

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
11th Legislative Day
Tuesday, February 1, 2005

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

Prayer by Pastor James Wiley, Church Hill Baptist Church, Augusta.

National Anthem by Sing America Chorus, Falmouth.

Pledge of Allegiance.

Doctor of the day, Paul Liebow, M.D., Bucksport.

At this point, a message came from the Senate borne by Sen. Brennan of Cumberland of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 10:30 in the morning for the purpose of extending to the Honorable Leigh I. Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, an invitation to attend the Joint Convention and to make such communication as pleases the Chief Justice.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 10:30 in the morning and the Speaker appointed Representative CUMMINGS of Portland to convey this message to the Senate.

The Journal of Thursday, January 27, 2005 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 38)

**STATE OF MAINE
122ND MAINE LEGISLATURE
AUGUSTA, MAINE 04333**

January 5, 2005

Chief Justice Leigh I. Saufley
Maine Supreme Judicial Court
P.O. Box 368

Portland, Maine 04112

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Session of the 122nd Maine Legislature on Tuesday, February 1, 2005 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Beth Edmonds

President of the Senate

S/John Richardson

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 39)

**STATE OF MAINE
SUPREME JUDICIAL COURT
PORTLAND, MAINE 04112**

January 10, 2005

The Honorable Beth G. Edmonds

President of the Senate
3 State House Station
Augusta, Maine 04333-0003
The Honorable John Richardson
Speaker of the House
2 State House Station
Augusta, Maine 04333-0002

Dear President Edmonds and Speaker Richardson:

I am pleased to accept your invitation to address a Joint Session of the 122nd Maine Legislature on Tuesday, February 1, 2005. I appreciate the courtesy of the Legislative Branch of government in permitting me to address the cause of justice in Maine. I look forward to seeing you on February 1, 2005.

Sincerely,

S/Leigh I. Saufley

Chief Justice

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 40)

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

January 26, 2005

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under M.R.S.A. Title 20-A § 11053, I am pleased to appoint Representative Emily Ann Cain of Orono to serve as a member of New England Board of Higher Education. If you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/John Richardson

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 43)

**SENATE OF MAINE
122ND LEGISLATURE
OFFICE OF THE PRESIDENT**

January 25, 2005

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Joint Rule 371, I am pleased to appoint the following people to the Government Oversight Committee, the committee having oversight responsibility for the Office of Program Evaluation and Government Accountability:

Senator Ken Gagnon of Kennebec, Chair

Senator Elizabeth Mitchell of Kennebec

Senator Joseph Perry of Penobscot

Senator Kevin Raye of Washington

Senator Dana Dow of Lincoln

Senator Jonathan Courtney of York

If you have any questions regarding these appointments please contact my office.

Sincerely,

S/Beth Edmonds

President of the Senate
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 45)
**STATE OF MAINE
OFFICE OF THE
SECRETARY OF STATE**

The Honorable Beth G. Edmonds,
President of the Senate
3 State House Station
Augusta, ME 04333
The Honorable John Richardson,
Speaker of the House
2 State House Station
Augusta, ME 04333
31. January, 2005

Dear President Edmonds and Speaker Richardson,
Pursuant to MRSA Title 29-A, Section 460, the Secretary of State is charged with providing specially designed motor vehicle registration plates for members of the Legislature. Further, MRSA Title 29-A, Section 460, Paragraph 4 states: "The Secretary of State shall determine the color, shape, size, lettering and numbering of the official registration plates...." As you know, beginning with the 122nd Legislature, a new design was effected. There have been a number of concerns expressed about the new design; that it is not distinctive, and that it is difficult to differentiate the Legislative plate from standard-issue designs of other states. Further, the numbers are difficult to read at a distance, a difficulty exacerbated by normal soiling associated with winter driving. Given these and other difficulties, I have made the determination that the new design will be discontinued. The official legislative plate is not a vanity plate; indeed, it is an important portal for inviting citizen engagement with members of the Legislature as they travel around their districts and the entire state. The current design has not satisfied that function.

By March 1st, 2005, my office will issue registration plates similar to the style that has been traditionally produced. By March 15th, the plates that were issued beginning December 1st, 2004, will no longer be valid for use. Members may retain possession of them. A one-time replacement fee of \$2.00 will be assessed members for administrative costs associated with issuance of the replacement plate.

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

Sincerely,
S/Matthew Dunlap
Secretary of State

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 41)
**STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006**

January 28, 2005
Honorable Beth Edmonds
President of the Senate
Honorable John Richardson
Speaker of the House
122nd Maine Legislature
State House
Augusta, ME 04333

Dear President Edmonds and Speaker Richardson:
Enclosed, pursuant to the provisions of 2003 Public Laws, Chapter 673, Part NNN, is the report of the Attorney General's Office to the Legislature concerning discrimination against people who are homeless in Maine.

Thank you for your consideration of these materials. Please do not hesitate to call if you should have any questions on these issues or my recommendations.

Sincerely,
S/G. Steven Rowe
Attorney General

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 44)
**UNIVERSITY OF MAINE
MARGARET CHASE SMITH CENTER FOR PUBLIC POLICY
5715 COBURN HALL
ORONO, MAINE 04469-5715**

January 25, 2005
Honorable Millicent M. MacFarland
Clerk of the House of Representatives
2 State House Station
Augusta, ME 04333
Re: Maine State Government Summer Internship Program

Dear Clerk MacFarland:

In accordance with 1967 Public Law, Chapter 493, Section 294, Item 8, I am enclosing copies of the 2004 Maine State Government Summer Internship Report for distribution to the Members of the Maine House of Representatives.

The Maine State Government Summer Internship Program is a full-time, 12-week, paid work experience in a state agency. The Program combines work experience with an educational program designed to provide talented Maine college students an opportunity to participate in and contribute to Maine State Government. Student applications must be received by the Margaret Chase Smith Center for Public Policy by Monday, March 21, 2005. Application forms can be downloaded at <http://www.umaine.edu/mcsc/meSGIP.htm>.

Thank you for your assistance in making this report available to the Members of the House.

Yours truly,
S/Charles E. Morris
Research Associate

Director, Maine State Government Summer Internship Program
READ and with accompanying papers ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolve 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 Extend the 2-year Rabies Vaccination Certificate to 3 Years (EMERGENCY)

(H.P. 361) (L.D. 486)

Sponsored by Representative CARR of Lincoln.
Cosponsored by Senator MILLS of Somerset and Representatives: CLARK of Millinocket, FLOOD of Winthrop, JOY of Crystal, LEWIN of Eliot, McLEOD of Lee, SHERMAN of Hodgdon, THOMAS of Ripley.

