Thomaston and Senator Savage. Thank you very much and congratulations. You are a great group of kids. While I am up I would like to thank Mr. Walton and the Rockland District High School Chorus and I would like to tell them that I have received just tons of congratulations and great jobs from many members of the House of Representatives and the Senate this morning. Thank you for a great performance.

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

CONSENT CALENDAR

First Day

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

(S.P. 56) (L.D. 133) Bill "An Act to Clarify the Laws Relating to Public Water Systems" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(H.P. 58) (L.D. 50) Resolve, Requiring that the Waldo-Hancock Bridge be Replaced (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-23)**

(H.P. 357) (L.D. 465) Bill "An Act To Make Transportation More Affordable for Low-income Families" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-22)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

CONSENT CALENDAR

Second Day

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

(S.P. 212) (L.D. 603) Bill "An Act To Simplify the Bonding Limitations of the Maine Turnpike Authority"

(H.P. 537) (L.D. 731) Bill "An Act Regarding Case Management Officers"

(H.P. 143) (L.D. 184) Bill "An Act to Clarify the Ability of the Maine Forest Service and Tax Assessors to View Private Landowners' Forest Management Plans" (C. "A" H-20)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was **PASSED TO BE ENGROSSED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED AS AMENDED** and sent for concurrence.

ENACTORS

Acts

An Act to Amend the Law Pertaining to Notice of Nonrenewal of an Automobile Insurance Policy

(H.P. 12) (L.D. 5)
(C. "A" H-14)

An Act Regarding Fish Stocking Decisions

(H.P. 91) (L.D. 82)
(C. "A" H-15)

An Act To Modify Certain Criminal Appeal Statutes in View of the New Maine Rules of Appellate Procedure

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

An Act To Specify Information Required in a Divorce Decree

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

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Resolves

Resolve, to Designate Interstate 95 from Augusta to Houlton as the Purple Heart Trail

(H.P. 21) (L.D. 14)

(C. "A" H-13)

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

On motion of Representative USHER of Westbrook, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **FINAL PASSAGE**.

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

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

ROLL CALL NO. 9

YEA - Adams, Andrews, Annis, Ash, Austin, Barstow, Bennett, Berry, Berube, Bierman, Blanchette, Bliss, Bowen, Bowles, Brannigan, Breault, 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, Dunlap, Duplessie, Duprey B, Duprey G, Earle, Eder, Faircloth, Finch, Fletcher, Gagne-Friel, Gerzofsky, Glynn, Goodwin, Greeley, Grose, Hatch, Heidrich, Honey, Hotham, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Kane, Ketterer, Koffman, Landry, Laverriere-Boucher, Ledwin, Lemoine, Lerman, Lessard, Lewin, Lundeen, Maietta, Mailhot, Makas, Marley, Marraché, McCormick, McKee, McKenney, McLaughlin, McNeil, Millett, Mills J, Mills S, Moody, Moore, Murphy, Muse, Norbert, Norton, Nutting, O'Brien J, O'Brien L, O'Neil, Paradis, Patrick, Peavey-Haskell, Pellon, Percy, Perry A, Perry J, Pineau, Pingree, Piotti, Rector, Richardson E, Richardson J, Richardson M, Rines, Rogers, Rosen, Sampson, Sherman, Shields, Simpson, Smith N, Smith W, Snowe-Mello, Stone, Sukeforth, Sullivan, Suslovic, Sykes, Thomas, Thompson, Tobin D, Tobin J, Trahan, Treadwell, Twomey, Usher, Vaughan, Walcott, Wheeler, Woodbury, Wotton, Young, Mr. Speaker.

NAY - NONE.

ABSENT - Dudley, Dugay, Fischer, McGlocklin, McGowan, Saviello, Tardy, Watson.

Yes, 143; No, 0; Absent, 8; Excused, 0.

143 having voted in the affirmative and 0 voted in the negative, with 8 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

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

SENATE PAPERS

Bill "An Act To Clarify That an Individual Requestor of a State Bureau of Identification Record Check Must Pay a Fee"

(S.P. 473) (L.D. 1436)

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

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Promote Student and Taxpayer Equity in the School Funding Formula" (EMERGENCY)

(S.P. 472) (L.D. 1422)

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

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

Bill "An Act To Protect Campers by Making Personal Information Confidential"

(S.P. 467) (L.D. 1419)

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 Amend Marine Resources Special License Requirements for Educational Programs"

(S.P. 474) (L.D. 1437)

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

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

Bill "An Act To Reduce Property Taxes"

(S.P. 471) (L.D. 1421)

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 Allow the Maine Turnpike Authority To Allow the Purchase of Nontoll Services by Electronic Toll Collection Patrons"

(S.P. 470) (L.D. 1420)

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

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

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

REPORTS OF COMMITTEE
Divided Report

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Encourage Youth Hunters"

(H.P. 139) (L.D. 180)

Signed:

Senators:

BRYANT of Oxford
CARPENTER of York
KNEELAND of Aroostook

Representatives:

DUNLAP of Old Town
RICHARDSON of Greenville
TOBIN of Dexter
McGLOCKLIN of Embden
WHEELER of Kittery
WOTTON of Littleton
WATSON of Bath
PINEAU of Jay

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-24)** on same Bill.

Signed:

Representatives:

HONEY of Boothbay
TRAHAN of Waldoboro

READ.

On motion of Representative DUNLAP of Old Town, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

The House recessed until the Sound of the Bell.

(After Recess)

The Speaker resumed the Chair.
The House was called to order by the Speaker.

The following item was 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. 973) (L.D. 1319) Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005" (EMERGENCY) Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-27)**

There being no objections, the above item was ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Fischer who wishes to address the House on the record.

Representative **FISCHER**: Mr. Speaker, Ladies and Gentlemen of the House. I would like to say that had I been present in the chamber this morning on Roll Call 9, I would have voted yea.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Saviello who wishes to address the House on the record.

Representative **SAVIELLO**: Mr. Speaker, Men and Women of the House. Having been absent on the roll call 9, I would like to be recorded as in the affirmative.

On motion of Representative KOFFMAN of Bar Harbor, the House adjourned at 12:23 p.m., until 9:00 a.m., Wednesday, March 26, 2003.