

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
5th Legislative Day
Thursday, January 13, 2005

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

Prayer by The Reverend Jacob Fles, Christ Episcopal Church, Gardiner.

National Anthem by Kary Young, Auburn.

Pledge of Allegiance.

Doctor of the day, Rebecca Chagrasulis, M.D., Casco.

The Journal of Tuesday, January 11, 2005 was read and approved.

SENATE PAPERS

Bill "An Act To Support the Department of Conservation, Bureau of Forestry's Aerial Fire Suppression Program"

(S.P. 37) (L.D. 95)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act To Authorize a General Fund Bond Issue in the Amount of \$75,000,000 for the Land for Maine's Future Fund"

(S.P. 15) (L.D. 35)

Resolve, To Establish a Demonstration Project To Create Mental Health and Substance Abuse Treatment Programs for Immigrant and Refugee Populations

(S.P. 17) (L.D. 37)

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

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act to Prohibit Payment Card Skimming"

(S.P. 23) (L.D. 83)

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 Regarding Interscholastic Athletics"

(S.P. 26) (L.D. 84)

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 Suspend or Revoke Licenses and Permits Issued by the Department of Inland Fisheries and Wildlife to a Person Convicted of Operating under the Influence"

(S.P. 21) (L.D. 82)

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

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

Bill "An Act To Increase the Availability of Individual Health Insurance in Maine"

(S.P. 28) (L.D. 86)

Bill "An Act To Terminate Payments to the Maine Workers' Compensation Residual Market Pool from the Maine Insurance Guaranty Association" (EMERGENCY)

(S.P. 39) (L.D. 97)

Came from the Senate, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act Concerning Disability Retirement Benefits under the Maine State Retirement System"

(S.P. 35) (L.D. 93)

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

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

Bill "An Act Regarding the Gambling Control Board" (EMERGENCY)

(S.P. 32) (L.D. 90)

Bill "An Act To Amend the Law Governing the Storage of Spirits"

(S.P. 33) (L.D. 91)

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

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

Bill "An Act To Require That All Persons Engaging in Asbestos Abatement Activities Be Subject to Licensing and Certification Requirements"

(S.P. 20) (L.D. 40)

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

On motion of Representative KOFFMAN of Bar Harbor, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Codify Senate Districts in Statute"

(S.P. 40) (L.D. 98)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Bill "An Act To Implement the School Finance and Tax Reform Act of 2003"

(S.P. 11) (L.D. 12)

Bill "An Act To Establish a Limited Sales-tax-free Shopping Week"

(S.P. 24) (L.D. 81)

Bill "An Act To Phase Out the Corporate Income Tax over a 5-year Period"

(S.P. 29) (L.D. 87)

Bill "An Act To Provide for Sales Tax Exemption Reciprocity for School Groups Visiting Other Jurisdictions"

(S.P. 34) (L.D. 92)

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 Promote Access to Transportation for Seniors"

(S.P. 16) (L.D. 36)

Bill "An Act To Enhance Highway Safety"

(S.P. 18) (L.D. 38)

Bill "An Act To Amend the Definition of Authorized Emergency Vehicle"

(S.P. 19) (L.D. 39)

Bill "An Act To Allow the Issuance of Vanity Plates for Buses" (EMERGENCY)

(S.P. 22) (L.D. 79)

Bill "An Act To Amend the Law Governing Use of Seat Belts"

(S.P. 25) (L.D. 80)

Bill "An Act To Eliminate Automobile Inspection Requirements"

(S.P. 30) (L.D. 88)

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

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

Bill "An Act To Credit Utility Customers with Certain Amounts Paid as Fines"

(S.P. 36) (L.D. 94)

Came from the Senate, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

REFERRED to the Committee on **UTILITIES AND ENERGY** in concurrence.

Non-Concurrent Matter

Bill "An Act Concerning Multiple-item Bond Issues"

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

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** in the House on January 11, 2005.