Bill "An Act To Make Changes to the Laws Governing the Maine Potato Board" (EMERGENCY)

(H.P. 378) (L.D. 503)

Sponsored by Representative LUNDEEN of Mars Hill.
Cosponsored by Senator MARTIN of Aroostook and Representatives: CHURCHILL of Washburn, FISCHER of Presque Isle, FISHER of Brewer, GOLDMAN of Cape Elizabeth, TWOMEY of Biddeford, WHEELER of Kittery.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007" (EMERGENCY)

(H.P. 343) (L.D. 468)

Sponsored by Representative BRANNIGAN of Portland. (GOVERNOR'S BILL)

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2005" (EMERGENCY)

(H.P. 383) (L.D. 508)

Sponsored by Representative BRANNIGAN of Portland. (GOVERNOR'S BILL)

Bill "An Act To Preserve the Fund for a Healthy Maine"

(H.P. 390) (L.D. 514)

Sponsored by Representative SCHATZ of Blue Hill.
Cosponsored by Senator DAMON of Hancock and Representatives: CROSBY of Topsham, PINGREE of North Haven.

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Amend the Statewide Building Code"

(H.P. 347) (L.D. 472)

Sponsored by Representative KOFFMAN of Bar Harbor.
Cosponsored by Senator COWGER of Kennebec and Representatives: AUSTIN of Gray, BERUBE of Lisbon, JACOBSEN of Waterboro, LERMAN of Augusta, MOODY of Manchester, PELLETIER-SIMPSON of Auburn, RECTOR of Thomaston, SMITH of Monmouth.

Subsequently, Representative CUMMINGS of Portland reported that he had delivered the message with which he was charged.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolve 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:

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Decrease Correctional Costs and To Increase the Number of Probation Officers"

(H.P. 375) (L.D. 500)

Sponsored by Representative FAIRCLOTH of Bangor.
Cosponsored by Speaker RICHARDSON of Brunswick and Representative: PELLETIER-SIMPSON of Auburn.

Bill "An Act To Enable Police Departments To Solicit Donations for Colleagues Suffering from Catastrophic Illnesses" (EMERGENCY)

(H.P. 377) (L.D. 502)

Sponsored by Representative COLLINS of Wells.
Cosponsored by Senators: DIAMOND of Cumberland, SNOWE-MELLO of Androscoggin, President EDMONDS of Cumberland and Representatives: BOWLES of Sanford, CUMMINGS of Portland, DUPLESSIE of Westbrook, MARLEY of Portland, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: ANDREWS of York, DAMON of Hancock.

Resolve, Directing the State Police, Commercial Vehicle Enforcement Division To Examine Enforcement Methods

(H.P. 387) (L.D. 511)

Sponsored by Representative SHERMAN of Hodgdon.
Cosponsored by Representatives: COLLINS of Wells, JENNINGS of Leeds, JODREY of Bethel, SMITH of Van Buren, THOMAS of Ripley.

Bill "An Act To Strengthen the Laws Concerning Methadone Clinics"

(H.P. 395) (L.D. 519)

Sponsored by Representative DUNN of Bangor.
Cosponsored by Senator PERRY of Penobscot and Representatives: BLANCHETTE of Bangor, MAZUREK of Rockland.

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

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

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Cap Tuition Rates by Schools in the Unorganized Territory"

(H.P. 353) (L.D. 478)

Sponsored by Representative McFADDEN of Dennysville.
Cosponsored by Senator RAYE of Washington and Representatives: EMERY of Cutler, JOY of Crystal, McLEOD of Lee, MOULTON of York, PINKHAM of Lexington Township, SCHATZ of Blue Hill, THOMAS of Ripley, VAUGHAN of Durham.

Bill "An Act To Require That All Public School Employees Be Paid a Livable Wage Rate"

(H.P. 368) (L.D. 493)

Sponsored by Representative DAVIS of Falmouth.
Cosponsored by Representatives: COLLINS of Wells, MARLEY of Portland.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

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

Bill "An Act To Reduce School Truancy"
(H.P. 370) (L.D. 495)

Sponsored by Representative MAKAS of Lewiston.
Cosponsored by Representatives: BABBIDGE of Kennebunk,
CHURCHILL of Washburn, CRAVEN of Lewiston, GERZOFKY
of Brunswick, GREELEY of Levant, O'BRIEN of Lewiston,
WALCOTT of Lewiston, Senator: ROTUNDO of Androscoggin.

Committee on **EDUCATION AND CULTURAL AFFAIRS**
suggested.

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

Bill "An Act To Provide Funding for the New Century
Community Program"

(H.P. 397) (L.D. 521)

Sponsored by Representative RECTOR of Thomaston.
Cosponsored by President EDMONDS of Cumberland and
Representatives: BISHOP of Boothbay, BOWEN of Rockport,
PERCY of Phippsburg, PINGREE of North Haven, WEBSTER of
Freeport, Senators: DAMON of Hancock, ROTUNDO of
Androscoggin, SAVAGE of Knox.

Committee on **EDUCATION AND CULTURAL AFFAIRS**
suggested.

On motion of Representative NORTON of Bangor, the Bill
was **REFERRED** to the Committee on **STATE AND LOCAL
GOVERNMENT**, ordered printed and sent for concurrence.

The House recessed for 10 minutes.

(After Recess)

The House was called to order by the Senate President.

At this point, the Senate came and a Joint Convention was
formed.

IN CONVENTION

The President of the Senate, the Honorable Beth Edmonds,
in the Chair.

The Convention was called to order by the Chair.

On a motion by Senator Brennan of Cumberland, it was
ORDERED, that a committee be appointed to wait upon the
Honorable Leigh I. Saufley, Chief Justice of the Supreme Judicial
Court, the Honorable John E. Baldacci, Governor of the State of
Maine, the Justices of the Supreme Judicial Court, and members
of the Judiciary, and inform them that the two branches of the
Legislature are in convention assembled, ready to receive such
communication as pleases the Chief Justice.

