

MAINE STATE LEGISLATURE

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

Volume II

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First Special Session

August 21, 2003 – August 23, 2003

Second Regular Session

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Second Special Session

February 3, 2004 - April 7, 2004

Pages 777-1562

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
SECOND SPECIAL SESSION
9th Legislative Day
Tuesday, February 24, 2004

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

Prayer by Pastor James A. Weathersby, Second Baptist Church, Islesboro.

Pledge of Allegiance.

Doctor of the day, Peter Mason, D.O., Bath.

The Journal of Thursday, February 19, 2004 was read and approved.

COMMUNICATIONS

The Following Communication: (H.P. 1389)

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

February 23, 2004

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under House Rule 201.1 I (a), I am pleased to appoint Representative Stephen R. Beaudette of Biddeford to serve as a member of the Joint Standing Committee on Business, Research, and Economic Development.

By the same authority, I am pleased to appoint Representative Christopher Rector of Thomaston to serve as a member of the Joint Standing Committee on Marine Resources. I hereby rescind the appointment of Representative Rector to the Joint Standing Committee on Business, Research, and Economic Development.

Further, pursuant to my authority under House Rule 201.1 I (a), I hereby rescind the appointment of Representative Stephen Bowen of Rockport to the Joint Standing Committee on Marine Resources.

Should you have any questions regarding these appointments please feel free to contact me.

Sincerely,

S/Patrick Colwell

Speaker of the House

READ and ORDERED PLACED ON FILE.

Sent for concurrence.

The Following Communication: (H.C. 314)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

February 17, 2004

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 Appropriations and Financial Affairs

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

L.D. 336

An Act to Fund the Endowment Incentive Fund

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

Sincerely,

S/Sen. Mary R. Cathcart

Senate Chair

S/Rep. Joseph C. Brannigan

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 315)

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

February 17, 2004

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. 1650

An Act To Ensure Equitable Economic Development within the Kennebec Valley Economic Development District

L.D. 1696

Resolve, Directing the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes To Prepare a Recodification of the Maine Revised Statutes, Title 9, Chapter 385; Title 10, Chapters 901 and 951; and Title 32

L.D. 1795

An Act To Permit the Filling of a Prescription Refill Prior to the End of the Prescription

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. 316)

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

February 17, 2004

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 Labor has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1721 An Act To Amend the Fees Paid to Attorneys for Lump-sum Settlements in Workers' Compensation Cases

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

Sincerely,
S/Sen. Betheda G. Edmonds
Senate Chair
S/Rep. William J. Smith
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 325)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

February 17, 2004

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 Legal and Veterans Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1710 An Act To Allow Towns To Consolidate for the Purpose of Establishing a Voting Place

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

Sincerely,
S/Sen. Kenneth T. Gagnon
Senate Chair
S/Rep. Joseph E. Clark
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 326)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON TAXATION**

February 17, 2004

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 bill out "Ought Not to Pass":

L.D. 1718 An Act To Clarify the Sales Tax Exemptions Regarding Assisted Housing Programs

We have also notified the sponsor and cosponsors 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. 327)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON JUDICIARY**

February 17, 2004

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. 1778 An Act To Prohibit Female Genital Mutilation
L.D. 1822 An Act To Increase Access of Domestic Violence Victim Support Agencies to Certain Information

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. 328)

STATE OF MAINE

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

February 17, 2004

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 bill out "Ought Not to Pass":

L.D. 1740 An Act To Make Electricity Provider Do-not-call Requirements Consistent with State and Federal Requirements

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

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

READ and ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Recruit and Retain College Graduates through Loan Repayment"

(H.P. 1387) (L.D. 1864)

Sponsored by Representative FISCHER of Presque Isle.
Cosponsored by Senator HALL of Lincoln and Representatives: Speaker COLWELL of Gardiner, CUMMINGS of Portland,

SULLIVAN of Biddeford, THOMAS of Orono, Senators: President DAGGETT of Kennebec, SAVAGE of Knox, STANLEY of Penobscot.

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

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.

Pursuant to Statute

**Department of Professional and Financial Regulation,
Bureau of Insurance**

Representative O'NEIL for the **Department of Professional and Financial Regulation, Bureau of Insurance** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 755: Health Insurance Classifications, Disclosure and Minimum Standards, a Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance (EMERGENCY)

(H.P. 1388) (L.D. 1865)

Be **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218.

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 House was called to order by the Speaker.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-699)** on Bill "An Act To Provide for Fair Treatment of Taxpayers"

(H.P. 1291) (L.D. 1769)

Signed:

Senators:

STANLEY of Penobscot

NASS of York

Representatives:

SUSLOVIC of Portland

TARDY of Newport

McCORMICK of West Gardiner

SIMPSON of Auburn

PERRY of Bangor

CLOUGH of Scarborough

COURTNEY of Sanford

LERMAN of Augusta
Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

STRIMLING of Cumberland

Representatives:

LEMOINE of Old Orchard Beach

McGOWAN of Pittsfield

READ.

