

MAINE STATE LEGISLATURE

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

Volume I

First Regular Session

December 1, 2004 - March 30, 2005

First Special Session

April 4, 2005 – May 25, 2005

Pages 1-736

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
FIRST REGULAR SESSION
4th Legislative Day
Tuesday, January 11, 2005

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

Prayer by Reverend Robert G. Harris, Jr., Farmingdale (retired).

National Anthem by Kayla Hopkins, Manchester.

Pledge of Allegiance.

Doctor of the day, Lawrence Mutty, M.D., Castine (retired).

The Journal of Thursday, January 6, 2005 was read and approved.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Resolve, To Require the Department of Conservation To Maintain Public Access To the Fire Tower on Rocky Mountain near Allagash

(H.P. 58) (L.D. 62)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator MARTIN of Aroostook and Representatives: PARADIS of Frenchville, SMITH of Van Buren.

Bill "An Act To Amend Provisions of the Maine Land Use Regulation Commission Law"

(H.P. 93) (L.D. 117)

Sponsored by Representative PIOTTI of Unity.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: CARR of Lincoln, LUNDEEN of Mars Hill, PINEAU of Jay, SHERMAN of Hodgdon, Senator: BRYANT of Oxford.

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

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Expand the Maine Economic Improvement Fund"

(H.P. 38) (L.D. 42)

Sponsored by Representative FISCHER of Presque Isle.

Cosponsored by Senator MARTIN of Aroostook and Representatives: BOWEN of Rockport, BRANNIGAN of Portland, MILLETT of Waterford, RECTOR of Thomaston, SMITH of Monmouth, Senator: BROMLEY of Cumberland.

Bill "An Act To Fund the Acquisition of Land by the Land for Maine's Future Board from the General Fund"

(H.P. 74) (L.D. 78)

Sponsored by Representative CURLEY of Scarborough.

Cosponsored by Senator BARTLETT of Cumberland and Representative: SHERMAN of Hodgdon.

Bill "An Act To Promote Math and Science Education Learning Kindergarten to Grade 12"

(H.P. 95) (L.D. 119)

Sponsored by Representative CAIN of Orono.

Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: FAIRCLOTH of Bangor, FISCHER of Presque

Isle, NORTON of Bangor, ROSEN of Bucksport, Senators: MARTIN of Aroostook, MITCHELL of Kennebec.

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Resolve, To Reduce Forgery and Fraud in Obtaining Prescription Drugs

(H.P. 45) (L.D. 49)

Sponsored by Representative GREELEY of Levant.

Cosponsored by Representative: SYKES of Harrison.

Bill "An Act To Support Payroll Processors" (EMERGENCY)

(H.P. 55) (L.D. 58)

Sponsored by Representative LANSLEY of Sabattus.

Cosponsored by Representatives: BERUBE of Lisbon, CEBRA of Naples, CROSTHWAITE of Ellsworth, RICHARDSON of Carmel, SMITH of Monmouth, Senators: NUTTING of Androscoggin, SNOWE-MELLO of Androscoggin.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Criminalize Harming a Dog Used for Law Enforcement Purposes"

(H.P. 49) (L.D. 53)

Sponsored by Representative FISCHER of Presque Isle.

Cosponsored by Senator DIAMOND of Cumberland and Representatives: GERZOFKY of Brunswick, SYKES of Harrison, Senator: CLUKEY of Aroostook.

Bill "An Act To Allow the Part-time Assignment of State Police Officers to Municipalities"

(H.P. 78) (L.D. 102)

Sponsored by Representative BLANCHETTE of Bangor.

Cosponsored by Representatives: GREELEY of Levant, HANLEY of Gardiner, PINGREE of North Haven, Senators: CLUKEY of Aroostook, DAVIS of Piscataquis, DIAMOND of Cumberland. Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act To Require Cigarettes Sold in Maine To Be Fire-safe"

(H.P. 80) (L.D. 104)

Sponsored by Representative RINES of Wiscasset.

Cosponsored by Senator COWGER of Kennebec and Representatives: GERZOFKY of Brunswick, MILLER of Somerville, RECTOR of Thomaston, TWOMEY of Biddeford, Senator: SAVAGE of Knox.