- The Order was Read and Passed.
- The Chair will appoint the following:
- The Sen. from York, Sen. Hobbins
- The Sen. from Cumberland, Sen. Bromley
- The Sen. from Oxford, Sen. Hastings
- The Rep. from Auburn, Rep. Pelletier-Simpson
- The Rep. from Bangor, Rep. Faircloth

The Rep. from Brunswick, Rep. Gerzofsky
 The Rep. from Waterville, Rep. Canavan
 The Rep. from Windham, Rep. Bryant
 The Rep. from Bangor, Rep. Dunn
 The Rep. from Hodgdon, Rep. Sherman
 The Rep. from Lincoln, Rep. Carr
 The Rep. from Turner, Rep. Bryant-Deschenes
 The Rep. from Acton, Rep. Nass
 The Rep. from Penobscot Nation, Donna Loring

Subsequently, the Senator from York, Senator Hobbins, for
 the Committee, reported that the Committee had delivered the
 message with which it was charged and we are pleased to report
 that the Honorable Leigh I. Saufley, Chief Justice of the Maine
 Supreme Judicial Court, the Honorable John E. Baldacci,
 Governor of the State of Maine, and the Honorable Members of
 the Judiciary will attend forthwith.

The Chair is pleased to recognize the Justices of the Maine
 Supreme Judicial Court: Robert W. Clifford, Paul L. Rudman,
 Howard H. Dana, Jr., Donald G. Alexander, Susan Calkins, Jon
 D. Levy.

The Chief Justice of the Superior Court, Thomas E.
 Humphrey; The Chief Justice of the District Court, Vendean V.
 Vafiades; The Deputy Chief Justice of the District Court, Robert
 E. Mullen.

The Chair is pleased to recognize in the Gallery the parents
 of Chief Justice Saufley, Richard and Jan Ingalls; the spouse and
 daughter of Chief Justice Saufley, William and Jennifer Saufley.
 The Chair would also like to recognize in the gallery the Attorney
 General of the State of Maine, G. Steven Rowe; James T.
 Glessner, State Court Administrator; Susan Bell, Director of
 Office of Clerks of Court; former Legislative members, Superior
 Court Judge Joseph Jabar, District Court Judge, Charles
 LaVerdiere.

The Chair is pleased to welcome the Honorable Leigh I.
 Saufley, Chief Justice of the Maine Supreme Judicial Court, and
 the Honorable John E. Baldacci, Governor of the State of Maine.

Chief Justice Saufley then addressed the Joint Convention.
 Chief Justice **SAUFLEY**: Governor Baldacci, President
 Edmonds, Speaker Richardson, esteemed members of the
 122nd Maine Legislature, members of the Court, friends, and
 family, it is an honor to stand before you for the fourth time to
 provide you and the citizens of this great state with an annual
 report on the state of Maine's Judicial Branch.

You have that report in hand. It provides an assessment of
 the many positive achievements of the Court System and the
 promising initiatives that are making a difference for people's
 lives in the State of Maine, and that is the report. It entails
 information about diversion programs, drug treatment programs,
 Domestic Violence Courts, our fledgling Mental Health Courts,
 and efforts at reorganization, which are all receiving our
 significant attention.

There is much to be proud of in Maine's Judicial Branch. And
 it has been my practice in years past to read you that report in
 the form of my Annual Address. I commend the report to you, but
 this year, I break with tradition. I will not be reading that report.
 For those of you who want to cheer, let me tell you it's never that
 easy.

I also commend to you our annual Statistical Report, which you will find on-line. We only print four pages now in order to save money. We wanted the theme to be red, white, and blue, but we could, unfortunately, only afford pastel. With your help, next year, red, white, and blue.

Now, the reason I am breaking with tradition is to use my time today to assure that you receive from me one vital message: The lack of judicial resources available to Maine's people is real, it's serious, and we have a plan to address it this session. And as I stand here looking out at all of you, who have enormous responsibilities and challenges on your desk, I recognize that you've heard me make this point before, and I do appreciate your efforts to work with us to address the problems. Let me say how honored I am to work in a state where the three branches of government do make concerted efforts to work together. I'm grateful to the more than 70 of you who have taken the time to come to the courts and to attend our regional meetings, to meet with me personally, to help us find ways to do better for the people of this great state.

Governor Baldacci has demonstrated his commitment and concern, as we meet every month to discuss issues affecting the administration of justice. This cooperative approach to problem solving is a model for other states. We sometimes forget how well our government works when the long days arrive. I, therefore, come to you today to lay out a plan for collaboration to rebuild Maine's system of justice, and I begin by addressing the questions that you have asked me so often. Are the Judicial Branch's budget problems real, do they have a serious affect on Maine citizens, is there a way to respond when the budget is so tight?

In brief, here are the answers. The problems are real, and they are substantial. They affect the ability of the courts to meet the responsibilities that have been imposed in the laws that you and Legislators before you have enacted.

The problems are hurting Maine's people, and Maine businesses. Sometimes the effects are subtle, and we may not notice them right away, but many of the consequences are quite serious. Fortunately, there are concrete actions you can take this session to make a difference with comparatively little money, in spite of the tight budget that you are challenged to balance.

So let's talk about the scope of the problems. Is it real? While we appreciate the financial support that is provided to the Third Branch of Government, the cold hard fact is by using objective criteria, it is clear that the Court System in Maine is very poorly funded. Direct comparisons with other systems may be difficult to make, but we know this, the Federal Bureau of Justice Statistics reviews employees per capita for the delivery of justice in every state. Maine has fallen to 50th. Maine is last in the nation in people available to provide justice. The translation of that statistic is simple. We have far too few clerks, security staffing is woefully inadequate, and our administration is understaffed. A study by the National Center for State Courts estimated that Maine is at least 20 percent short of the necessary number of trial judges.

Here is a way to put it into context. New Hampshire, our frugal neighbor to the west, is not way up there in Judicial Branch spending. We're 50th in the country. New Hampshire is 47th. And, yet, the spending gap between Maine and New Hampshire is, to me, astounding. New Hampshire spends \$18 million a year more than does Maine on its system of justice. New Hampshire has one-third the geography of Maine, and nearly the same population, yet it has six more courthouses and sixteen more judges. All told, Maine's Judicial Branch has only three-quarters of the financial resources of New Hampshire, which has fewer

annual filings, and is itself near the bottom of the list. By any measure, the Maine Judicial Branch is last in line.