On motion of Representative SIMPSON of Auburn, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-699)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, February 25, 2004.

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-701)** on Bill "An Act to Expand Funding and Services to Students of Limited Proficiency in English"

(H.P. 149) (L.D. 190)

Signed:

Senators:

CATHCART of Penobscot

ROTUNDO of Androscoggin

Representatives:

BRANNIGAN of Portland

MAILHOT of Lewiston

COWGER of Hallowell

DUDLEY of Portland

FAIRCLOTH of Bangor

PINGREE of North Haven

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

TURNER of Cumberland

Representatives:

ROSEN of Bucksport

MILLS of Cornville

O'BRIEN of Augusta

MILLETT of Waterford

READ.

On motion of Representative BRANNIGAN of Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-701)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, February 25, 2004.

CONSENT CALENDAR

First Day

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

(S.P. 629) (L.D. 1697) Bill "An Act To Clarify Certain Provisions Contained in the Recodified Hunting, Fishing and Trapping Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-388)**

(S.P. 630) (L.D. 1698) Bill "An Act To Join the Interstate Insurance Product Regulation Compact" Committee on

INSURANCE AND FINANCIAL SERVICES reporting Ought to Pass as Amended by Committee Amendment "A" (S-389)

(S.P. 636) (L.D. 1704) Bill "An Act To Amend the Maine Turnpike Authority's Budget for Calendar Year 2004" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-387)**

(H.P. 1361) (L.D. 1837) Bill "An Act Relating to the Consideration of the Cumulative Effects on Protected Natural Resources" Committee on **NATURAL RESOURCES** reporting **Ought to Pass**

(H.P. 1258) (L.D. 1736) Bill "An Act To Authorize Licensure by Endorsement for Canadian Dentists and Dental Hygienists" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-708)**

(H.P. 1282) (L.D. 1760) Bill "An Act To Amend the Random Drug Testing Laws" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-711)**

(H.P. 1284) (L.D. 1762) Bill "An Act To Amend the Maine Emergency Medical Services Act of 1982" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-709)**

(H.P. 1336) (L.D. 1814) Bill "An Act Concerning Disability Retirement Benefits under the Maine State Retirement System" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-710)**

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. 623) (L.D. 1691) Bill "An Act To Strengthen the Charitable Solicitations Act"

(S.P. 609) (L.D. 1677) Bill "An Act To Exempt Classic Auto Dealers from Dealer Plate Restrictions" (EMERGENCY) (C. "A" S-382)

(H.P. 1294) (L.D. 1772) Bill "An Act To Revise the Frequency of Home Health Licensing Surveys"

(H.P. 55) (L.D. 47) Resolve, to Fund Scholarships to the Seeds of Peace Camp (C. "A" H-704)

(H.P. 222) (L.D. 279) Bill "An Act To Support the Regional Library System" (C. "A" H-703)

(H.P. 1329) (L.D. 1807) Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in a Certain Parcel of Real Estate Located in the City of Auburn (C. "A" H-700)

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

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

BILLS IN THE SECOND READING

Senate as Amended in Non-Concurrence

Bill "An Act To Amend the Maine Consumer Credit Code Regarding Balloon Payments"

(S.P. 602) (L.D. 1638)
(H. "A" H-706 to C. "A" S-378)

House as Amended

Bill "An Act to Increase the Adult Education State Subsidy by a Specific Percentage"

(H.P. 153) (L.D. 194)
(C. "A" H-702)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Paper was **PASSED TO BE ENGROSSED AS AMENDED** in non-concurrence and sent for concurrence and the House Paper was **PASSED TO BE ENGROSSED AS AMENDED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

ENACTORS

Emergency Measure

An Act Regarding the Number of Jurors Required To Render a Verdict in a Civil Trial

(H.P. 1230) (L.D. 1652)
(C. "A" H-673)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 132 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

Mandate

An Act To Authorize Certain School Children To Carry Emergency Medication on Their Persons

(H.P. 1290) (L.D. 1768)
(C. "A" H-674)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 129 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Improve the Ability of Water Utilities To Maintain a Contingency Allowance

(H.P. 1272) (L.D. 1750)
(C. "A" H-676)

An Act To Create Consistency between State and Federal Telephone Consumer Protection Laws

(H.P. 1273) (L.D. 1751)

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2005

(H.P. 1349) (L.D. 1825)

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

Resolves

Resolve, To Allow MaineCare Reimbursement for Licensed Marriage and Family Therapists To Provide Services to Child Protective Services Clients and Adult Protective Services Clients

(H.P. 134) (L.D. 175)

(C. "A" H-675)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

An Act To Authorize Collaborative Practice for Emergency Contraception

(S.P. 376) (L.D. 1152)

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

On motion of Representative DUPREY of Hampden, was **SET ASIDE**.