Bill "An Act To Provide Equity in the State Contribution to County Jail Expenses"

(H.P. 82) (L.D. 106)

Sponsored by Representative FLETCHER of Winslow.

Cosponsored by Senator COURTNEY of York and Representatives: BROWNE of Vassalboro, FITTS of Pittsfield, McCORMICK of West Gardiner, NUTTING of Oakland, RICHARDSON of Skowhegan, RINES of Wiscasset.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Provide Free Tuition to Students Achieving Learning Results Standards"

(H.P. 53) (L.D. 57)

Sponsored by Representative FISCHER of Presque Isle.
Cosponsored by Senator MITCHELL of Kennebec and Representatives: CAIN of Orono, CUMMINGS of Portland, EDGECOMB of Caribou, FISHER of Brewer, NORTON of Bangor.

Bill "An Act To Ensure Funding for After-school Programs"

(H.P. 92) (L.D. 116)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator COWGER of Kennebec and Representatives: BLANCHETTE of Bangor, CAIN of Orono, FARRINGTON of Gorham, FISCHER of Presque Isle, GERZOFISKY of Brunswick, PINGREE of North Haven.

HEALTH AND HUMAN SERVICES

Bill "An Act To Authorize Certain Campers To Carry Asthma Inhalers and Epinephrine Pens on Their Persons"

(H.P. 48) (L.D. 52)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator COWGER of Kennebec and Representatives: BLANCHETTE of Bangor, CAIN of Orono, FISCHER of Presque Isle, GERZOFISKY of Brunswick, NORTON of Bangor, PINGREE of North Haven, TRAHAN of Waldoboro.

Resolve, To Require the Department of Health and Human Services To Adopt Rules Regarding Accrual of Cost Savings (EMERGENCY)

(H.P. 56) (L.D. 60)

Sponsored by Representative CROSTHWAITE of Ellsworth.
Cosponsored by Senator DAMON of Hancock and Representatives: CRAVEN of Lewiston, GROSE of Woolwich, ROSEN of Bucksport, WALCOTT of Lewiston.

Bill "An Act To Reduce Costs to the Health Services System"

(H.P. 65) (L.D. 69)

Sponsored by Representative GLYNN of South Portland.
Cosponsored by Representatives: LEWIN of Eliot, PINGREE of North Haven, SHIELDS of Auburn.

Resolve, To Require the Department of Health and Human Services To Amend Rules Regarding Payment for Goods and Services (EMERGENCY)

(H.P. 72) (L.D. 76)

Sponsored by Representative CROSTHWAITE of Ellsworth.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: CRAVEN of Lewiston, CURLEY of Scarborough, GROSE of Woolwich, MARRACHÉ of Waterville, ROSEN of Bucksport, SHIELDS of Auburn, WALCOTT of Lewiston.

Bill "An Act To Require the Department of Health and Human Services To Analyze Costs before the Legislature Imposes Mandates"

(H.P. 84) (L.D. 108)

Sponsored by Representative GLYNN of South Portland.
Cosponsored by Representatives: LEWIN of Eliot, PINGREE of North Haven, SHIELDS of Auburn, Senator: MAYO of Sagadahoc.

Bill "An Act To Implement the Recommendations of the Commission To Study Public Health Concerning Chain Restaurants"

(H.P. 86) (L.D. 110)

Sponsored by Representative CRAVEN of Lewiston.
Cosponsored by Senator NUTTING of Androscoggin and Representatives: CANAVAN of Waterville, EBERLE of South Portland, FAIRCLOTH of Bangor, MAKAS of Lewiston, MOODY of Manchester, PELLETIER-SIMPSON of Auburn, PINGREE of North Haven, WALCOTT of Lewiston.

Bill "An Act To Establish the Unused Prescription Drug Program"

(H.P. 105) (L.D. 129)

Sponsored by Representative WATSON of Bath.
Cosponsored by Representatives: BRANNIGAN of Portland, PERRY of Calais, PINGREE of North Haven, SMITH of Monmouth, Senator: MAYO of Sagadahoc.