Now let's look at the money that Maine does spend on its Judicial Branch. Last year, the total Judicial Branch budget was just over \$54 million. The total revenues that the Judicial Branch returned to State Government, and the general fund exceeded \$38 million. The net cost to the general fund to run an entire system of justice was only \$16 million. The insufficient level of judicial funding shows it is no surprise that we have struggled over the past two years to provide justice while carrying approximately 25 vacancies in our clerks' offices, and our security and screening staff. And the results are not pretty. Small courthouses have had to be dark for days at a time when those vacancies left no one to staff the clerk's office.

Last summer, in our largest District Court in Portland, the enforced vacancies, combined with illnesses, resulted in an inability to process work and serve the public who came to the courthouse. We were forced to close the doors to the public early every day for a month. We must essentially stop the running of courts for two weeks every year to allow our clerks to attempt to catch up with the responsibilities that pile up as a result of vacancies and restrictions on overtime. Even that two weeks is proving to be not enough. When our clerks are unable to keep up with recording Judicial Orders and events, bail conditions, bench warrants, and other important information that should be in the court records, members of the public are put at risk. These risks range from affecting a citizen's right to drive, all the way to unwarranted loss of liberty.

We know that drug treatment courts save lives and prevent further crime. We know that Maine's program has a better graduation rate than the national average, and yet we have been unable to expand our Adult Drug Treatment Courts beyond the five locations where they now exist.

Families in turmoil wait too long to receive an initial order of child support and stability, and some of our older courthouses are, frankly, disgraceful. People facing the worst times of their lives must go into horrible, cramped, basement rooms to have their cases heard.

We have been unable to create a Fine Enforcement Program. Literally millions of dollars in unpaid fines continue to go unpaid because we don't have the staff to follow-up. We are in danger of losing the incredible forward progress in Juvenile Justice that has occurred over the past five years because we have had to rely on the Federal Government and that funding won't be available this time next year.

We struggle to meet our responsibilities to help litigants with limited English proficiency. Small claims cases aren't being reached promptly, and business requests for record checks are delayed. We've been unable to move forward to institute Business Courts, and as I have said before, we are failing our businesses. The problems are real, they are hurting Maine people and Maine businesses.

Now I don't want you to think that we've been sitting still, waiting for new resources. Our consistent efforts to streamline and become more efficient have been productive. We operate 41 courthouses through a single centralized administration, and each year approximately 280 thousand new cases are filed. To create greater efficiencies, we implemented regionalized scheduling, which conserves resources, and has substantially reduced the backlog in family cases.

In our most serious criminal cases, each murder or manslaughter charge has been specially assigned to a Superior Court Justice who will handle all aspects of the case.

It bears noting that in contrast to the nine murders that were tried last year, there are currently thirty-seven murders or

manslaughters awaiting trial in Maine, and many of those are tragically alleged to be related to domestic violence.

We've collaborated with State Government to present a two-day sentencing institute to educate all of us on effective methods of diverting low risk citizens from unnecessary incarceration. We've supported training and organization of Guardians ad Litem who continue to make a substantial difference in the lives of children. And we finally have a fledgling internal case information system that will help us spot backlogs and other problems as they develop.

I want to publicly thank each of the people who have worked so hard to create these improvements, including our incredible clerks who work day after day without fanfare. We owe them all a debt of gratitude.

But I have come here to present to you a plan that will rebuild the Judicial Branch and help us keep the promise of justice. If we are to rebuild justice in Maine, we must collaborate. I give you this information to help us.

First, we must have minimum staffing necessary to keep the courthouses open. By flat funding most of our budget, reducing costs wherever possible, and focusing on our staffing problems, we were able to present a Part 1 Budget that addresses those needs. The Governor and his Budget Staff have worked closely with us to understand the problems, and have supported this fundamental need through the Governor's Part 1 Budget. We desperately need your support as well. We must provide early stability for families during times of turmoil. The Legislature established a way to do just that when it created the Family Division, but expecting 8 case management officers to cover the entire State of Maine is simply unrealistic. We have proposed the addition of two case management officers and staff to address this problem. Fortunately, the availability of federal matching funds, coupled with a slight increase in filing fees would result in no net cost to the General Fund. The benefit for families would be enormous. Please support that initiative.

We have presented a Part II Budget this year. That budget addresses multiple needs. Among those proposals are two specific requests that I draw your attention to. One, \$500 thousand item replaces lost federal funds for our crucial Juvenile Courts. Next week Attorney General Steve Rowe, Paul Vestal, and I will host a gathering at the Judicial Center to meet with representatives of our Congressional Delegation. We hope to find a way to restore federal funding.

The other Part II item I draw your attention to is a proposal for 4 judges and staff to address priority family matters, including sexual assault and domestic violence, and to create a real Business Court for the State of Maine. That entire proposal could be funded with a million dollars. We are working toward creative funding for this proposal, which would have far reaching benefits for the State of Maine.

We will also be presenting a request for authorization to issue bonds that are well within the limits of our current bonding cap. One, a bond for \$3 million will allow us to bring our courthouses into compliance with the Americans with Disabilities Act. Physical access to our courthouses is crucial. The other, likely to be less than half of that, will allow us to begin the process of creating a dignified courthouse in Penobscot County.

I also ask you to remember that access to justice doesn't come easily to low income Mainers. An independent group of judges and lawyers, referred to as the Justice Action Group, has made an extraordinary effort to increase the availability of legal services throughout the State of Maine. They have a good start on this effort through the private donations of lawyers and judges, and through the volunteer services of Maine's lawyers, but more is needed, and the Justice Action Group has presented a

proposal to you to help meet that need. Please support that proposal.

Finally, help us find a way to provide adequate security in Maine's Courthouses. I am encouraged by the progress that we've made in addressing safety in the courts. Four years ago you heard my plea to secure our courtrooms against weapons. Since then we've placed metal detectors and safety equipment in every courthouse. We have begun random entry screening wherever possible, and with your help last year we have a small fund for the personnel necessary to run the equipment. By the end of 2005 we will have run random entry screening for at least a few days in every courthouse in the State of Maine. That is a significant improvement. We have much more to do, but the progress is encouraging. All that's needed now is the staffing in those buildings. New Hampshire has done it, Vermont has done it, the federal courts have done it, we must find a way to protect Maine citizens in their courthouses.

In total, here's what you can do to help your constituents find meaning in the Promise of Justice. First, support our Part I Budget. Second, support our proposal for additional case managers. Remember that no net additional general funds will be necessary. Third, think positive thoughts next Wednesday as I meet with our Congressional Delegation. Cards, letters, phone calls, positive thoughts. And, fourth, work with us over the biennium to improve courthouse safety and to create a Business Court for the State of Maine.

