

# 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  
23rd Legislative Day  
Tuesday, March 15, 2005

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

Prayer by Pastor Barry W. Buzzell, Garland Baptist Church.  
National Anthem by Conway Sisters, Garland.  
Pledge of Allegiance.

Doctor of the day, Connie Adler, M.D., Wilton.

The Journal of Thursday, March 10, 2005 was read and approved.

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**SENATE PAPERS**

The following Joint Order: (S.P. 316)

ORDERED, the House concurring, that the Task Force to Study the Feasibility of Retiring the Income Tax is established as follows.

1. **Task force established.** The Task Force to Study the Feasibility of Retiring the Income Tax, referred to in this order as "the task force," is established.
2. **Membership.** The task force consists of the following 15 members:
  - A. Ten members of the Senate, appointed by the President of the Senate; and
  - B. Five members of the House of Representatives, appointed by the Speaker of the House.
3. **Task force chairs.** The first-named Senator is the Senate chair of the task force and the first-named member of the House is the House chair of the task force.
4. **Appointments; convening of task force.** All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force, which must be no later than March 1, 2005.
5. **Duties.** The task force shall hold 10 meetings at various locations in the State, to be determined by the chairs. The task force shall:
  - A. Study the feasibility of retiring the income tax by taking a certain percentage of state revenue every year and putting the revenue into an endowment fund to eventually retire the income tax;
  - B. Invite the participation of experts and interested parties to explore the retiring of the income tax;
  - C. Identify and recommend appropriate actions the State may take to realize the retiring of the income tax; and
  - D. Identify and discuss other issues relevant to this study.
6. **Staff assistance.** Upon approval of the Legislative Council, the Office of Fiscal and Program Review shall provide necessary staffing services to the task force.
7. **Compensation.** Legislative members of the task force are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the task force.
8. **Report.** No later than January 5, 2006, the task force shall submit a report that includes its findings and

recommendations, including suggested legislation, for presentation to the Second Regular Session of the 122nd Legislature. The task force is authorized to introduce a bill related to its report to the Second Regular Session of the 122nd Legislature at the time of submission of its report.

9. **Extension.** If the task force requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension. Upon submission of its required report, the task force terminates.

10. **Budget.** The chairs of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for its approval. The task force may not incur expenses that would result in the task force's exceeding its approved budget. Upon request from the task force, the Executive Director of the Legislative Council shall promptly provide the task force chairs and staff with a status report on the task force's budget, expenditures incurred and paid and available funds.

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

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

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Bill "An Act To Amend the Laws Governing the Board of Dental Examiners"

(S.P. 419) (L.D. 1205)

Came from the Senate, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

**REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

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Bill "An Act To Ensure Public Accountability in the Delivery of Higher Education Services" (EMERGENCY)

(S.P. 425) (L.D. 1241)

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.

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Resolve, To Fund a Group Home for Young Adults with Disabilities in Southern Maine (EMERGENCY)

(S.P. 420) (L.D. 1206)

Resolve, Creating a Working Group To Study the High Rate of Suicide in Maine (EMERGENCY)

(S.P. 422) (L.D. 1208)

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.

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Bill "An Act To Limit the Early Release of Persons Convicted of Certain Crimes"

(S.P. 405) (L.D. 1177)

Bill "An Act To Amend the Laws Relating to Corporations, Limited Partnerships, Limited Liability Companies and Limited Liability Partnerships" (S.P. 424) (L.D. 1210)

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

REFERRED to the Committee on JUDICIARY in concurrence.

Bill "An Act To Protect Maine Harness Racing from Illegal Wagering" (S.P. 370) (L.D. 1053)

Committee on LEGAL AND VETERANS AFFAIRS suggested and ordered printed.

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

REFERRED to the Committee on JUDICIARY in concurrence.

Bill "An Act To Improve the Clean Election Laws" (S.P. 421) (L.D. 1207)

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.

Resolve, To Create the Task Force To Study Commercial Lobster Fishing in Offshore Waters (S.P. 423) (L.D. 1209)

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

REFERRED to the Committee on MARINE RESOURCES in concurrence.