Bill "An Act To Create Guidelines and Procedures for Organ and Tissue Donation to Research Facilities"

(H.P. 51) (L.D. 55)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Representative MARRACHÉ of Waterville, Senator ROSEN of Hancock and Representatives: FARRINGTON of Gorham, ROSEN of Bucksport.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative PINGREE of North Haven , **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act Guaranteeing Freedom of Choice Regarding the Disposition of One's Own Organs"

(H.P. 83) (L.D. 107)

Sponsored by Representative FAIRCLOTH of Bangor.
Cosponsored by Representative: PERRY of Calais.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative PINGREE of North Haven , **TABLED** pending **REFERENCE** and later today assigned.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Provide Hunters 70 Years of Age or Older with Antlerless Deer Permits"

(H.P. 39) (L.D. 43)

Sponsored by Representative SHERMAN of Hodgdon.
Cosponsored by Senator CLUKEY of Aroostook and Representatives: ANNIS of Dover-Foxcroft, BIERMAN of Sorrento, CARR of Lincoln, DUPREY of Hampden, JOY of Crystal, ROBINSON of Raymond, SAVIELLO of Wilton, THOMAS of Ripley.

Bill "An Act To Ensure the Safe and Timely Retrieval of Wounded Bear"

(H.P. 44) (L.D. 48)

Sponsored by Representative WATSON of Bath. (BY REQUEST)
Cosponsored by Senator BRYANT of Oxford and Representative: TRAHAN of Waldoboro.

Bill "An Act To Ban Remote-control Hunting"

(H.P. 46) (L.D. 50)

Sponsored by Representative CARR of Lincoln.

Cosponsored by Senator CLUKEY of Aroostook and Representatives: ANNIS of Dover-Foxcroft, CLARK of Millinocket, RICHARDSON of Greenville, SHERMAN of Hodgdon, THOMAS of Ripley, WATSON of Bath, Senator: DAVIS of Piscataquis.

Bill "An Act To Allow the Use of Crossbows for Hunting"

(H.P. 63) (L.D. 67)

Sponsored by Representative MOODY of Manchester.

Cosponsored by Representative WHEELER of Kittery and Representatives: DUPLESSIE of Westbrook, FLETCHER of Winslow, LUNDEEN of Mars Hill, PINEAU of Jay, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senator: MARTIN of Aroostook.

Bill "An Act To Require the Turkey Season To Include the Last 2 Weeks of April"

(H.P. 96) (L.D. 120)

Sponsored by Representative TRAHAN of Waldoboro.

Cosponsored by Representatives: BRYANT-DESCHENES of Turner, CARR of Lincoln.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Prohibit Credit Card Companies from Charging Late Fees on Certain Accounts"

(H.P. 37) (L.D. 41)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representatives: HOGAN of Old Orchard Beach, PERRY of Calais, PILON of Saco.

Bill "An Act To Protect Consumers from Unfair Cancellation of Property Insurance Coverage"

(H.P. 61) (L.D. 65)

Sponsored by Representative MOORE of Standish.

Cosponsored by Senator GAGNON of Kennebec and Representatives: BROWN of South Berwick, JACOBSEN of Waterboro, MAREAN of Hollis, PATRICK of Rumford.

Bill "An Act To Promote Health Insurance Coverage for Employees of Small Businesses"

(H.P. 87) (L.D. 111)

Sponsored by Representative CURLEY of Scarborough.

Cosponsored by Senator BARTLETT of Cumberland and Representatives: DUDLEY of Portland, GLYNN of South Portland, MARRACHÉ of Waterville, NASS of Acton.

Bill "An Act To Provide a Mandate-free Health Insurance Policy"

(H.P. 90) (L.D. 114)

Sponsored by Representative CRESSEY of Cornish.

Cosponsored by Senator SAVAGE of Knox and Representatives: ANNIS of Dover-Foxcroft, DAVIS of Falmouth, FLETCHER of Winslow, MOODY of Manchester, NASS of Acton, NUTTING of Oakland, SHIELDS of Auburn, Senator: SNOWE-MELLO of Androscoggin.

Bill "An Act To Allow Insurers To Limit Their Uninsured Motorist Coverage to Persons Listed on the Policy"

(H.P. 98) (L.D. 122)

Sponsored by Representative FISCHER of Presque Isle.

Cosponsored by Senator MAYO of Sagadahoc and Representative: PERRY of Calais.

Bill "An Act To Require Health Insurance Policies To Provide Coverage for Physical, Occupational and Speech Therapy"

(H.P. 103) (L.D. 127)

Sponsored by Representative DUDLEY of Portland.