Came from the Senate **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

COMMUNICATIONS

The Following Communication: (S.C. 34)

**MAINE SENATE
122ND LEGISLATURE
OFFICE OF THE SECRETARY
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 11, 2005

The Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to Joint Rule 354, the President of the Senate has made the following appointments to the Joint Select Committee on Joint Rules:

Senator John L. Martin of Aroostook, Chair
Senator Kenneth T. Gagnon of Kennebec
Senator Philip L. Bartlett II of Cumberland
Senator Peter Mills of Somerset
Senator Richard A. Nass of York

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Joy O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Bill "An Act To Require That All Persons Engaging in Asbestos Abatement Activities Be Subject to Licensing and Certification Requirements"

(S.P. 20) (L.D. 40)

Which was **TABLED** by Representative KOFFMAN of Bar Harbor pending **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills, Resolves, and Resolution 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 Support Long-term Forest Management and Sound Silviculture

(H.P. 111) (L.D. 133)

Sponsored by Representative PIOTTI of Unity.

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

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

Bill "An Act To Support Animal Welfare"

(H.P. 129) (L.D. 178)

Sponsored by Representative DAVIS of Falmouth.

Cosponsored by Representatives: JACKSON of Fort Kent, KOFFMAN of Bar Harbor, THOMPSON of China, Senators: COURTNEY of York, MITCHELL of Kennebec, TURNER of Cumberland.

Bill "An Act To Protect Dogs That Are Left Outside"

(H.P. 155) (L.D. 204)

Sponsored by Representative KOFFMAN of Bar Harbor.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: CANAVAN of Waterville, DAVIS of Falmouth, GERZOFKY of Brunswick, PERCY of Phippsburg, PIOTTI of Unity, SAMPSON of Auburn, WALCOTT of Lewiston, Senator: COWGER of Kennebec.

Bill "An Act To Promote the Uniform Implementation of the Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas"

(H.P. 139) (L.D. 188)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Senator PERRY of Penobscot and Representatives: CLARK of Millinocket, DUGAY of Cherryfield, JACKSON of Fort Kent, LUNDEEN of Mars Hill, MOODY of Manchester, TRAHAN of Waldoboro, TWOMEY of Biddeford.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested.

On motion of Representative PIOTTI of Unity, **TABLED** pending **REFERENCE** and later today assigned.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Provide Funding for a Veterans' Cemetery in Springvale"

(H.P. 121) (L.D. 170)

Sponsored by Representative WHEELER of Kittery.

Cosponsored by Representatives: BOWLES of Sanford, NASS of Acton, TUTTLE of Sanford, Senator COURTNEY of York, Senator ANDREWS of York and Representatives: BURNS of Berwick, CAMPBELL of Newfield, CUMMINGS of Portland, LEWIN of Eliot, PATRICK of Rumford, PINEAU of Jay, Speaker RICHARDSON of Brunswick, Senator: NASS of York.

Bill "An Act To Provide Funding for the Applied Technology Development Center System"

(H.P. 125) (L.D. 174)

Sponsored by Representative FINCH of Fairfield.

Cosponsored by Senator GAGNON of Kennebec and Representatives: BROWNE of Vassalboro, JENNINGS of Leeds, MARRACHÉ of Waterville, PARADIS of Frenchville, PATRICK of Rumford, PINEAU of Jay, THOMPSON of China, Senator: MILLS of Somerset.

Bill "An Act To Appropriate State Funds To Protect Potato Farmland in Aroostook County from Blight and Other Diseases That Could Occur with the 2004 Crop Unless Cull Potatoes Are Dumped Properly" (EMERGENCY)

(H.P. 131) (L.D. 180)

Sponsored by Representative PARADIS of Frenchville.

Cosponsored by Senator MARTIN of Aroostook and Representatives: CLARK of Millinocket, FINCH of Fairfield, JACKSON of Fort Kent, JENNINGS of Leeds, PILON of Saco, PINEAU of Jay, TWOMEY of Biddeford, Senator: DIAMOND of Cumberland.

Bill "An Act To Enhance the Role of the Fogler Library as the Research Library for the State of Maine"

(H.P. 149) (L.D. 198)

Sponsored by Representative CAIN of Orono.

Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: CRAVEN of Lewiston, DUNN of Bangor, FAIRCLOTH of Bangor, FISCHER of Presque Isle, ROSEN of Bucksport, Senators: MARTIN of Aroostook, MITCHELL of Kennebec.

Bill "An Act To Support and Expand Regional Teacher Development Centers"

(H.P. 150) (L.D. 199)

Sponsored by Representative NORTON of Bangor.

Cosponsored by Senator TURNER of Cumberland and Representatives: BARSTOW of Gorham, CAIN of Orono, FARRINGTON of Gorham, FISCHER of Presque Isle, PARADIS of Frenchville, STEDMAN of Hartland, Senator: MITCHELL of Kennebec.

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act Requiring Internet Auction Registration"

(H.P. 142) (L.D. 191)

Sponsored by Representative DAVIS of Falmouth.

Cosponsored by Representatives: COLLINS of Wells, McKENNEY of Cumberland.

Bill "An Act To Amend the Laws Governing Signs at Service Stations"

(H.P. 115) (L.D. 164)

Sponsored by Representative BRYANT-DESCHENES of Turner.

Cosponsored by Senator DAMON of Hancock and Representative: McKENNEY of Cumberland.

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

On motion of Representative SMITH of Monmouth, **TABLED** pending **REFERENCE** and later today assigned.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Restrict Personal Benefit by Public Employees"

(H.P. 145) (L.D. 194)

Sponsored by Representative BARSTOW of Gorham.

Cosponsored by Representative: FARRINGTON of Gorham, Senator: PERRY of Penobscot.

Bill "An Act To Prohibit Firearms in a Courthouse" (EMERGENCY)

(H.P. 117) (L.D. 166)

Sponsored by Representative CARR of Lincoln.

Cosponsored by Senator GAGNON of Kennebec and Representatives: FLOOD of Winthrop, MILLS of Farmington, PERCY of Phippsburg, ROBINSON of Raymond, SHERMAN of Hodgdon, TARDY of Newport, THOMAS of Ripley.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested.

On motion of Representative BLANCHETTE of Bangor, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Provide Certain Students with Full Tuition for State Institutions of Higher Learning"

(H.P. 137) (L.D. 186)

Sponsored by Representative FISCHER of Presque Isle.

Cosponsored by Senator MITCHELL of Kennebec and Representatives: CAIN of Orono, CUMMINGS of Portland, DAVIS of Falmouth, EDGEComb of Caribou, LERMAN of Augusta, SMITH of Van Buren.

Bill "An Act To Delay Certain Educational Assessment Requirements"

(H.P. 138) (L.D. 187)

Sponsored by Representative MAKAS of Lewiston.
Cosponsored by Senator ROTUNDO of Androscoggin and
Representatives: ADAMS of Portland, BOWEN of Rockport,
CRAVEN of Lewiston, FINCH of Fairfield, GOLDMAN of Cape
Elizabeth, LANSLEY of Sabattus, NORTON of Bangor, Senator:
MAYO of Sagadahoc.

Bill "An Act To Improve Teaching and Learning Conditions in
Maine Schools"

(H.P. 151) (L.D. 200)

Sponsored by Representative NORTON of Bangor.
Cosponsored by Senator TURNER of Cumberland and
Representatives: ADAMS of Portland, BARSTOW of Gorham,
CRAVEN of Lewiston, FISCHER of Presque Isle, PARADIS of
Frenchville, PINEAU of Jay, SMITH of Van Buren, Senator:
MITCHELL of Kennebec.

HEALTH AND HUMAN SERVICES

Bill "An Act To Establish a Statewide Residency Requirement
for General Assistance"

(H.P. 119) (L.D. 168)

Sponsored by Representative BROWNE of Vassalboro.
Cosponsored by Representatives: BERUBE of Lisbon, GLYNN of
South Portland, JACKSON of Fort Kent, MARRACHÉ of
Waterville, Senator COURTNEY of York, Senator DOW of
Lincoln and Representatives: CLOUGH of Scarborough, DUGAY
of Cherryfield, FLETCHER of Winslow, McCORMICK of West
Gardiner, PINKHAM of Lexington Township, THOMAS of Ripley,
THOMPSON of China, Senator: SAVAGE of Knox.