Maine's Judicial Branch, like all of Maine Government, is making the very best of its limited resources. I, again, commend to you the full report on the progress that we've made, but the lack of Judicial Resources is real, it is serious. Maine people and businesses are paying the price. We could do so much more and, indeed, we must do more. I've laid out a plan of action. It may not be easy, but the path is clear, and now together we must work to keep the Promise of Justice for the people of this Great State of Maine.

I thank you for your time.

The Chief Justice withdrew amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

The Senate then retired to its Chamber amid the applause of the House, the audience rising.

(After the Joint Convention)

The House was called to order by the Speaker.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves 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:

HEALTH AND HUMAN SERVICES

Bill "An Act To Reduce Costs Caused by New Procedure Changes for Health Care Providers"

(H.P. 355) (L.D. 480)

Sponsored by Representative GLYNN of South Portland.

Resolve, To Ensure That Public Assistance Benefits Do Not Exceed Average Wages for a County

(H.P. 356) (L.D. 481)

Sponsored by Representative THOMAS of Ripley.
Cosponsored by Senator DOW of Lincoln and Representatives: JOY of Crystal, McFADDEN of Dennysville, PINKHAM of Lexington Township, RICHARDSON of Skowhegan, VAUGHAN of Durham.

Bill "An Act To Ensure Adequate Medical Care for Children"

(H.P. 357) (L.D. 482)

Sponsored by Representative DUDLEY of Portland.
Cosponsored by Senator STRIMLING of Cumberland and Representatives: DUPREY of Hampden, FLETCHER of Winslow, GERZOFKY of Brunswick, HOTHAM of Dixfield, MARLEY of Portland, MARRACHÉ of Waterville, PINGREE of North Haven, TRAHAN of Waldoboro.

Bill "An Act To Establish a Program for the Purchase of Prescription Drugs from out of the State and out of the Country for the Elderly and Disabled"

(H.P. 369) (L.D. 494)

Sponsored by Representative CAMPBELL of Newfield.
Cosponsored by Representative DRISCOLL of Westbrook, Senator MAYO of Sagadahoc and Representatives: BURNS of Berwick, GLYNN of South Portland, JACOBSEN of Waterboro, LEWIN of Eliot, PINGREE of North Haven, SMITH of Van Buren, WALCOTT of Lewiston, Senator: COURTNEY of York.

Bill "An Act To Increase Vital Records Fees"

(H.P. 348) (L.D. 473)

Sponsored by Representative LEWIN of Eliot.
Cosponsored by Senator ANDREWS of York and Representatives: CAMPBELL of Newfield, CARR of Lincoln, PINGREE of North Haven, SHIELDS of Auburn, WALCOTT of Lewiston, Senators: MAYO of Sagadahoc, ROSEN of Hancock, WESTON of Waldo.

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

On motion of Representative PINGREE of North Haven, the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, ordered printed and sent for concurrence.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Authorize the Use of Tribal Sustainance Hunting Permits on State Lands"

(H.P. 352) (L.D. 477)

Sponsored by Representative MOORE of the Passamaquoddy Tribe.

Bill "An Act To Remove the Ethics Course Requirement for First Hunting and Fishing Violations and Require the Department of Inland Fisheries and Wildlife To Hold the Courses in a Location Within 100 Miles of All Citizens of the State"

(H.P. 388) (L.D. 512)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator MARTIN of Aroostook and Representatives: LUNDEEN of Mars Hill, RICHARDSON of Greenville, WHEELER of Kittery.

Bill "An Act To Prohibit Bear Baiting within 100 Yards of an Adjoining Property"

(H.P. 392) (L.D. 516)

Sponsored by Representative SMITH of Van Buren.
Cosponsored by Senator MARTIN of Aroostook and Representatives: JACKSON of Fort Kent, MAZUREK of Rockland, PATRICK of Rumford, PERRY of Calais.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Adopt the Maine Uniform Securities Act"

(H.P. 384) (L.D. 509)

Sponsored by Representative PERRY of Calais.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Simplify the Real Estate Foreclosure Process"

(H.P. 344) (L.D. 469)

Sponsored by Representative CRESSEY of Cornish.
Cosponsored by Senator DAMON of Hancock and Representatives: BERUBE of Lisbon, BIERMAN of Sorrento, BISHOP of Boothbay, CEBRA of Naples, OTT of York, PERCY of Phippsburg, SAMPSON of Auburn, Senator: TURNER of Cumberland.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested.

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

JUDICIARY

Bill "An Act To Facilitate Real Estate Ownership"

(H.P. 358) (L.D. 483)

Sponsored by Representative BOWEN of Rockport.
Cosponsored by Senator SAVAGE of Knox.

Bill "An Act To Cure an Inconsistency Regarding Judgment Liens"

(H.P. 366) (L.D. 491)

Sponsored by Representative DAVIS of Falmouth.
Cosponsored by Representative: CARR of Lincoln, Senator: SNOWE-MELLO of Androscoggin.

Bill "An Act To Provide the Same Exemption from Jury Duty to Veterinarians as Granted to Medical Doctors"

(H.P. 398) (L.D. 522)

Sponsored by Representative PARADIS of Frenchville.
Cosponsored by Senator MARTIN of Aroostook and Representatives: ASH of Belfast, COLLINS of Wells, HOGAN of Old Orchard Beach, JACKSON of Fort Kent, JENNINGS of Leeds, TWOMEY of Biddeford, WEBSTER of Freeport, WHEELER of Kittery.

LABOR

Bill "An Act To Prohibit Permanent Replacement Workers"
(H.P. 360) (L.D. 485)

Sponsored by Representative PINEAU of Jay.
Under suspension of the rules, cosponsored by Senator BRYANT of Oxford and Representatives: ADAMS of Portland, BEAUDETTE of Biddeford, BLANCHETTE of Bangor, BRYANT of Windham, BURNS of Berwick, CLARK of Millinocket, DAVIS of Falmouth, EBERLE of South Portland, FISHER of Brewer, GERZOFKY of Brunswick, HUTTON of Bowdoinham, JACKSON of Fort Kent, JENNINGS of Leeds, KOFFMAN of Bar Harbor, MARLEY of Portland, MILLER of Somerville, NORTON of Bangor, O'BRIEN of Lewiston, PARADIS of Frenchville, PATRICK of Rumford, PELLETIER-SIMPSON of Auburn, SAMPSON of Auburn, SMITH of Van Buren, TWOMEY of Biddeford, WALCOTT of Lewiston, WATSON of Bath, WEBSTER of Freeport, WHEELER of Kittery, Senators: DIAMOND of Cumberland, GAGNON of Kennebec.