Bill "An Act To Establish a Single-payor Health Care System"

(H.P. 106) (L.D. 130)

Sponsored by Representative TWOMEY of Biddeford.

Under suspension of the rules, cosponsored by Senator MARTIN of Aroostook and Representatives: ADAMS of Portland, ASH of Belfast, BURNS of Berwick, CAIN of Orono, CANAVAN of Waterville, FAIRCLOTH of Bangor, GERZOFKY of Brunswick, HOGAN of Old Orchard Beach, HUTTON of Bowdoinham, KOFFMAN of Bar Harbor, O'BRIEN of Lewiston, PARADIS of Frenchville, PATRICK of Rumford, PELLETIER-SIMPSON of Auburn, PERCY of Phippsburg, PINEAU of Jay, PINGREE of North Haven, RINES of Wiscasset, SAMPSON of Auburn, SMITH of Van Buren, WALCOTT of Lewiston, WHEELER of Kittery, Senators: COWGER of Kennebec, STRIMLING of Cumberland.

JUDICIARY

Resolve, To Encourage Parents To Choose To Dedicate a Portion of Child Support Payments to College Investment Accounts

(H.P. 47) (L.D. 51)

Sponsored by Representative BARSTOW of Gorham.

Cosponsored by Senator COWGER of Kennebec and Representatives: CAIN of Orono, FISCHER of Presque Isle, GERZOFKY of Brunswick, MAREAN of Hollis, MERRILL of Appleton, NORTON of Bangor, PINGREE of North Haven.

Bill "An Act To Authorize a Judge To Order Involuntary Commitment of a Person with Mental Illness Not Taking Prescribed Medication"

(H.P. 57) (L.D. 61)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator MARTIN of Aroostook and Representatives: PARADIS of Frenchville, SMITH of Van Buren.

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

(H.P. 79) (L.D. 103)

Sponsored by Representative JOY of Crystal. (BY REQUEST)

Cosponsored by Representatives: CROSTHWAITE of Ellsworth, SAVIELLO of Wilton, SHERMAN of Hodgdon, VAUGHAN of Durham.

Bill "An Act To Amend the Laws Pertaining to Temporary Guardianship"

(H.P. 81) (L.D. 105)

Sponsored by Representative BISHOP of Boothbay.

Cosponsored by Representative: LINDELL of Frankfort.

LABOR

Bill "An Act To Reduce Workers' Compensation Costs for Small Business Employers"

(H.P. 50) (L.D. 54)

Sponsored by Representative WATSON of Bath.

Cosponsored by Representatives: PATRICK of Rumford, SMITH of Van Buren, TRAHAN of Waldoboro.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Ensure the Maintenance of Veterans' Cemeteries"

(H.P. 60) (L.D. 64)

Sponsored by Representative JACKSON of Fort Kent.
Cosponsored by Senator MARTIN of Aroostook and Representatives: PARADIS of Frenchville, SMITH of Van Buren.

Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"

(H.P. 62) (L.D. 66)

Sponsored by Representative DUNN of Bangor.
Cosponsored by Senator: PERRY of Penobscot.

Bill "An Act To Amend the Laws Governing the Funding of State Special Elections"

(H.P. 66) (L.D. 70)

Sponsored by Representative BROWN of South Berwick.
Cosponsored by Representatives: FISCHER of Presque Isle, JODREY of Bethel, MOORE of Standish, OTT of York, PINEAU of Jay, TARDY of Newport, TUTTLE of Sanford, TWOMEY of Biddeford.

Bill "An Act To Require Valid Identification for All Purchases of Liquor"

(H.P. 73) (L.D. 77)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator MAYO of Sagadahoc and Representatives: BLANCHARD of Old Town, BLANCHETTE of Bangor, BLISS of South Portland, FARRINGTON of Gorham, GERZOFISKY of Brunswick, NORTON of Bangor.

Resolve, Requiring the Secretary of State To Develop Voting Systems Standards (EMERGENCY)

(H.P. 76) (L.D. 100)

Sponsored by Representative PATRICK of Rumford.
Cosponsored by Senator GAGNON of Kennebec and Representatives: BROWN of South Berwick, FISHER of Brewer, HOTHAM of Dixfield, MOORE of Standish, OTT of York, VALENTINO of Saco, Senators: MARTIN of Aroostook, PERRY of Penobscot.
Submitted by the Secretary of State pursuant to Joint Rule 204.