Bill "An Act To Amend the Charter of the Farmington Village Corporation" (S.P. 418) (L.D. 1204)

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.

Resolve, Authorizing a Review of Inspection Requirements for Vehicles with Aftermarket Modifications (S.P. 415) (L.D. 1201)

Bill "An Act To Amend the Laws Concerning Eminent Domain" (S.P. 417) (L.D. 1203)

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

REFERRED to the Committee on TRANSPORTATION in concurrence.

**Non-Concurrent Matter**

Bill "An Act Relating to the Definition of Indigenous Species" (H.P. 134) (L.D. 183)

REFERRED to the Committee on INLAND FISHERIES AND WILDLIFE in the House on January 13, 2005.

Came from the Senate REFERRED to the Committee on NATURAL RESOURCES in NON-CONCURRENCE. The House voted to RECEDE AND CONCUR.

**Non-Concurrent Matter**

An Act To Rename the Jobs for Maine's Graduates Program To Create InspireME (EMERGENCY) (S.P. 109) (L.D. 347)

PASSED TO BE ENACTED in the House on March 8, 2005.

Came from the Senate PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-15) in NON-CONCURRENCE.

The House voted to RECEDE AND CONCUR.

**COMMUNICATIONS**

The Following Communication: (H.C. 79)

**STATE OF MAINE**

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

March 8, 2005

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

Dear President Edmonds and Speaker Richardson:

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

L.D. 164 An Act To Amend the Laws Governing Signs at Service Stations

L.D. 259 An Act To Require Water Tests prior to the Sale of Homes

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

Sincerely,

S/Sen. Lynn Bromley

Senate Chair

S/Rep. Nancy E. Smith

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 80)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

March 8, 2005

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

Dear President Edmonds and Speaker Richardson:

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

L.D. 104 An Act To Require Cigarettes Sold in Maine To Be Fire-safe

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

Sincerely,  
S/Sen. Bill Diamond  
Senate Chair  
S/Rep. Patricia A. Blanchette  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 81)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 8, 2005

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

Dear President Edmonds and Speaker Richardson:

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

- L.D. 22            Resolve, Directing the Commissioner of Inland Fisheries and Wildlife To Issue a Policy Clarifying Public Access Requirements for Ponds To Qualify for Fish Stocking Programs
- L.D. 217           Resolve, Directing the Department of Inland Fisheries and Wildlife To Review and Simplify Rules Governing Brook Trout Fishing
- L.D. 253           An Act To Employ an Additional Game Warden for the Sebago Lake Region
- L.D. 303           An Act To Promote Fairness and Democracy in Wildlife Management
- L.D. 340           Resolve, Directing the Department of Inland Fisheries and Wildlife To Review Brook Trout Fishing Rules

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

Sincerely,  
S/Sen. Bruce Bryant  
Senate Chair  
S/Rep. Thomas R. Watson  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 82)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

March 8, 2005

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

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Legal and Veterans Affairs has

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

L.D. 147           RESOLUTION, Proposing an Amendment to the Constitution of Maine To Revoke the Voting Privileges of Persons Convicted of Certain Crimes

L.D. 227           An Act To Ban Automated Teller Machines from within 500 Feet of Slot Machine Facilities

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

Sincerely,  
S/Sen. Kenneth T. Gagnon  
Senate Chair  
S/Rep. John L. Patrick  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 83)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON MARINE RESOURCES**

March 8, 2005

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

Dear President Edmonds and Speaker Richardson:

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

- L.D. 386           An Act To Encourage the Scallop Industry
- L.D. 536           An Act To Create a Scallop Spat License
- L.D. 558           An Act To Protect the Recreational Harvesting of Surf Clams in Saco Bay

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

Sincerely,  
S/Sen. Dennis Damon  
Senate Chair  
S/Rep. Leila J. Percy  
House Chair

**READ and ORDERED PLACED ON FILE.**

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**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**

Bill "An Act To Exempt Agricultural Guard Dogs and Herding Dogs from the Barking Dog Ordinances"

(H.P. 907) (L.D. 1309)

Sponsored by Representative TRAHAN of Waldoboro.