Bill "An Act Concerning Payment of Health Insurance Premiums for Surviving Spouses of Maine State Retirement System Members"
(H.P. 362) (L.D. 487)

Sponsored by Representative DAVIS of Falmouth.
Cosponsored by Representatives: COLLINS of Wells, MARLEY of Portland.

Bill "An Act To Eliminate the Offset for Social Security and Certain Other Pensions for Unemployment Benefits"
(H.P. 365) (L.D. 490)

Sponsored by Representative CAMPBELL of Newfield.
Cosponsored by Representative HUTTON of Bowdoinham, Senator ANDREWS of York and Representatives: BROWN of South Berwick, CARR of Lincoln, COLLINS of Wells, CRAVEN of Lewiston, LEWIN of Eliot, PINGREE of North Haven, SMITH of Van Buren, WALCOTT of Lewiston.

Bill "An Act To Increase the Limit on the Right To Rejoin the Maine State Retirement System"
(H.P. 391) (L.D. 515)

Sponsored by Representative HOGAN of Old Orchard Beach.
Cosponsored by Senator DAMON of Hancock and Representatives: BROWNE of Vassalboro, CUMMINGS of Portland, FARRINGTON of Gorham, JACKSON of Fort Kent, MAZUREK of Rockland, MERRILL of Appleton, PARADIS of Frenchville.

Bill "An Act To Improve Binding Arbitration in Public Sector Labor Relations"
(H.P. 396) (L.D. 520)

Sponsored by Representative TUTTLE of Sanford.
Cosponsored by Senator BRYANT of Oxford and Representatives: CLARK of Millinocket, CUMMINGS of Portland, DUPLESSIE of Westbrook, JACKSON of Fort Kent, Speaker RICHARDSON of Brunswick.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Amend the Way Beverages Are Sold on Golf Courses"
(H.P. 345) (L.D. 470)

Sponsored by Representative SEAVEY of Kennebunkport.
Cosponsored by Senator HOBBS of York and Representatives: FITTS of Pittsfield, PILON of Saco, VALENTINO of Saco.

Bill "An Act To Clarify City Election Procedures"
(EMERGENCY)
(H.P. 363) (L.D. 488)

Sponsored by Representative ADAMS of Portland.

Bill "An Act To Extend Term Limits"
(H.P. 371) (L.D. 496)

Sponsored by Representative CANAVAN of Waterville.
Cosponsored by Representative PARADIS of Frenchville, Senator GAGNON of Kennebec and Representatives: BROWN of South Berwick, CRAVEN of Lewiston, DUDLEY of Portland, DUPLESSIE of Westbrook, HOTHAM of Dixfield, MAKAS of Lewiston, MARLEY of Portland, PINEAU of Jay.

Bill "An Act To Abolish the Maine Clean Election Act"
(H.P. 381) (L.D. 506)

Sponsored by Representative DAVIS of Falmouth.
Cosponsored by Representative CRESSEY of Cornish, Senator DAVIS of Piscataquis and Representatives: CARR of Lincoln, DAVIS of Augusta, JOY of Crystal, LEWIN of Eliot, MILLETT of Waterford, SHERMAN of Hodgdon, STEDMAN of Hartland, TRAHAN of Waldoboro.

MARINE RESOURCES

Bill "An Act To Amend Laws Governing the Setting of the Sea Urchin Harvesting Season"
(H.P. 354) (L.D. 479)

Sponsored by Representative EMERY of Cutler.
Cosponsored by Senator RAYE of Washington and Representatives: BIERMAN of Sorrento, BRAUTIGAM of Falmouth, DUGAY of Cherryfield, McFADDEN of Dennysville, MOORE of Standish, MOULTON of York, PERRY of Calais, TARDY of Newport.

Bill "An Act To Amend the Hours for Lobster Fishing"
(H.P. 389) (L.D. 513)

Sponsored by Representative PINGREE of North Haven.
Cosponsored by Senator DAMON of Hancock and Representatives: ASH of Belfast, BOWEN of Rockport, EDER of Portland, MARLEY of Portland, MERRILL of Appleton, SCHATZ of Blue Hill, WEBSTER of Freeport.

NATURAL RESOURCES

Bill "An Act To Regulate Lead-smart Renovators and Lead Sampling Technicians"
(H.P. 394) (L.D. 518)

Sponsored by Representative DUPLESSIE of Westbrook.
Cosponsored by Representatives: BRYANT of Windham, CUMMINGS of Portland, KOFFMAN of Bar Harbor, PELLETIER-SIMPSON of Auburn.

Bill "An Act To Phase Out the Recycling Assistance Fee"
(H.P. 402) (L.D. 526)

Sponsored by Representative MCKENNEY of Cumberland.
Cosponsored by Senator NASS of York and Representatives: ANNIS of Dover-Foxcroft, CARR of Lincoln, COLLINS of Wells, DAIGLE of Arundel, FISHER of Brewer, JOY of Crystal, Senator: TURNER of Cumberland.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Prohibit State Departments, Agencies and Bureaus from Conducting Business with Any Entity That Outsources Services Outside of the United States of America"

(H.P. 346) (L.D. 471)

Sponsored by Representative CRESSEY of Cornish.

Cosponsored by President EDMONDS of Cumberland and Representatives: BOWLES of Sanford, CUMMINGS of Portland, DUPLESSIE of Westbrook, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: BRENNAN of Cumberland, DAVIS of Piscataquis, GAGNON of Kennebec.

Bill "An Act To Clarify the Authority of a County To Fund Its County Communications Center through the County Tax or Fee-for-service Agreements"

(H.P. 349) (L.D. 474)

Sponsored by Representative BLANCHARD of Old Town.

Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: BLANCHETTE of Bangor, CLARK of Millinocket, CROSBY of Topsham, PINKHAM of Lexington Township, TARDY of Newport.

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Place under Option or Right of First Refusal Certain Property along State Street, Augusta, Maine

(H.P. 364) (L.D. 489)

Sponsored by Representative LERMAN of Augusta.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Estate Located along the New Belgrade Road in Augusta

(H.P. 379) (L.D. 504)

Sponsored by Representative LERMAN of Augusta.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Bill "An Act To Require Legislative Oversight of Certain Agency and Administrative Rules"

(H.P. 393) (L.D. 517)

Sponsored by Representative NUTTING of Oakland.