Bill "An Act To Require That Accelerated Campaign Finance Reports Be Completed by Both Clean Election and Nonparticipating Candidates"

(H.P. 85) (L.D. 109)

Sponsored by Representative TUTTLE of Sanford.

Bill "An Act Concerning Multiple-item Bond Issues"

(H.P. 99) (L.D. 123)

Sponsored by Representative CLOUGH of Scarborough.
Cosponsored by Representative CARR of Lincoln, Senator NASS of York and Representatives: ADAMS of Portland, CLARK of Millinocket, FLETCHER of Winslow, SHERMAN of Hodgdon, TARDY of Newport, Senators: DAVIS of Piscataquis, ROSEN of Hancock, WESTON of Waldo.

NATURAL RESOURCES

Bill "An Act To Promote Sound Science in Climate Change Policy"

(H.P. 68) (L.D. 72)

Sponsored by Representative JOY of Crystal.
Cosponsored by Representatives: BROWNE of Vassalboro, CARR of Lincoln, CROSTHWAITE of Ellsworth, FLETCHER of Winslow, JODREY of Bethel, SHERMAN of Hodgdon, VAUGHAN of Durham, Senator: NASS of York.

Bill "An Act To Include Specific Bodies of Water within Class C Standards"

(H.P. 75) (L.D. 99)

Sponsored by Representative MAKAS of Lewiston.
Cosponsored by Representative WALCOTT of Lewiston, Senator COWGER of Kennebec and Representatives: EBERLE of South Portland, HUTTON of Bowdoinham, KOFFMAN of Bar Harbor, MOODY of Manchester, THOMPSON of China, Senators: President EDMONDS of Cumberland, ROTUNDO of Androscoggin.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Reform County Government"

(H.P. 40) (L.D. 44)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator SAVAGE of Knox.

Bill "An Act To Use the Buying Power of the State To Purchase Heating Oil for Low-income and Elderly Residents"

(H.P. 59) (L.D. 63)

Sponsored by Representative JACKSON of Fort Kent.
Cosponsored by Senator MARTIN of Aroostook and Representatives: PARADIS of Frenchville, SMITH of Van Buren.

Bill "An Act To Eliminate Daylight Saving Time"

(H.P. 64) (L.D. 68)

Sponsored by Representative JOY of Crystal.
Cosponsored by Representative: VAUGHAN of Durham.

Bill "An Act To Prohibit the Federal Government from Owning Property in the State Not Specifically Authorized in the United States Constitution"

(H.P. 69) (L.D. 73)

Sponsored by Representative JOY of Crystal.
Cosponsored by Representatives: CROSTHWAITE of Ellsworth, FLETCHER of Winslow, JODREY of Bethel, RICHARDSON of Skowhegan, SAVIELLO of Wilton, SHERMAN of Hodgdon, VAUGHAN of Durham, Senator: WOODCOCK of Franklin.

Bill "An Act To Amend the Membership of the InforME Board"

(H.P. 77) (L.D. 101)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator SCHNEIDER of Penobscot.
Submitted by the Secretary of State pursuant to Joint Rule 204.

Bill "An Act To Improve Communication, Cooperation and Efficiencies in State Government"

(H.P. 97) (L.D. 121)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator SAVAGE of Knox.

Resolve, Authorizing the City of Gardiner To Refinance Certain Temporary Bond Anticipation Notes Issued for Its Wastewater Project (EMERGENCY)

(H.P. 102) (L.D. 126)

Sponsored by Representative HANLEY of Gardiner.
Cosponsored by Senator COWGER of Kennebec and Representatives: McCORMICK of West Gardiner, RINES of Wiscasset.

TAXATION

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Facilitate the Repeal of the Taxation of Personal Property Valued at \$1,000 or More

(H.P. 52) (L.D. 56)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator COWGER of Kennebec and Representatives: BLANCHETTE of Bangor, BLISS of South Portland, BRYANT of Windham, CLOUGH of Scarborough, GERZOFKY of Brunswick, PLUMMER of Windham, RECTOR of Thomaston.