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Bill "An Act To Encourage Long-term Holding of Maine Timberland and Sustainable Forest Management"

(H.P. 902) (L.D. 1305)

Sponsored by Representative FLOOD of Winthrop.

Cosponsored by Senator DAMON of Hancock and Representatives: BIERMAN of Sorrento, CARR of Lincoln, JOY

of Crystal, McCORMICK of West Gardiner, MOODY of Manchester, RICHARDSON of Warren, SAVIELLO of Wilton, Senator: COURTNEY of York.

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

On motion of Representative PIOTTI of Unity, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

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**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act To Ensure Compliance with the Federal Americans with Disabilities Act for Court Facilities"

(H.P. 869) (L.D. 1272)

Sponsored by Representative PELLETIER-SIMPSON of Auburn.

Bill "An Act Requiring Long-range Budget Planning"

(H.P. 875) (L.D. 1278)

Sponsored by Representative WOODBURY of Yarmouth.

Cosponsored by Senator MARTIN of Aroostook and Representatives: BOWLES of Sanford, CUMMINGS of Portland, DUDLEY of Portland, MILLETT of Waterford, TARDY of Newport, Senators: BRENNAN of Cumberland, DAVIS of Piscataquis, WESTON of Waldo.

Bill "An Act To Fund Fully the Purchase of Military Time" (EMERGENCY)

(H.P. 888) (L.D. 1291)

Sponsored by Representative ANNIS of Dover-Foxcroft.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: DAIGLE of Arundel, EBERLE of South Portland, RICHARDSON of Carmel, RICHARDSON of Greenville, SAVIELLO of Wilton, SHERMAN of Hodgdon, THOMAS of Ripley, THOMPSON of China.

Bill "An Act To Assist Families and Children by Increasing Access to the Court System" (EMERGENCY)

(H.P. 890) (L.D. 1293)

Sponsored by Representative PELLETIER-SIMPSON of Auburn.

Cosponsored by Representative MILLS of Farmington, Senator HOBBS of York and Representatives: FAIRCLOTH of Bangor, Speaker RICHARDSON of Brunswick, TARDY of Newport, WATSON of Bath.

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Bill "An Act To Preserve the Integrity of the Fund for a Healthy Maine" (EMERGENCY)

(H.P. 909) (L.D. 1311)

Sponsored by Representative CUMMINGS of Portland.

Cosponsored by Senator BRENNAN of Cumberland and Representatives: BOWLES of Sanford, DUPLESSIE of Westbrook, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: President EDMONDS of Cumberland, GAGNON of Kennebec, WESTON of Waldo.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

On motion of Representative MILLS of Farmington, **TABLED** pending **REFERENCE** and later today assigned.

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**BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**

Bill "An Act Regarding Speech-language Pathology Aides" (EMERGENCY)

(H.P. 874) (L.D. 1277)

Sponsored by Representative SHERMAN of Hodgdon.

Cosponsored by Senator MILLS of Somerset and Representatives: ANNIS of Dover-Foxcroft, BIERMAN of Sorrento, CARR of Lincoln, CHURCHILL of Washburn, CURLEY of Scarborough, JACKSON of Fort Kent, JOY of Crystal, MOORE of Standish.

Bill "An Act To Allow Applicants for Limited Radiographer Licenses To Take Qualifying Views"

(H.P. 880) (L.D. 1283)

Sponsored by Representative PINKHAM of Lexington Township.

Cosponsored by Representatives: BISHOP of Boothbay, CURLEY of Scarborough, GLYNN of South Portland, MARRACHÉ of Waterville, NUTTING of Oakland, PERRY of Calais, SAVIELLO of Wilton.

Resolve, To Establish the Commission to Study the Efficiency of State Business Assistance Services (EMERGENCY)

(H.P. 896) (L.D. 1299)

Sponsored by Representative MOODY of Manchester.

Cosponsored by Senator COWGER of Kennebec and Representatives: DAVIS of Falmouth, FISCHER of Presque Isle, FLOOD of Winthrop, LERMAN of Augusta, PERCY of Phippsburg, Speaker RICHARDSON of Brunswick, WATSON of Bath.