Bill "An Act To Limit Recertification of Nursing Facility
Residents to One Regulatory Organization"

(H.P. 124) (L.D. 173)

Sponsored by Representative MARRACHÉ of Waterville.
Cosponsored by Senator DAMON of Hancock and
Representatives: CROSTHWAITE of Ellsworth, CURLEY of
Scarborough, GROSE of Woolwich, PERRY of Calais, PINGREE
of North Haven.

Bill "An Act To Eliminate Limitations on Access to Medications
under Certain State Programs"

(H.P. 127) (L.D. 176)

Sponsored by Representative MARRACHÉ of Waterville.
Cosponsored by Senator DAMON of Hancock and
Representatives: ADAMS of Portland, FINCH of Fairfield,
HUTTON of Bowdoinham, PATRICK of Rumford, PERRY of
Calais, SMITH of Van Buren.

Resolve, Requiring the Department of Health and Human
Services To Reimburse Henrietta D. Goodall Hospital for 2002
MaineCare Costs

(H.P. 132) (L.D. 181)

Sponsored by Representative TUTTLE of Sanford.
Cosponsored by Senator COURTNEY of York and
Representatives: BOWLES of Sanford, NASS of Acton, Senator:
NASS of York.

Bill "An Act To Provide Funding for Domestic Violence
Shelters"

(H.P. 133) (L.D. 182)

Sponsored by Representative GROSE of Woolwich.
Cosponsored by Senator MAYO of Sagadahoc and
Representatives: ADAMS of Portland, BRYANT of Windham,

CANAVAN of Waterville, GOLDMAN of Cape Elizabeth,
MARRACHÉ of Waterville, PARADIS of Frenchville, PERRY of
Calais, SMITH of Monmouth.

Bill "An Act To Enhance MaineCare Reimbursement Rates for
Ambulance Services"

(H.P. 147) (L.D. 196)

Sponsored by Representative TUTTLE of Sanford.
Cosponsored by Senator MAYO of Sagadahoc and
Representatives: BURNS of Berwick, CURLEY of Scarborough,
NUTTING of Oakland, PINGREE of North Haven, Senators:
MARTIN of Aroostook, NASS of York, ROSEN of Hancock.

Bill "An Act To Discontinue Transitional Child Care Services"

(H.P. 152) (L.D. 201)

Sponsored by Representative DUPREY of Hampden.

Bill "An Act To Make Changes to the ASPIRE-TANF
Program"

(H.P. 154) (L.D. 203)

Sponsored by Representative DUPREY of Hampden.

INLAND FISHERIES AND WILDLIFE

Resolve, Directing the Department of Inland Fisheries and
Wildlife To Support All-terrain Vehicle Clubs in Their Efforts To
Mark Trails

(H.P. 116) (L.D. 165)

Sponsored by Representative SHERMAN of Hodgdon.
Cosponsored by Representatives: BROWNE of Vassalboro,
CARR of Lincoln, CLARK of Millinocket, JODREY of Bethel,
KAELIN of Winterport, SAVIELLO of Wilton, Senator: CLUKEY of
Aroostook.

Bill "An Act Relating to the Definition of Indigenous Species"

(H.P. 134) (L.D. 183)

Sponsored by Representative SAVIELLO of Wilton.
Cosponsored by Senator MARTIN of Aroostook and
Representatives: DUGAY of Cherryfield, MILLS of Farmington,
MOODY of Manchester, TRAHAN of Waldoboro.

JUDICIARY

Bill "An Act To Protect the Rights of Leaseholders and Ensure
Their Continued Access to Land"

(H.P. 113) (L.D. 162)

Sponsored by Representative CLARK of Millinocket.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: CARR of Lincoln, HUTTON of Bowdoinham,
PARADIS of Frenchville, SAVIELLO of Wilton, TWOMEY of
Biddeford, Senators: CLUKEY of Aroostook, DIAMOND of
Cumberland, MAYO of Sagadahoc.