Cosponsored by Senator ANDREWS of York and Representatives: BISHOP of Boothbay, CARR of Lincoln, CROSTHWAITE of Ellsworth, MUSE of Fryeburg.

TAXATION

Bill "An Act To Change the Allocation of the Real Estate Transfer Tax"

(H.P. 350) (L.D. 475)

Sponsored by Representative KOFFMAN of Bar Harbor.

Cosponsored by Senator MILLS of Somerset and Representatives: DAVIS of Falmouth, DUCHESNE of Hudson, EBERLE of South Portland, HUTTON of Bowdoinham, PERCY of Phippsburg, PINGREE of North Haven, WATSON of Bath, Senator: RAYE of Washington.

Bill "An Act To Increase the Franchise Tax on Financial Institutions"

(H.P. 351) (L.D. 476)

Sponsored by Representative SMITH of Van Buren.

Cosponsored by Senator STRIMLING of Cumberland and Representatives: BLANCHETTE of Bangor, FINCH of Fairfield, JACKSON of Fort Kent, MARRACHÉ of Waterville, MAZUREK of Rockland, PATRICK of Rumford, PERRY of Calais, WHEELER of Kittery.

Bill "An Act To Enact the Tax Fairness Act"

(H.P. 359) (L.D. 484)

Sponsored by Representative WATSON of Bath.

Cosponsored by Representatives: BLANCHETTE of Bangor, PERCY of Phippsburg, PIOTTI of Unity.

Bill "An Act To Establish Individual Medical Savings Accounts"

(H.P. 382) (L.D. 507)

Sponsored by Representative McKANE of Newcastle.

Cosponsored by Representative McCORMICK of West Gardiner, Senator COURTNEY of York and Representatives: CLOUGH of Scarborough, FISCHER of Presque Isle, GLYNN of South Portland, LINDELL of Frankfort, MERRILL of Appleton, RICHARDSON of Warren, VAUGHAN of Durham, Senator: DOW of Lincoln.

Committee on TAXATION suggested.

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

TRANSPORTATION

Bill "An Act To Create a Special Higher Education License Plate"

(H.P. 367) (L.D. 492)

Sponsored by Representative RECTOR of Thomaston.

Cosponsored by Senator ROSEN of Hancock and Representatives: FISCHER of Presque Isle, KOFFMAN of Bar Harbor, MARLEY of Portland, MILLS of Farmington, PERCY of Phippsburg, WEBSTER of Freeport, Senators: DAMON of Hancock, SAVAGE of Knox.

Bill "An Act To Amend the Laws Relating to Changeable Signs"

(H.P. 373) (L.D. 498)

Sponsored by Representative GLYNN of South Portland.

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

Bill "An Act To Amend the Operator's License and Nondriver Identification Card Requirements for Nonimmigrants"

(H.P. 376) (L.D. 501)

Sponsored by Representative COLLINS of Wells.

Cosponsored by Senator DAMON of Hancock and Representatives: CUMMINGS of Portland, FISHER of Brewer, GERZOFISKY of Brunswick, MAZUREK of Rockland, McKENNEY of Cumberland, SAMPSON of Auburn, WHEELER of Kittery, Senator: SAVAGE of Knox.

Bill "An Act Relating to the Northern New England Passenger Rail Authority"

(H.P. 380) (L.D. 505)

Sponsored by Representative MARLEY of Portland.

Cosponsored by Senator SAVAGE of Knox and Representatives: COLLINS of Wells, HOGAN of Old Orchard Beach.

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

Bill "An Act Concerning Dismantling of Railroad Track"
(H.P. 386) (L.D. 510)

Sponsored by Speaker RICHARDSON of Brunswick.
Cosponsored by President EDMONDS of Cumberland and
Representatives: ADAMS of Portland, CROSBY of Topsham,
CUMMINGS of Portland, DUDLEY of Portland, HARLOW of
Portland, HUTTON of Bowdoinham, MARLEY of Portland,
WATSON of Bath.

Bill "An Act To Facilitate Reimbursement of Public Utilities
Relocation Costs" (EMERGENCY)
(H.P. 400) (L.D. 524)

Sponsored by Representative BOWEN of Rockport.
Cosponsored by Senator SAVAGE of Knox.

Bill "An Act To Ban the Use of Handheld Cellular Telephones
while Operating a Motor Vehicle"
(H.P. 401) (L.D. 525)

Sponsored by Representative PELLETIER-SIMPSON of Auburn.
Cosponsored by Representative HOGAN of Old Orchard Beach
and Representatives: BURNS of Berwick, EDER of Portland,
FAIRCLOTH of Bangor, PARADIS of Frenchville, SAMPSON of
Auburn, WHEELER of Kittery.

UTILITIES AND ENERGY

Bill "An Act To Amend the Charter of the Boothbay Region
Water District" (EMERGENCY)
(H.P. 372) (L.D. 497)

Sponsored by Representative BISHOP of Boothbay.
Cosponsored by Senator DOW of Lincoln.

Bill "An Act To Amend the Charter of the Boothbay Harbor
Sewer District" (EMERGENCY)
(H.P. 374) (L.D. 499)

Sponsored by Representative BISHOP of Boothbay.
Cosponsored by Senator DOW of Lincoln.

Bill "An Act To Designate 2-1-1 Maine, Incorporated as the
Sole Provider for 2-1-1 Information and Referral Services for the
State of Maine" (EMERGENCY)
(H.P. 399) (L.D. 523)

Sponsored by Representative BRAUTIGAM of Falmouth.
Cosponsored by Senator BROMLEY of Cumberland and
Representatives: ADAMS of Portland, DAVIS of Falmouth,
DUCHESNE of Hudson, EBERLE of South Portland, EMERY of
Cutler, FISCHER of Presque Isle, Speaker RICHARDSON of
Brunswick, Senator: RAYE of Washington.

Pursuant to Public Law

Committee to Study Compliance with Maine's Freedom of Access Laws

Representative KOFFMAN for the **Committee to Study
Compliance with Maine's Freedom of Access Laws** pursuant
to Public Law 2003, chapter 709, section 8 asks leave to report
that the accompanying Bill "An Act To Implement the
Recommendations of the Committee To Study Compliance with
Maine's Freedom of Access Laws Concerning Attorney's Fees"
(H.P. 341) (L.D. 466)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED**
to the Committee on **JUDICIARY** and ordered printed pursuant to
Joint Rule 218.
Sent for concurrence.