The same Representative **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.

ROLL CALL NO. 306

YEA - Adams, Ash, Barstow, Blanchette, Bliss, Bowles, Brannigan, Brown R, Browne W, Bruno, Bull, Campbell, Canavan, Churchill E, Churchill J, Collins, Cowger, Craven, Cummings, Daigle, Dudley, Dunlap, Duplessie, Earle, Eder, Faircloth, Finch, Fischer, Gagne-Friel, Gerzofsky, Heidrich, Honey, Hotham, Hutton, Jacobsen, Jennings, Kaelin, Kane, Ketterer, Koffman, Landry, Ledwin, Lemoine, Lerman, Lessard, Mailhot, Makas, Marley, Marraché, McCormick, McGlocklin, McGowan, McKee, McKenney, McLaughlin, McNeil, Mills J, Mills S, Moore, Murphy, Norbert, Norton, Nutting, O'Brien L, O'Neil, Percy, Perry A, Pineau, Pingree, Piotti, Rector, Richardson E, Richardson J, Richardson M, Rines, Rosen, Sampson, Saviello, Simpson, Smith N, Smith W, Stone, Sullivan, Suslovic, Thomas, Thompson, Tobin D, Walcott, Watson, Wheeler, Woodbury, Mr. Speaker.

NAY - Andrews, Annis, Austin, Beaudette, Bennett, Berry, Bowen, Bryant-Deschenes, Bunker, Carr, Clark, Clough, Courtney, Cresse, Crosthwaite, Curley, Davis, Duprey B, Fletcher, Glynn, Greeley, Jackson, Jodrey, Joy, Lewin, Lundeen, Millett, Moody, O'Brien J, Paradis, Patrick, Peavey-Haskell, Perry J, Rogers, Sherman, Shields, Snowe-Mello, Sukeforth, Sykes, Tardy, Tobin J, Trahan, Twomey, Vaughan, Wotton, Young.

ABSENT - Berube, Bierman, Breault, Dugay, Duprey G, Goodwin, Grose, Hatch, Maietta, Muse, Pellon, Treadwell, Usher.

Yes, 92; No, 46; Absent, 13; Excused, 0.

92 having voted in the affirmative and 46 voted in the negative, with 13 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 19, 2004, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-631)** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Repeal Outdated and Unfunded Municipal and Educational Mandates"

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

TABLED - January 21, 2004 (Till Later Today) by Representative McLAUGHLIN of Cape Elizabeth.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

The SPEAKER: The Chair recognizes the Representative from Waterford, Representative Millett.

Representative MILLETT: Mr. Speaker, Ladies and Gentlemen of the House. I would like to speak in opposition to the pending motion and without getting into the detail of the Minority Report and simply say that it provides a mechanism to do something, which I think is in desperate need of being done. Again, without speaking to the detail of the bill, it is reflected in the title. It is an attempt to remove as a burden from Title 20A and Title 30A as well as Title 5 statutes, those mandates that we, as legislatures over time have imposed on municipal and school officials who do or perform certain things that inevitably require expensive commitments of money ultimately born by property taxpayers and certainly administrative burdens born by their municipal and school officials.

I would acknowledge that the bill was not well done. It was one of my issues from the 2002 campaign, which I heard over and over and I believe in strongly that local folks back home want us to stop imposing mandates and they would like us to relieve from them the burden of passing on to property taxpayers the cost of doing everything that we think here in Augusta that they ought to be doing. It feels to me like one of the biggest issues in front of this Legislature in this Special Session is to be responsive to and hear and understand the level of discontent that exists around the state in terms of the burden of the property tax and what taxpayers are wanting to see us do.

If we simply go along with the Majority Report here this morning and indicate that we have not heard their message, we are not sensitive to their pleas, I think we feed the emotion that drives some of the referendum questions, which we know are not that far ahead of us. I would hope that we could agree that something does need to be done. I wish that I had had more time to develop this as a comprehensive bill and certainly respect the time that the State and Local Government Committee gave it last year. It is a very difficult challenge and to simply walk away from it this morning feels like we are not sympathetic to the burden being born by our property taxpayers back home. Ladies and gentlemen, I would hope that you could agree with me and oppose the pending motion thereby allowing us an opportunity to at least consider a mechanism to address those very serious concerns of local property taxpayers. Mr. Speaker, when the vote is taken, I request it be taken by the yeas and nays. Thank you.

Representative MILLETT of Waterford **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The SPEAKER: The Chair recognizes the Representative from Rockport, Representative Bowen.