Bill "An Act To License Home Building and Improvement Contractors"

(H.P. 903) (L.D. 1306)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Representatives: DUPLESSIE of Westbrook, PILON of Saco, SAVIELLO of Wilton, Senator COWGER of Kennebec and Representatives: BRAUTIGAM of Falmouth, FARRINGTON of Gorham, HOGAN of Old Orchard Beach, McCORMICK of West Gardiner, PATRICK of Rumford, SMITH of Monmouth.

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Resolve, Directing the Secretary of State To Develop a Titling System for Mobile Homes

(H.P. 882) (L.D. 1285)

Sponsored by Representative THOMAS of Ripley.

Cosponsored by Senator PLOWMAN of Penobscot and Representatives: ANNIS of Dover-Foxcroft, DUPREY of Hampden, HOGAN of Old Orchard Beach, JACKSON of Fort Kent, KAELIN of Winterport, LEWIN of Eliot, PARADIS of Frenchville, Senator: COURTNEY of York.

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

On motion of Representative SMITH of Monmouth, the Resolve was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

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**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Bill "An Act Regarding the Possession of an Electronic Weapon"

(H.P. 868) (L.D. 1271)

Sponsored by Representative BLANCHETTE of Bangor.

Cosponsored by Senator DIAMOND of Cumberland and Representatives: DUPLESSIE of Westbrook, GERZOFKY of Brunswick, LUNDEEN of Mars Hill, MILLS of Farmington, PARADIS of Frenchville, PINEAU of Jay, TWOMEY of Biddeford, WHEELER of Kittery.

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

Resolve, To Standardize Procedures for Photographic Lineups

(H.P. 906) (L.D. 1308)

Sponsored by Representative MILLS of Farmington.  
Cosponsored by Representatives: GERZOFKY of Brunswick, SMITH of Van Buren, TARDY of Newport.

Bill "An Act To Establish a Process for the Civil Commitment of Certain Sexual Offenders"

(H.P. 919) (L.D. 1321)

Sponsored by Representative VAUGHAN of Durham.

Bill "An Act To Create the Crime of Producing Graffiti"

(H.P. 922) (L.D. 1323)

Sponsored by Representative BOWLES of Sanford.  
Cosponsored by Senator COURTNEY of York and Representatives: CLOUGH of Scarborough, NASS of Acton, NUTTING of Oakland, Senator: NASS of York.

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#### EDUCATION AND CULTURAL AFFAIRS

Resolve, To Study Improving the Affordability and Predictability of College Tuition for Maine Students

(H.P. 876) (L.D. 1279)

Sponsored by Representative FARRINGTON of Gorham.  
Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: BARSTOW of Gorham, BLISS of South Portland, CAIN of Orono, SAVIELLO of Wilton, SCHATZ of Blue Hill.

Bill "An Act To Establish the Maine Enterprise Commerce Center of Augusta"

(H.P. 892) (L.D. 1295)

Sponsored by Representative MOODY of Manchester.  
Cosponsored by Representatives: LERMAN of Augusta, SAVIELLO of Wilton, SMITH of Monmouth, Senator: MITCHELL of Kennebec.

Resolve, To Institute a State Magnet School for Languages

(H.P. 910) (L.D. 1312)

Sponsored by Representative PARADIS of Frenchville.  
Cosponsored by Senator MITCHELL of Kennebec and Representatives: ADAMS of Portland, BLANCHARD of Old Town, CUMMINGS of Portland, DUPLESSIE of Westbrook, NORTON of Bangor, PILON of Saco, VAUGHAN of Durham, Senator: WESTON of Waldo.

Bill "An Act To Prohibit and Provide Penalties for the Issuance, Manufacture and Use of False Academic Degrees or Certificates"

(H.P. 915) (L.D. 1317)

Sponsored by Representative CAIN of Orono.  
Cosponsored by Representatives: MAKAS of Lewiston, STEDMAN of Hartland, Senator: MILLS of Somerset.  
Submitted by the Department of Education pursuant to Joint Rule 204.

Resolve, To Encourage Personal and Family Financial Management Education (EMERGENCY)

(H.P. 916) (L.D. 1318)

Sponsored by Representative BOWEN of Rockport.  
Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: CUMMINGS of Portland, MERRILL of Appleton, Senators: MITCHELL of Kennebec, TURNER of Cumberland.