LABOR

Bill "An Act To Improve Prevailing Wage Standards in Maine"

(H.P. 135) (L.D. 184)

Sponsored by Representative CLARK of Millinocket.
Cosponsored by Senator STRIMLING of Cumberland and
Representatives: BURNS of Berwick, GERZOFOSKY of
Brunswick, HUTTON of Bowdoinham, JACKSON of Fort Kent,
PARADIS of Frenchville, TUTTLE of Sanford, TWOMEY of
Biddeford, Senator: BRYANT of Oxford.

Bill "An Act Relating to the Treatment of Employers and Military Personnel in Connection with 'Call to Duty' Activity"

(H.P. 141) (L.D. 190)

Sponsored by Representative FISHER of Brewer.

Cosponsored by Senator BARTLETT of Cumberland and Representatives: BLANCHETTE of Bangor, BOWLES of Sanford, CANAVAN of Waterville, CRESSEY of Cornish, HOTHAM of Dixfield, JACKSON of Fort Kent, PATRICK of Rumford, Senator: COURTNEY of York.

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

MARINE RESOURCES

Bill "An Act To Provide Flexibility for Sea Urchin Zones"

(H.P. 118) (L.D. 167)

Sponsored by Representative PERCY of Phippsburg.

Cosponsored by Senator RAYE of Washington and Representatives: DUGAY of Cherryfield, KOFFMAN of Bar Harbor, MAZUREK of Rockland, SCHATZ of Blue Hill, Senator: DAMON of Hancock.

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

NATURAL RESOURCES

Bill "An Act To Amend the Law on Mercury-added Products"

(H.P. 136) (L.D. 185)

Sponsored by Representative KOFFMAN of Bar Harbor.

Cosponsored by Senator COWGER of Kennebec and Representatives: EDER of Portland, THOMPSON of China.

Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

Bill "An Act To Strengthen Wildlife Habitat Protection"

(H.P. 144) (L.D. 193)

Sponsored by Representative KOFFMAN of Bar Harbor.

Cosponsored by Senator COWGER of Kennebec and Representatives: DUCHESNE of Hudson, EBERLE of South Portland, FAIRCLOTH of Bangor, HUTTON of Bowdoinham, THOMPSON of China, TWOMEY of Biddeford.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Reduce Dependence on Fossil Fuels by Advancing Biodiesel Use"

(H.P. 148) (L.D. 197)

Sponsored by Representative CEBRA of Naples.

Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: CRESSEY of Cornish, KOFFMAN of Bar Harbor, LANSLEY of Sabattus, MARLEY of Portland.

TAXATION

Bill "An Act To Amend the Law Regarding Resale Certificates"

(H.P. 120) (L.D. 169)

Sponsored by Representative MOODY of Manchester.

Cosponsored by Representatives: CARR of Lincoln, COLLINS of Wells, FLOOD of Winthrop, KAELIN of Winterport, McKANE of Newcastle, MILLS of Farmington, RECTOR of Thomaston, Senators: BROMLEY of Cumberland, MAYO of Sagadahoc, RAYE of Washington, WESTON of Waldo and Representatives: CRAVEN of Lewiston, CUMMINGS of Portland, SMITH of

Monmouth, Senators: COWGER of Kennebec, DAVIS of Piscataquis, SAVAGE of Knox, WOODCOCK of Franklin.

Bill "An Act To Increase the Homestead Property Tax Exemption"

(H.P. 128) (L.D. 177)

Sponsored by Representative EDGECOMB of Caribou.

Cosponsored by Representative CRESSEY of Cornish, Senator SNOWE-MELLO of Androscoggin and Representatives: DAVIS of Falmouth, FLETCHER of Winslow, McCORMICK of West Gardiner.

Bill "An Act To Exempt Alternative Power Systems from Property Taxes"

(H.P. 130) (L.D. 179)

Sponsored by Representative MARLEY of Portland.