Representative **BOWEN**: Mr. Speaker, Men and Women of the House. I rise to oppose this motion also and for much the same reasons that we just heard. The issue of the day around here is property tax relief. We know there is constant negotiating going on between all the factors involved in that. Part of that stems from the breakdown in the relationship between the state and the towns. We have a serious, serious rift that has developed in the relationship between the state and the towns. It is causing us a tremendous amount of trouble.

A few weeks ago the Governor stood before us and talked about regionalization. He talked about figuring new ways to deliver municipal services. He talked about property tax relief. He told us back then that negotiations between the towns and the state were not quite there yet. I think that was the term that he used. I can't help but think that part of that is because of the things that were said as a part of the MMA referendum in November. Accusations that went out of this buildings about towns being wasteful, towns being duplicative in their service delivery. I think we did some substantial damage to the relationship that the state has with its towns. The problem we face is that we need them. We need them to help us with property tax relief. We need them on regionalization issues to work with us. We need them for a whole host of issues as we move forward and figure out new ways of service delivery and new ways to cut costs. We need them with us and they are not with us right now. They are angry and furious with us and they have every reason to be.

When Representative Millett came before us and he had a plan to sit down and talk about mandates and maybe we could bring everybody together around a table and talk about what concerns the towns have and get education people in there and DOT people in there and DEP people in there and talk about mandates and see if we could clear things up. That seemed like a simple thing to do. If we can get past this motion and move onto the Minority Report on this bill, you will find in there a way to do that. I think we have to work to repair the state's relationships with the towns. Imagine the message that will be sent forward from this building to the towns if we said, we know that what you are doing in the towns is not easy. We know that you have a tremendous burden. We know that you are feeling great pressure from your taxpayers. We know that we are asking you to do more and more and more all the time. We are asking you to give up some of your powers to regional authorities. We are asking you to keep the lid down on rising costs. Instead of just mandating and telling you and then giving you a hard time in the media about not doing what we think we should do, we are going to sit down with you and we are going to work together to look at mandates, which is a serious issue for these towns and come to some conclusion together about what we need.

We had a bill in State and Local last time about perambulating the borders of the town. There was a statute, believe it or not, that said, I think it was once a year the selectmen from the town were required to walk the borders of the town. They were to start from the edge of the town and walk all the way around the border of the town. For some reason, who knows, it seemed like a good idea in 1810 or whenever it was put on the books. When we asked MMA if there was more stuff like this, they came back with a report that was like a dozen pages of stuff they thought were mandates that didn't make any sense and we didn't think was going to cost anything, but now it costs a fortune. It made sense 20 years ago and it doesn't make sense now. There was a whole long list. By supporting this motion,

what we are saying is we don't care. If MMA has an issue with a mandate, you bring it forward and we will deal with it, but we are not going to take any time out of our busy schedules to sit down with you and listen to what you have to say about mandates. I strongly oppose this motion. I hope we can defeat this motion and move along to the Minority Report. There you will find a very, very simple solution that will send a very, very powerful message to the towns that we want to work with them. Their relationship with us is important and if we are going to move forward on regionalization and tax reform, then we want them on our side and we are prepared to come to the table and work with them on it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Barstow.

Representative **BARSTOW**: Mr. Speaker, Men and Women of the House. With deference to the good Representative from Rockport, I think that if we support this motion, it does not mean that we do not care about the issue. I think what we are looking at right here is a matter of process. I have stood up many times and talked about the process that each piece of legislation has gone through in committee. We do not have enough time, it is unfortunate to deal with this issue. I think that a majority of the people in this chamber would agree that we should repeal outdated and unfunded mandates that we all can come to a consensus on.

With regards to the Regionalization and Community Cooperation Committee, we are trying to deal with those barriers. Part of our charge is to try to remove barriers that deal with cooperation between county and local officials as well as state and local officials. I think that our committee, speaking on their behalf, would be more than willing and is actively looking at trying to repeal some of these mandates and include that in our legislation. I would ask my colleagues to support the Majority Ought Not to Pass Report and give the Joint Select Committee the time that is needed to focus on the mandates and present a comprehensive package of what should be repealed. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative McLaughlin.

Representative **MCLAUGHLIN**: Mr. Speaker, Men and Women of the House. I rise not to perambulate. We did that last year, but to speak on this bill. The Representative from Gorham, Representative Barstow just made some valid points concerning what could happen if the Joint Select Committee on Regionalization goes forward with a committee bill. What I have heard so far this morning is that we need to be responsive to the towns. We also need to be responsible. We need to ask them to continue to work with us, because we want to continue to work with them and let them know that we have heard the message, but they need to refine the message. If somebody feels there is an unfunded or an outdated mandate, if they are not a legislator, made a request of a legislator to put forth a bill on that particular mandate. You do not need to group them all together. They were all passed singly. They need to be reviewed singly. Bring them forth and let us review them in the proper manner singly as we did with perambulation. I encourage you to think about that, think about the right way to address this. You also heard this morning that the bills sponsor say that perhaps it wasn't the best-crafted bill. Let's wait until we have it ready and do it then. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterford, Representative Millett.