#### HEALTH AND HUMAN SERVICES

Resolve, To Provide Increased MaineCare Reimbursement Rates to Physicians with High Ratios of MaineCare Patients

(H.P. 881) (L.D. 1284)

Sponsored by Representative MARRACHÉ of Waterville.  
Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: FISCHER of Presque Isle, LERMAN of Augusta, PATRICK of Rumford, PERRY of Calais, PINEAU of Jay, SHIELDS of Auburn, SMITH of Van Buren, TARDY of Newport.

Resolve, Establishing The Task Force To Study Cervical Cancer Prevention, Detection and Education (EMERGENCY)

(H.P. 899) (L.D. 1302)

Sponsored by Representative MARRACHÉ of Waterville.  
Cosponsored by Senator PLOWMAN of Penobscot and Representatives: ADAMS of Portland, BOWLES of Sanford, FAIRCLOTH of Bangor, HUTTON of Bowdoinham, MAKAS of Lewiston, Speaker RICHARDSON of Brunswick, Senator: WESTON of Waldo.

Bill "An Act Requiring Public Disclosure of Health Care Prices"

(H.P. 905) (L.D. 1307)

Sponsored by Representative WOODBURY of Yarmouth.  
Cosponsored by Senator MAYO of Sagadahoc and Representative: PINGREE of North Haven, Senator: ROSEN of Hancock.

Bill "An Act To Ensure Rural Access to Prescription Drugs" (EMERGENCY)

(H.P. 908) (L.D. 1310)

Sponsored by Representative PINGREE of North Haven.  
Cosponsored by Senator DAMON of Hancock and Representatives: JACKSON of Fort Kent, MERRILL of Appleton, MILLER of Somerville, PERCY of Phippsburg, SCHATZ of Blue Hill, TRAHAN of Waldoboro, Senator: RAYE of Washington.

Bill "An Act To Improve Access to Affordable Prescription Drugs"

(H.P. 923) (L.D. 1324)

Sponsored by Representative BRAUTIGAM of Falmouth.  
Cosponsored by Senator MAYO of Sagadahoc and Representatives: BABBIDGE of Kennebunk, PERRY of Calais, SMITH of Monmouth, WEBSTER of Freeport, Senator: COWGER of Kennebec.

Bill "An Act To Ensure Continuity of Care Related to Implementation of the Federal Medicare Drug Benefit"

(H.P. 924) (L.D. 1325)

Sponsored by Representative BRAUTIGAM of Falmouth.  
Cosponsored by Representatives: PERRY of Calais, SMITH of Monmouth, WEBSTER of Freeport, Senators: COWGER of Kennebec, MAYO of Sagadahoc.

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Bill "An Act To Amend the Child and Family Services and Protection Act"

(H.P. 918) (L.D. 1320)

Sponsored by Representative VAUGHAN of Durham.

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

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

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**INLAND FISHERIES AND WILDLIFE**

Bill "An Act To Allow the Use of All Muzzle-loading Firearms during Muzzle-loading Deer Season"

(H.P. 884) (L.D. 1287)

Sponsored by Representative ANNIS of Dover-Foxcroft.  
Cosponsored by Senator ANDREWS of York, Senator DAVIS of Piscataquis and Representatives: RICHARDSON of Carmel, RICHARDSON of Greenville, SHERMAN of Hodgdon, THOMAS of Ripley.

Bill "An Act To Provide Free Hunting and Fishing Permits to Senior Citizens"

(H.P. 895) (L.D. 1298)

Sponsored by Representative BERUBE of Lisbon. (BY REQUEST)  
Cosponsored by Senator COURTNEY of York and Representatives: ASH of Belfast, CEBRA of Naples, CROSTHWAITE of Ellsworth, JENNINGS of Leeds, MOODY of Manchester.

Bill "An Act To Create the ATV Trail Advisory Council" (EMERGENCY)

(H.P. 897) (L.D. 1300)

Sponsored by Representative MOODY of Manchester.  
Cosponsored by Representative: SAVIELLO of Wilton.