Cosponsored by Senator COWGER of Kennebec and Representatives: DUPREY of Hampden, KOFFMAN of Bar Harbor, RINES of Wiscasset.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide Property Tax Relief to Owners of Property Used for Commercial Fishing and Homestead Land

(H.P. 140) (L.D. 189)

Sponsored by Representative PERCY of Phippsburg.

Cosponsored by Representative SMITH of Monmouth, Senator RAYE of Washington and Representatives: BOWEN of Rockport, CARR of Lincoln, KOFFMAN of Bar Harbor, MILLS of Farmington, PIOTTI of Unity, SCHATZ of Blue Hill, Senator: NUTTING of Androscoggin.

Bill "An Act To Conform the Maine Tax Code with the Federal Health Savings Accounts Laws"

(H.P. 146) (L.D. 195)

Sponsored by Representative RECTOR of Thomaston.

Cosponsored by Representative KAELIN of Winterport, Senators: PLOWMAN of Penobscot, WESTON of Waldo, Senator PERRY of Penobscot and Representatives: BISHOP of Boothbay, BOWEN of Rockport, BOWLES of Sanford, DAIGLE of Arundel, LEWIN of Eliot, LINDELL of Frankfort, TRAHAN of Waldoboro, Senator: DAMON of Hancock.

Bill "An Act To Establish the Pine Tree Recreation Zone" (EMERGENCY)

(H.P. 143) (L.D. 192)

Sponsored by Representative MOODY of Manchester.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: GERZOFKY of Brunswick, HOTHAM of Dixfield, LERMAN of Augusta, MILLS of Farmington, PINEAU of Jay, SAVIELLO of Wilton, Senators: MITCHELL of Kennebec, WOODCOCK of Franklin.

Committee on **TAXATION** suggested.

On motion of Representative WOODBURY of Yarmouth, **TABLED** pending **REFERENCE** and later today assigned.

TRANSPORTATION

Bill "An Act To Delay the Fiscal Sustainability of the Highway Fund"

(H.P. 109) (L.D. 131)

Sponsored by Representative MARLEY of Portland.

Cosponsored by Senator DAMON of Hancock.

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

Bill "An Act To Amend the Law Governing Construction Flaggers"

(H.P. 110) (L.D. 132)

Sponsored by Representative MARLEY of Portland.
Cosponsored by Senator SAVAGE of Knox.
Submitted by the Department of Transportation pursuant to Joint Rule 204.

Resolve, To Designate a Certain Intersection in Sidney as the Trooper Jeffrey S. Parola Memorial

(H.P. 114) (L.D. 163)

Sponsored by Representative CARR of Lincoln.
Cosponsored by Senator DAVIS of Piscataquis and Representatives: CHURCHILL of Washburn, GREELEY of Levant, Speaker RICHARDSON of Brunswick, Senator: CLUKEY of Aroostook.

Bill "An Act To Allocate Funds To Erect a Bridge between Madawaska and Pelletier Island in St. Agatha"

(H.P. 122) (L.D. 171)

Sponsored by Representative PARADIS of Frenchville.
Cosponsored by Senator MARTIN of Aroostook and Representatives: CLARK of Millinocket, HOGAN of Old Orchard Beach, JACKSON of Fort Kent, JENNINGS of Leeds, PILON of Saco, PINEAU of Jay, TWOMEY of Biddeford, Senator: DIAMOND of Cumberland.

Bill "An Act Requiring Protective Headgear for All Operators and Passengers on Motorcycles, Motor-driven Cycles and Mopeds"

(H.P. 123) (L.D. 172)

Sponsored by Representative WHEELER of Kittery. (BY REQUEST)
Cosponsored by Representative THOMPSON of China, Senator ANDREWS of York and Representatives: CAIN of Orono, CANAVAN of Waterville, LEWIN of Eliot.

Bill "An Act To Permit Logo Signs on the Maine Turnpike"

(H.P. 126) (L.D. 175)

Sponsored by Representative VALENTINO of Saco.
Cosponsored by Representatives: HOGAN of Old Orchard Beach, MAZUREK of Rockland, SAMPSON of Auburn, Senators: DAMON of Hancock, DIAMOND of Cumberland.