Bill "An Act To Increase the Property Tax Exemption for Veterans"

(H.P. 70) (L.D. 74)

Sponsored by Representative DAVIS of Falmouth.
Cosponsored by Representatives: EDGECOMB of Caribou, FISCHER of Presque Isle, LEWIN of Eliot.

Bill "An Act To Authorize Municipalities To Give Property Tax Relief to Volunteer Firefighters and Emergency Medical Services Personnel"

(H.P. 71) (L.D. 75)

Sponsored by Representative DAVIS of Falmouth.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: BLANCHETTE of Bangor, LEWIN of Eliot.

Bill "An Act To Conform Maine Estate Tax Law with Federal Estate Tax Laws"

(H.P. 88) (L.D. 112)

Sponsored by Representative CURLEY of Scarborough.
Cosponsored by Senator PERRY of Penobscot and Representatives: BOWEN of Rockport, BROWNE of Vassalboro, CLOUGH of Scarborough, OTT of York, Senators: DAVIS of Piscataquis, MILLS of Somerset.

Bill "An Act Enabling Municipalities To Establish Municipal Land Banks Funded by Local Option Real Estate Transfer Taxes"

(H.P. 91) (L.D. 115)

Sponsored by Representative RECTOR of Thomaston.
Cosponsored by Senator SAVAGE of Knox and Representatives: BOWEN of Rockport, KOFFMAN of Bar Harbor, MAZUREK of Rockland, PINGREE of North Haven, PIOTTI of Unity, SAVIELLO of Wilton, WOODBURY of Yarmouth, Senator: PERRY of Penobscot.

Bill "An Act To Provide Tax Relief for People with Functional Limitations"

(H.P. 94) (L.D. 118)

Sponsored by Representative BOWLES of Sanford.
Cosponsored by Senator DAVIS of Piscataquis and Representatives: BIERMAN of Sorrento, CLOUGH of Scarborough, PINGREE of North Haven, TARDY of Newport.

TRANSPORTATION

Resolve, To Rename Chick Road in Lebanon and Sanford after the Late State Representative Howard Chick

(H.P. 41) (L.D. 45)

Sponsored by Representative TUTTLE of Sanford.
Cosponsored by Senator COURTNEY of York and Representatives: BOWLES of Sanford, COLLINS of Wells, FISHER of Brewer, McKENNEY of Cumberland, NASS of Acton, PARADIS of Frenchville, Senators: DIAMOND of Cumberland, NASS of York.

Bill "An Act To Require the State To Provide Winter Maintenance on State Aid Highways"

(H.P. 43) (L.D. 47)

Sponsored by Representative THOMAS of Ripley.
Cosponsored by Senator DOW of Lincoln and Representatives: ANNIS of Dover-Foxcroft, DUPREY of Hampden, JOY of Crystal, PINKHAM of Lexington Township, SHERMAN of Hodgdon, STEDMAN of Hartland, VAUGHAN of Durham, Senator: DAVIS of Piscataquis.

Bill "An Act To Repeal the Authority of the Department of Transportation To Assess Impact Fees on New Businesses"

(H.P. 54) (L.D. 59)

Sponsored by Representative RINES of Wiscasset.
Cosponsored by Senator PERRY of Penobscot and Representatives: ASH of Belfast, FLETCHER of Winslow, GROSE of Woolwich, McCORMICK of West Gardiner, MILLER of Somerville, PERCY of Phippsburg, TWOMEY of Biddeford, Senator: DOW of Lincoln.

Bill "An Act To Amend the Law Pertaining to Nitrous Oxide Systems"

(H.P. 67) (L.D. 71)

Sponsored by Representative McKENNEY of Cumberland.
Cosponsored by Representative: COLLINS of Wells, Senator: SAVAGE of Knox.

Bill "An Act To Allow Animal Control Officers and Individuals Who Collect Trash To Use Flashing Amber Lights on Their Vehicles"

(H.P. 89) (L.D. 113)

Sponsored by Representative BROWNE of Vassalboro.
Cosponsored by Senator SAVAGE of Knox and Representatives: FINCH of Fairfield, FITTS of Pittsfield, FLETCHER of Winslow, THOMPSON of China.