Representative **MILLETT**: Mr. Speaker, Ladies and Gentlemen of the House. Not be to belabor this issue and with full respect for the points of view established and put forth by the

two opponents to my bill, I would just say that the Joint Select Committee on Regionalization that we have created is really for an entirely different purpose for what this bill was designed to do. The regionalization group is intended to look at ways where communities, both municipal and school, can get together and voluntarily agree to do things more efficiently and more economically.

What this bill is trying to do is to prevent us, we, this Legislature, from doing what we just did 10 minutes ago and that is to lay on another mandate and to cause them to incur costs as a result of that. In other words, this is a bill to prevent the Legislature from doing what it has done routinely over the years, even since the 1992 constitutional amendment, by layering more and more responsibilities on local municipalities.

The other issue about time and leave it to the committees and we can come back and deal with this. Understand that the bill and its report would, on the majority side, kill this bill. We would not see it again this session or this year. There is no guarantee that it would ever come back. This is not a solution to a problem that I would argue is a serious problem. It has been compounded over the years. We continue to do it. There are many, many issues we have already dealt with this session and there are more that are pending that are in the form of mandates on local property taxpayers. Don't be confused by the issue that the regionalization group is really a group to deal with this issue or that we can come back and deal with it some other time. Under the circumstances, given the choices, neither will happen. I urge your support of the Ought to Pass motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rockport, Representative Bowen.

Representative **BOWEN**: Mr. Speaker, Men and Women of the House. I want to again second the comments that we just heard about the Regionalization Committee. I also serve on that committee, I think, I did this morning, but my committee assignments are relatively fluid, it turns out, but that committee is tasked with trying to figure out ways to regionalize schools and to regionalize municipal services and to work with counties and other service providers and to work with nonprofits and to work with councils of government. We have a huge pile of stuff that we have to go through there. This is the first that I have heard that mandates and dealing with mandates is going to be a part of the charge of that committee. Respectfully, I think we have plenty to deal with and with the slam of a hammer we could put forward a piece here that would help to smooth the relationship of the towns before we start asking them to regionalize and this seems like an easy solution. We can do it right now and be done with it and then mandates will be dealt with separate from the regionalization thing, which is a whole thing unto itself. I really don't think that those two go together. I hope that we don't try and pile mandates on top of all the other work that the Regionalization Committee has. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Suslovic.

Representative **SUSLOVIC**: Mr. Speaker, Men and Women of the House. Just a couple of quick points, I don't think anyone in this chamber is in favor of unnecessary mandates. I think that is probably a given. I also think it is a bit of an overstatement to say that the property tax problem in Maine is caused exclusively by state mandates. I think there is some evidence that the system that we have in place right now works pretty well. I will go back to the good Representative from Rockport's comments about the perambulation, which I believe it was required every 10 years. I believe a study committee on obesity might require that we all perambulate more than every 10 years.

I think the point is that we had a mandate that clearly was no longer necessary. Someone brought it to a legislator's attention. It was brought forward and we said especially with the advent of GIS, we no longer need that perambulation every 10 years. I think the system that we have is working. In general, I am supportive of study committees and commissions to take up problems when there doesn't seem to be any way to get your arms around it. In the case of mandates, anyone who thinks there is one out there that is no longer necessary or that is inappropriate, all they have to do is submit a bill and the appropriate committee of jurisdiction will take it up and we all get a chance to vote on it.

I would urge your support of the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kossuth Township, Representative Bunker.

Representative **BUNKER**: Mr. Speaker, Ladies and Gentlemen of the House. A simple answer to the simple question before you is this, you all serve on committees of jurisdiction and you all have professional expertise as you serve on those committees, to look at the issues before you and to determine whether there are mandates under your jurisdiction that you think need to be revisited or repealed or if any member of this body or the other body decides that there is a particular mandate on a single town or on a single issue then they have every right to bring a particular bill forward. I guess one of my good friends in this body uses the term "scatter gun" approach to going after mandates is just circumventing each and every one of you that serve on a committee of jurisdiction that should be best suited and best qualified to look at each and every one of those individual issues. I would ask that you would just kill this sucker as dead as you can.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 307

YEA - Adams, Ash, Barstow, Beaudette, Blanchette, Bliss, Brannigan, Bull, Bunker, Canavan, Clark, Cowger, Craven, Cummings, Dudley, Dunlap, Duplessie, Earle, Faircloth, Fischer, Gagne-Friel, Gerzofsky, Hutton, Jackson, Jennings, Kane, Ketterer, Koffman, Landry, Lemoine, Lerman, Lessard, Lundeen, Mailhot, Makas, Marley, Marraché, McGlocklin, McKee, McLaughlin, Mills J, Moody, Norbert, Norton, O'Brien L, O'Neil, Paradis, Patrick, Percy, Perry A, Perry J, Pineau, Pingree, Piotti, Richardson J, Rines, Sampson, Saviello, Simpson, Smith N, Smith W, Sullivan, Suslovic, Thomas, Thompson, Twomey, Walcott, Watson, Wheeler.