Pursuant to Public Law

Committee To Study Compliance with Maine's Freedom of Access Laws

Representative KOFFMAN for the **Committee To Study
Compliance with Maine's Freedom of Access Laws** pursuant
to Public Law 2003, chapter 709, section 8 asks leave to report
that the accompanying Bill "An Act To Implement the
Recommendations of the Committee To Study Compliance with
Maine's Freedom of Access Laws Concerning Personal Contact
Information"
(H.P. 342) (L.D. 467)

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

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

Sent for concurrence.

Pursuant to Statute

Department of Education, State Board of Education

Representative NORTON for the **Department of Education,
State Board of Education** pursuant to the Maine Revised
Statutes, Title 5, section 8072 asks leave to report that the
accompanying Resolve, Regarding Legislative Review of Chapter
125: Calendar Adoption, a Major Substantive Rule of the
Department of Education (EMERGENCY)
(H.P. 340) (L.D. 465)

Be **REFERRED** to the Committee on **EDUCATION AND
CULTURAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve
REFERRED to the Committee on **EDUCATION AND
CULTURAL AFFAIRS** and ordered printed pursuant to Joint
Rule 218.

Sent for concurrence.

ORDERS

On motion of Representative PINGREE of North Haven, the
following Joint Order: (H.P. 385)
(Cosponsored by Senator DAMON of Hancock and
Representatives: BARSTOW of Gorham, CUMMINGS of
Portland, DUDLEY of Portland, MILLER of Somerville, MILLETT
of Waterford, TARDY of Newport, Senators: TURNER of
Cumberland, WOODCOCK of Franklin)

ORDERED, the Senate concurring, that the Joint Standing
Committee on State and Local Government shall study the
movement of the Legislature to a largely paperless system
through the installation of networked computer terminals at the
desks of each Legislator in the chambers of the Senate and the
House of Representatives and in the committee rooms. The
committee shall study the methods used by other state
legislatures to computerize their chambers.

The committee shall report back no later than December 15,
2005 to the Legislative Council with the committee's
recommendations, including any necessary implementing
legislation or joint orders.

READ and **PASSED**.

Sent for concurrence.

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, January 27, 2005, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

House Order, Directing the Clerk of the House To Procure New House License Plates

(H.O. 16)

TABLED - January 18, 2005 (Till Later Today) by Representative DUPLESSIE of Westbrook.

PENDING - **PASSAGE**.

On motion of Representative CUMMINGS of Portland, the following House Order and all accompanying papers were **INDEFINITELY POSTPONED**.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow the Legislature To Authorize Municipalities To Adopt a Property Tax Assistance Program That Reflects a Claimant's Ability To Pay

(H.P. 222) (L.D. 297)

TABLED - January 25, 2005 (Till Later Today) by Representative WOODBURY of Yarmouth.

PENDING - **FINAL PASSAGE**.

On motion of Representative WOODBURY of Yarmouth, this Resolution was **COMMITTED** to the Committee on **TAXATION** in **NON-CONCURRENCE**, and sent for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Authorize the Legislature To Allow Municipalities To Exempt from Property Tax a Portion of the Value of Homesteads

(H.P. 223) (L.D. 298)

TABLED - January 25, 2005 (Till Later Today) by Representative WOODBURY of Yarmouth.

PENDING - **FINAL PASSAGE**.

On motion of Representative WOODBURY of Yarmouth, this Resolution was **COMMITTED** to the Committee on **TAXATION** in **NON-CONCURRENCE**, and sent for concurrence.

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

SENATE PAPERS

Bill "An Act To Make the 3rd Violation of OUI a Class C Crime"

(S.P. 149) (L.D. 462)

Bill "An Act To Prevent Convicted Felons from Possessing Firearms"

(S.P. 156) (L.D. 530)

Bill "An Act To Clarify the Authority of the Maine State Police"

(S.P. 160) (L.D. 534)

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 Requiring Dog Owners To Obtain Dog License Vouchers at the Time of Obtaining Rabies and Other Immunizations"

(S.P. 164) (L.D. 538)

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.

Resolve, To Amend MaineCare Eligibility for the Workers with Disabilities Option

(S.P. 150) (L.D. 463)

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act To Prohibit Certain Uses of a Financial Institution's Name"

(S.P. 151) (L.D. 464)

Bill "An Act To Amend the Laws Related to Cancellation and Nonrenewal of Insurance"

(S.P. 167) (L.D. 541)

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 To Exempt Insurers of Commercial Vehicle Fleets from the Requirement of Notification to the Secretary of State When Insurance Is Cancelled"

(S.P. 154) (L.D. 528)

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

On motion of Representative MARLEY of Portland, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Clarify the Rate of Interest on Awards for Workers' Compensation Benefits"

(S.P. 166) (L.D. 540)

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

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

Bill "An Act To Authorize the Commissioner of Marine Resources To Regulate the Use of Alternative Bait in Marine Fisheries"

(S.P. 153) (L.D. 527)

Bill "An Act To Create a Scallop Spat License"

(S.P. 162) (L.D. 536)

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

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

Resolve, To Declare That April 6, 2005 Be National Day of Hope (EMERGENCY)

(S.P. 158) (L.D. 532)

Bill "An Act Authorizing Municipalities To Establish Walking Trails"

(S.P. 165) (L.D. 539)

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 Tax Gambling Winnings of Nonresidents"

(S.P. 159) (L.D. 533)

Bill "An Act To Clarify for Tax Purposes That Manure Removal and Storage Are Operations Directly Involved in the Raising and Care of Livestock"

(S.P. 161) (L.D. 535)

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

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

Bill "An Act To Allow Vehicles Owned by Sanitary or Sewer Districts To Use Municipal License Plates"

(S.P. 155) (L.D. 529)

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

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

Pursuant to Statute

Maine Human Rights Commission

Report of the **Maine Human Rights Commission** pursuant to the Maine Revised Statutes, Title 5, section 4566, subsection 11 asks leave to report that the accompanying Bill "An Act Relating to Animals in Food Stores and Restaurants"

(S.P. 163) (L.D. 537)

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

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

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

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

On motion of Representative BLANCHARD of Old Town, the House adjourned at 11:50 a.m., until 10:00 a.m., Thursday, February 3, 2005 and in honor and lasting tribute to Levi St. Pierre of Old Town.