Bill "An Act To Require Informational Signs on the Maine Turnpike for The Theater at Monmouth"

(H.P. 100) (L.D. 124)

Sponsored by Representative SMITH of Monmouth.
Cosponsored by Senator COWGER of Kennebec and Representatives: CUMMINGS of Portland, FAIRCLOTH of Bangor, LANSLEY of Sabattus, WEBSTER of Freeport.

Bill "An Act To Create a License Plate for the Elks Organization"

(H.P. 104) (L.D. 128)

Sponsored by Representative MILLER of Somerville.
Cosponsored by Representative: BLANCHARD of Old Town.

UTILITIES AND ENERGY

Bill "An Act To Require Permission of Customers before a Phone Company Can Bill Retroactively"

(H.P. 42) (L.D. 46)

Sponsored by Representative TRAHAN of Waldoboro.

Bill "An Act To Allow Timothy Gousse To Purchase Water from the Gardiner Water District"

(H.P. 101) (L.D. 125)

Sponsored by Representative MILLER of Somerville.

Cosponsored by Senator COWGER of Kennebec.

ORDERS

(4-1) On motion of Representative MAKAS of Lewiston, the following Joint Resolution: (H.P. 107) (Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: CANAVAN of Waterville, LEWIN of Eliot, O'BRIEN of Lewiston, PINGREE of North Haven, Speaker RICHARDSON of Brunswick, THOMPSON of China, WALCOTT of Lewiston, Senator: MAYO of Sagadahoc)

JOINT RESOLUTION ON BEHALF OF MAINE WOMEN WITH CERVICAL CANCER

WHEREAS, following breast cancer, cervical cancer is the 2nd most common cancer in women worldwide; and

WHEREAS, according to federal governmental statistics, cervical cancer is the 3rd most common gynecological cancer among American women, with approximately 12,200 new cases diagnosed annually, 4,100 of which result in fatalities; and

WHEREAS, with regular and accurate screening, cervical cancer is highly preventable; widespread screening programs have helped to reduce death rates of women from cervical cancer, but women are still dying even with such advanced medical techniques and evaluative procedures; and

WHEREAS, cervical cancer cases in the United States are generally attributed to a lack of awareness, a reduction of access to regular cervical cancer screening and a lack of screening accuracy; and

WHEREAS, experience shows that increasing awareness of cervical cancer among women, especially the underserved women within our State, significantly reduces the probability of mortality; and

WHEREAS, cervical cancer disproportionately affects minority women and women with lower incomes because they are less likely to have access to routine screening; and

WHEREAS, approximately 50% of all cervical cancer cases are in women who have never been screened, and 10% of cases are in women who have not been screened within the last 5 years; and

WHEREAS, the median age of cervical cancer patients at diagnosis is 47 years, the youngest median age for all female reproductive cancers; and

WHEREAS, new screening technologies, including FDA-approved testing for human papillomavirus, which is the cause of virtually all cervical cancers, offer new opportunities to finally eliminate this potentially deadly disease through early identification of women at increased risk; and

WHEREAS, leading medical organizations, including the American College of Obstetricians and Gynecologists, the American Cancer Society and the Association of Reproductive Health Professionals, have recently updated their screening guidelines to include FDA-approved testing for the human papillomavirus; and

WHEREAS, women are entitled to proper cervical cancer information to empower them to make informed health care decisions and obtain access to routine screening, including the most accurate methods available; and

WHEREAS, through education and screening, women can lower their likelihood for developing cervical cancer, and through early detection, cervical cancer can be successfully treated after it develops; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-second Legislature now assembled in the First Regular Session, urge the Department of Health and Human Services to review available data regarding cervical cancer and human papillomavirus in women within all states and United States territories and to evaluate current methods used to provide women with information regarding cervical cancer, access to regular screening and options for increasing screening accuracy to more effectively inform women throughout the State that, with regular screening, cervical cancer is highly preventable; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable John E. Baldacci, Governor of Maine, to Dr. Dora Anne Mills, Director and State Health Officer, and to Mr. John R. Nicholas, Commissioner of Health and Human Services.

READ and ADOPTED.

On motion of Representative MAKAS of Lewiston, the House **RECONSIDERED** its action whereby the Joint Resolution was **ADOPTED.**

Subsequently, the Joint Resolution was **ADOPTED.**

Sent for concurrence.