NAY - Andrews, Annis, Austin, Bennett, Berry, Bowen, Bowles, Brown R, Browne W, Bruno, Bryant-Deschenes, Campbell, Carr, Churchill E, Churchill J, Clough, Collins, Courtney, Cressey, Crosthwaite, Curley, Daigle, Davis, Duprey B, Eder, Finch, Fletcher, Glynn, Greeley, Heidrich, Honey, Hotham, Jacobsen, Jodrey, Joy, Kaelin, Ledwin, Lewin, McCormick, McGowan, McKenney, McNeil, Millett, Mills S, Moore, Murphy, Nutting, O'Brien J, Peavey-Haskell, Rector, Richardson E, Richardson M, Rogers, Rosen, Sherman, Shields, Snowe-Mello, Stone, Sukeforth, Sykes, Tardy, Tobin D, Tobin J, Trahan, Vaughan, Woodbury, Wotton, Young.

ABSENT - Berube, Bierman, Breault, Dugay, Duprey G, Goodwin, Grose, Hatch, Maietta, Muse, Pellon, Treadwell, Usher, Mr. Speaker.

Yes, 69; No, 68; Absent, 14; Excused, 0.

69 having voted in the affirmative and 68 voted in the negative, with 14 being absent, and accordingly the Majority Ought Not to Pass Report was **ACCEPTED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

Bill "An Act To Eliminate the Social Security Offset for Unemployment Benefits"

(H.P. 657) (L.D. 880)

(C. "B" H-633)

TABLED - January 28, 2004 (Till Later Today) by Representative WATSON of Bath.

PENDING - **PASSAGE TO BE ENGROSSED.**

On motion of Representative HUTTON of Bowdoinham, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "B" (H-633)** was **ADOPTED.**

The same Representative **PRESENTED House Amendment "A" (H-715)** to **Committee Amendment "B" (H-633)** which was **READ** by the Clerk.

The **SPEAKER:** The Chair recognizes the Representative from Bowdoinham, Representative Hutton.

Representative **HUTTON:** Mr. Speaker, Men and Women of the House. In sponsoring LD 880 to eliminate the social security offset for unemployment, it was never the intent to put a burden or a perception of a burden on businesses. Rather, it was to help our seniors. With that said, collecting the data would be prudent. This amendment allows the Department of Labor to collect the necessary information to make a decision based on real data, rather than decisions based on projections. The Department of Labor will be able to collect data on the number of people and the dollar amounts of the reductions as well as any other data the department deems useful on the impact of the pension offset. The report will come back to the committee by November 30th of this year. The fiscal note has been removed for the most part. A minor cost increase will be covered by the Federal Expenditures Fund.

I ask for your support to help our seniors. Thank you.

House Amendment "A" (H-715) to **Committee Amendment "B" (H-633)** was **ADOPTED.**

Committee Amendment "B" (H-633) as Amended by **House Amendment "A" (H-715)** thereto was **ADOPTED.**

The Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "B" (H-633)** as Amended by **House Amendment "A" (H-715)** thereto and sent for concurrence.

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

The **SPEAKER:** The Chair recognizes the Representative from Medway, Representative Duprey who wishes to address the House on the record.

Representative **DUPREY:** Mr. Speaker, Ladies and Gentlemen of the House. I apologize for being late this morning. I had personal things that had to be taken care of. In regards to LD 419, had I been present, I missed the vote, I walked in just as

you were closing the vote, had I been present and voting, I would have voted nay.

Bill "An Act To Make Polling Places More Convenient"

(H.P. 1216) (L.D. 1639)

TABLED - February 19, 2004 (Till Later Today) by Representative DUPLESSIE of Westbrook.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-698).**

Representative CLARK of Millinocket moved that **Committee Amendment "A" (H-698)** be **INDEFINITELY POSTPONED.**

Representative BRUNO of Raymond **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE Committee Amendment "A" (H-698).**

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

The **SPEAKER:** The Chair recognizes the Representative from Cornville, Representative Mills.

Representative **MILLS:** Mr. Speaker, May I pose a question through the Chair?

The **SPEAKER:** The Representative may pose his question.

Representative **MILLS:** Thank you Mr. Speaker. What is the practical impact of moving to Indefinitely Postpone Committee Amendment "A?" Could someone please explain this measure to me?