Bill "An Act To Clarify Matters Relating to the Offices of Secretary and Treasurer of the Maine Turnpike Authority"

(H.P. 153) (L.D. 202)

Sponsored by Representative McKENNEY of Cumberland.
Cosponsored by Representatives: COLLINS of Wells, MARLEY of Portland.

UTILITIES AND ENERGY

Bill "An Act Providing for Regulation of the Cable Television Industry by the Public Utilities Commission"

(H.P. 156) (L.D. 205)

Sponsored by Representative GERZOFKY of Brunswick.
Under suspension of the rules, cosponsored by President EDMONDS of Cumberland and Representatives: ADAMS of Portland, BURNS of Berwick, CROSBY of Topsham, DUDLEY of Portland, DUPLESSIE of Westbrook, LERMAN of Augusta, O'BRIEN of Lewiston, PINEAU of Jay, Speaker RICHARDSON of Brunswick, RINES of Wiscasset, SMITH of Monmouth, TRAHAN of Waldoboro, TWOMEY of Biddeford, WHEELER of Kittery,

Senators: BRYANT of Oxford, MAYO of Sagadahoc, PERRY of Penobscot.

Pursuant to Resolve Commission to Study Public Health

Representative CRAVEN for the **Commission to Study Public Health** pursuant to Resolve 2003, chapter 95, sections 7 and 8 asks leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Commission To Study Public Health"

(H.P. 112) (L.D. 134)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

ORDERS

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 14)

ORDERED, that Representative Robert A. Berube of Lisbon be excused Tuesday, January 11th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Joseph C. Brannigan of Portland be excused Thursday, January 6th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Robert A. Daigle of Arundel be excused Tuesday, January 4th for personal reasons.

READ and **PASSED**.

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

ENACTORS Emergency Measure

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

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

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 130 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH**.

The following item was taken up out of order by unanimous consent:

COMMUNICATIONS

The Following Communication: (H.C. 28)

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

January 13, 2005
Honorable Millicent M. MacFarland
Clerk of the House

2 State House Station
Augusta, ME 04333
Dear Clerk MacFarland:

Pursuant to my authority under Joint Rule 354, I have appointed the following Representatives to the Joint Select Committee on Joint Rules:

Representative Stan Gerzofsky of Brunswick, Chair
Representative Herbert Adams of Portland
Representative Emily Ann Cain of Orono
Representative Henry L. Joy of Crystal
Representative Philip A. Cressey, Jr. of Cornish

Sincerely,
S/John Richardson
Speaker of the House

READ and ORDERED PLACED ON FILE.

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

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

On motion of Representative WHEELER of Kittery, the House adjourned at 10:50 a.m., until 10:00 a.m., Tuesday, January 18, 2005 pursuant to the Joint Order (S.P. 68) and in honor and lasting tribute to Hiram Mather Perry of Newburgh.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, January 11, 2005, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Authorize a General Fund Bond Issue for Stranded Costs of Transmission and Distribution Utilities"

(H.P. 29) (L.D. 26)

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested)

TABLED - January 6, 2005 (Till Later Today) by Representative DUDLEY of Portland.

PENDING - **REFERENCE.**

Subsequently, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, ordered printed and sent for concurrence.

Bill "An Act To Ensure Fair Reimbursement for the Medical Care Provided to State Inmates"

(H.P. 20) (L.D. 17)

(Committee on **INSURANCE AND FINANCIAL SERVICES** suggested)

TABLED - January 6, 2005 (Till Later Today) by Representative CUMMINGS of Portland.

PENDING - **REFERENCE.**

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

House Order To Amend House Rule 108 To Permit Filming of Proceedings of the House for Broadcast

(H.O. 13)

TABLED - January 11, 2005 (Till Later Today) by Representative DUPLESSIE of Westbrook.

PENDING - **PASSAGE.**

On motion of Representative GERZOFSKY of Brunswick, the House Order was **REFERRED** to the House Standing Committee on **HOUSE RULES**, ordered printed and sent for concurrence.

SENATE PAPERS

The following Joint Order: (S.P. 68)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 18, 2005, at 10:00 in the morning.