On motion of Representative TRAHAN of Waldoboro, the following House Order: (H.O. 13)

ORDERED, that the House Rules be amended by adding a new House Rule 108 to read:

108. Cameras allowed. Cameras are permitted to film the proceedings of the House for broadcast.

READ.

On motion of Representative DUPLESSIE of Westbrook, **TABLED** pending **PASSAGE** and later today assigned.

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:

ORDERS

On motion of Representative WOODBURY of Yarmouth, the following Joint Order: (H.P. 108)

ORDERED, the Senate concurring, that the Joint Select Committee on Property Tax Reform shall report out, to the House, the following 6 bills:

1. A constitutional resolution proposing an amendment to the Constitution of Maine that would permit the Legislature to allow current use valuation of waterfront land used for commercial fishing;

2. A constitutional resolution proposing an amendment to the Constitution of Maine that would allow the Legislature to provide a local option homestead exemption;

3. A constitutional resolution proposing an amendment to the Constitution of Maine that would allow the Legislature to

authorize a local option property tax assistance program that reflects a claimant's ability to pay;

4. A constitutional resolution proposing an amendment to the Constitution of Maine that would allow the Legislature to authorize a growth limitation on the valuation of small business land;

5. A constitutional resolution proposing an amendment to the Constitution of Maine that would allow the Legislature to authorize a higher mill rate assessment on secondary residential property; and

6. A bill to provide a schedule of school funding that provides 55% state coverage of the cost of essential programs and services over a period of 2 years.

READ.

Pursuant to House Rule 523, this Joint Order requires the affirmative vote of two-thirds of those present for passage. 127 having voted in the affirmative and 3 in the negative, 127 being more than two-thirds of the membership present, the Joint Order is **PASSED** and sent for concurrence.

SENATE PAPERS

Bill "An Act To Give the Commissioner of Inland Fisheries and Wildlife the Authority To Allow the Operation of Snowmobiles Registered outside the State at Special Events Occurring in the State" (EMERGENCY)

(S.P. 31) (L.D. 89)

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

Came from the Senate, under suspension of the rules and **WITHOUT REFERENCE** to a Committee, the Bill **READ TWICE** and **PASSED TO BE ENGROSSED**.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Carr.

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

The SPEAKER: The Representative may pose his question.

Representative **CARR**: Mr. Speaker, Men and Women of the House. My question is why this is not being referenced to the committee and circumventing that system?

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Watson.

Representative **WATSON**: Mr. Speaker, Ladies and Gentlemen of the House. In response to that question, this bill was considered and is being pushed through as an emergency measure primarily because there are snowmobile tournaments that will be taking place in Northern Maine very shortly. And as it is right now without this authority the Commissioner would have to require the out of state participants in those events to register their snowmobiles for what turns out to be a one or two day event, but that's the reason for the unusual procedure in this case.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Kaelin.

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

The SPEAKER: The Representative may pose his question.

Representative **KAELIN**: Thank you, Mr. Speaker. Is there a loss of revenue to the state from avoiding the requirement that these machines be registered here in the State of Maine? Thank you.

The SPEAKER: The Representative from Winterport, Representative Kaelin, has asked a question through the chair to anyone who may answer. The Chair recognizes the Representative from Bath, Representative Watson.

Representative **WATSON**: Mr. Speaker, Men and Women of the House. I would have to assume so in response to the Representative's question. I would assume there is some revenue loss. I'm not in a position to say how much, what difference it makes. On the other hand, the only revenue lost would be the registration fee itself as opposed to losing the participation of literally hundreds of out of state visitors who come to these events on an annual basis. Thank you.

The SPEAKER: The Chair recognizes the Representative from Frenchville, Representative Paradis.

Representative **PARADIS**: Mr. Speaker, Ladies and Gentlemen of the House. The first event coming soon is the International Snowmobile Festival in Madawaska and there is a reciprocal agreement between Maine, New Brunswick, and Quebec to allow snowmobilers for a whole weekend to drive on the trails from all of those entities. So it is vital that it be passed as soon as possible. Thank you.

Subsequently, under suspension of the rules and **WITHOUT REFERENCE** to a Committee, the Bill was **READ TWICE** and **PASSED TO BE ENGROSSED** in concurrence.

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

On motion of Representative BOWLES of Sanford, the House adjourned at 11:00 a.m., until 10:00 a.m., Thursday, January 13, 2005.