The **SPEAKER:** The Representative from Cornville, Representative Mills has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK:** Mr. Speaker, Ladies and Gentlemen of the House. To the good Representative from Cornville, Representative Mills, the answer is we are stripping the emergency. When this bill was brought forth through the legislative process, it was put forth back in September. The cloture date was October 1st and had nothing to do with this pretentious vote that is going to take place in Harpswell on March 9th. The bill was in front of my committee, the Legal and Veterans Affairs Committee last month. I believe it was the 24th of January. We had public discussion at public hearing. What the bill does is the selectmen or the town council can ask or approve for more than one voting place in a municipal election. The selectmen of Harpswell have already discussed this. They made a premature decision on that decision to have more than one voting place in Harpswell. The vote for the Town of Harpswell was first scheduled in December, which was postponed. It was scheduled for January and that was postponed. Now it is March 9th and the time is running out. All this does is Indefinitely Postpones the emergency enactor.

The **SPEAKER:** The Chair recognizes the Representative from Cornville, Representative Mills.

Representative **MILLS:** Mr. Speaker, May I pose a question through the Chair?

The **SPEAKER:** The Representative may pose his question.

Representative **MILLS:** Thank you Mr. Speaker. Can someone from the committee inform me what the position is of the governing officials of the Town of Harpswell concerning whether they should be allowed to have this vote take place in more than one polling place?

The SPEAKER: The Representative from Cornville, Representative Mills has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Phippsburg, Representative Percy.

Representative PERCY: Mr. Speaker, Ladies and Gentlemen of the House. The selectmen requested the emergency preamble be added to my bill.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Percy.

Representative PERCY: Mr. Speaker, Ladies and Gentlemen of the House. I rise to clarify a few points. I understand there is some confusion about this bill. I fully support LD 1639, the bill I agreed to submit on behalf of one of the selectmen of Harpswell and the town clerk. When I agreed to sponsor this legislation I also was holding firm to my decision to stay out of local politics. As many of you know, Harpswell will soon be voting on very important issue, whether to lease a section of Harpswell to Conoco Phillips, an LNG company who will install a regasification plant and pipeline.

When I was asked to sponsor LD 1639, a bill that would allow towns to use multiple polling places for special town meetings where a secret ballot would be the only item considered, I did not believe, and was told numerous times, that the bill had nothing to do with the local LNG vote. The bill was about fixing an old statute. Tradition in Harpswell voting has been that local town hall secret ballot votes have been held in one spot.

The proposed bill text was sent to me on September 26th and was filed with the Revisors on October 1st. At that time, the vote for the LNG was scheduled for December 16th, many weeks before our legislative session. A series of vote date changes moved the vote from December 16 to January 20th, then to January 27th and then finally it was set for March 9th, still I received no mention that this bill had anything to do with the LNG vote.

When the bill came up for the public hearing on January 29th, Selectmen Weil offered an amendment, an emergency preamble, to the Legal and Veterans Affairs Committee and the bill and amendment were then voted out of committee unanimously, Ought to Pass as Amended. I knew that.

The next week is when the phone calls began. Not one person has been opposed to LD 1639, the bill I sponsored. However, many people have been opposed to an emergency preamble being added so close to the important vote. I have received over 100 e-mails and phone calls asking me to vote against the emergency preamble. I have received 20 e-mails and phone calls, many of them threatening, asking me to keep the emergency preamble on.

What to do? Trust me, I have spent the weekend doing a lot of soul searching. What is important is I was sent here by the people of Harpswell to do the work of the people. I was sent to Augusta to represent them and their voice. I proudly represent Harpswell. I was not sent here to cower to paid lobbyists or place one person's voice higher than another. I feel awful that my bill, a good bill as originally written with the town clerk, has become a political football. Therefore, I ask you to follow my light.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of Committee Amendment "A" (H-698). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 308

YEA - Adams, Ash, Barstow, Bennett, Blanchette, Bliss, Brannigan, Browne W, Bull, Bunker, Canavan, Carr, Clark, Collins, Cowger, Craven, Cummings, Dudley, Dunlap, Duplessie, Duprey G, Earle, Eder, Faircloth, Finch, Fischer, Gagne-Friel,

Gerzofsky, Glynn, Greeley, Hutton, Jackson, Jennings, Kaelin, Kane, Ketterer, Koffman, Lemoine, Lerman, Lessard, Lundeen, Mailhot, Makas, Marley, Marraché, McGlocklin, McGowan, McKee, McLaughlin, Mills J, Moody, Norbert, Norton, O'Brien J, O'Brien L, O'Neil, Paradis, Patrick, Percy, Perry A, Perry J, Pineau, Pingree, Piotti, Richardson J, Rines, Rosen, Sampson, Saviello, Shields, Smith N, Smith W, Sullivan, Suslovic, Tardy, Thomas, Thompson, Twomey, Walcott, Watson, Wheeler, Woodbury, Wotton, Mr. Speaker.

NAY - Andrews, Annis, Austin, Beaudette, Berry, Bowen, Bowles, Brown R, Bruno, Bryant-Deschenes, Campbell, Churchill E, Churchill J, Clough, Courtney, Cressey, Crosthwaite, Curley, Daigle, Davis, Duprey B, Fletcher, Heidrich, Honey, Hotham, Jacobsen, Jodrey, Joy, Ledwin, Lewin, McCormick, McKenney, McNeil, Millett, Mills S, Moore, Murphy, Nutting, Peavey-Haskell, Rector, Richardson E, Richardson M, Rogers, Sherman, Simpson, Snowe-Mello, Stone, Sukeforth, Sykes, Tobin D, Tobin J, Trahan, Vaughan, Young.

ABSENT - Berube, Bierman, Breault, Dugay, Goodwin, Grose, Hatch, Landry, Maietta, Muse, Pellon, Treadwell, Usher.

Yes, 84; No, 54; Absent, 13; Excused, 0.

84 having voted in the affirmative and 54 voted in the negative, with 13 being absent, and accordingly **Committee Amendment "A" (H-698) was INDEFINITELY POSTPONED.**

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on Bills in the **Second Reading.**

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

An Act To Authorize the Commissioner of Administrative and Financial Services To Execute Easements

(H.P. 1299) (L.D. 1777)

(C. "A" H-668)

TABLED - February 19, 2004 (Till Later Today) by Representative McLAUGHLIN of Cape Elizabeth.

PENDING - PASSAGE TO BE ENACTED.

On motion of Representative McLAUGHLIN of Cape Elizabeth, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED.**

The same Representative **PRESENTED House Amendment "A" (H-716)** which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative McLaughlin.

Representative **McLAUGHLIN:** Mr. Speaker, Men and Women of the House. This is a House Amendment that was placed on your desks this morning. It shouldn't be too deep in the pile. Basically what it does is correct a technicality. The original bill we discovered had a potential conflict with the Constitution. We don't want to go there. What the amendment does is it states that the commissioner of Administrative and Financial Services does not have the ability to deal with easements relative to state park lands that are protected by the Constitution. Therefore, I hope you will support this amendment. Thank you.

House Amendment "A" (H-716) was ADOPTED.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-668) and House Amendment "A" (H-716) in NON-CONCURRENCE** and sent for concurrence.

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

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

SENATE PAPERS

Bill "An Act To Expand Access to Higher Education and Employment for Youth"

(S.P. 708) (L.D. 1862)

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 Provide Additional Financing for Costs Associated with the Remediation of a Waste Oil Handling Facility Site in Plymouth"

(S.P. 709) (L.D. 1863)

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

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

SENATE PAPERS

Pursuant to Public Law and Resolve

Joint Standing Committee on Natural Resources

Report of the **Joint Standing Committee on Natural Resources** pursuant to Public Law 2003, chapter 318, section 5 and Resolve 2003, chapter 101, section 3 asks leave to report that the accompanying Bill "An Act Relating to Storm Water Management"

(S.P. 712) (L.D. 1866)

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

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

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

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

The Chair laid before the House the following items which were **TABLED** and today assigned:

TABLED AND TODAY ASSIGNED

Bill "An Act To Permit the Photocopying of Driver's Licenses in Financial Transactions"

(H.P. 1324) (L.D. 1802)

TABLED - February 19, 2004 by Representative O'NEIL of Saco. **PENDING - ADOPTION OF HOUSE AMENDMENT "A" (H-707) to COMMITTEE AMENDMENT "A" (H-683)**.

Representative O'NEIL of Saco moved that **House Amendment "A" (H-707) to Committee Amendment "A" (H-683) be INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-707) to Committee Amendment "A" (H-683)**.

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

Representative DUDLEY of Portland moved that the Bill be **TABLED** until later in today's session pending the motion of Representative O'NEIL of Saco to **INDEFINITELY POSTPONE House Amendment "A" (H-707) to Committee Amendment "A" (H-683)**.

Subsequently, Representative DUDLEY of Portland **WITHDREW** his motion to **TABLE**.

On motion of Representative DUPLESSIE of Westbrook, **TABLED** pending the motion of Representative O'NEIL of Saco to **INDEFINITELY POSTPONE House Amendment "A" (H-707) to Committee Amendment "A" (H-683)** and later today assigned. (Roll Call Ordered)

On motion of Representative McLAUGHLIN of Cape Elizabeth, the House adjourned at 12:50 p.m., until 10:00 a.m., Wednesday, February 25, 2004 in honor and lasting tribute to James E. Murray, Jr., of Cape Elizabeth.