Resolve, Establishing an Experimental Moose Lottery for Southern Maine

(H.P. 911) (L.D. 1313)

Sponsored by Representative TUTTLE of Sanford.  
Cosponsored by Senator BRYANT of Oxford and Representatives: BRYANT of Windham, CEBRA of Naples, COLLINS of Wells, JACKSON of Fort Kent, LUNDEEN of Mars Hill, MOODY of Manchester, PINEAU of Jay, RICHARDSON of Carmel, RICHARDSON of Greenville, THOMPSON of China, WATSON of Bath, WHEELER of Kittery, Senator: WOODCOCK of Franklin.

Bill "An Act To Ban the Use of Traps and Dogs in Bear Hunting"

(H.P. 917) (L.D. 1319)

Sponsored by Representative DUDLEY of Portland.

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**INSURANCE AND FINANCIAL SERVICES**

Bill "An Act To Require Additional Disclosure Regarding Private Mortgage Insurance"

(H.P. 883) (L.D. 1286)

Sponsored by Speaker RICHARDSON of Brunswick.  
Cosponsored by Senator SULLIVAN of York and Representatives: BRAUTIGAM of Falmouth, HARLOW of Portland, MARRACHÉ of Waterville, McKANE of Newcastle, PERRY of Calais, PILON of Saco, Senators: MAYO of Sagadahoc, MILLS of Somerset.

Bill "An Act To Register Nonbank Loan Officers"

(H.P. 900) (L.D. 1303)

Sponsored by Representative GLYNN of South Portland.

**JUDICIARY**

Bill "An Act To Allow Indian Tribes To Operate Slot Machines"

(H.P. 871) (L.D. 1274)

Sponsored by Representative SOCKALEXIS of the Penobscot Nation.

Cosponsored by Senator BRYANT of Oxford and Representatives: BLANCHARD of Old Town, GERZOFISKY of Brunswick, GROSE of Woolwich, HUTTON of Bowdoinham, PINGREE of North Haven, VAUGHAN of Durham, Senators: MITCHELL of Kennebec, SNOWE-MELLO of Androscoggin.

Bill "An Act To Protect Certain Private Information Submitted to Municipalities"

(H.P. 872) (L.D. 1275)

Sponsored by Representative BIERMAN of Sorrento.  
Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: BARSTOW of Gorham, COLLINS of Wells, MILLETT of Waterford, PLUMMER of Windham, SAMPSON of Auburn, TARDY of Newport, Senators: DAVIS of Piscataquis, STRIMLING of Cumberland.

Bill "An Act To Reduce Costs and Improve Efficiency of the Maine Criminal Justice System"

(H.P. 885) (L.D. 1288)

Sponsored by Representative BURNS of Berwick.  
Cosponsored by Senator CLUKEY of Aroostook and Representatives: CAMPBELL of Newfield, CUMMINGS of Portland, HARLOW of Portland, PINGREE of North Haven, SMITH of Monmouth, TUTTLE of Sanford, WALCOTT of Lewiston, WHEELER of Kittery.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Define Marriage

(H.P. 891) (L.D. 1294)

Sponsored by Representative DUPREY of Hampden.  
Cosponsored by Senator COURTNEY of York, Senator SNOWE-MELLO of Androscoggin and Representatives: CEBRA of Naples, CRESSEY of Cornish, CROSTHWAITE of Ellsworth, JOY of Crystal, THOMAS of Ripley, VAUGHAN of Durham, Senator: PLOWMAN of Penobscot.

Bill "An Act To Provide for Victims of Trafficking"

(H.P. 893) (L.D. 1296)

Sponsored by Representative MARRACHÉ of Waterville.  
Cosponsored by Representatives: BOWLES of Sanford, CANAVAN of Waterville, CARR of Lincoln, CRAVEN of Lewiston, CUMMINGS of Portland, HUTTON of Bowdoinham, PERCY of Phippsburg, Senator: WESTON of Waldo.

Bill "An Act To Provide Just Compensation for Established Businesses During Eminent Domain Proceedings"

(H.P. 894) (L.D. 1297)

Sponsored by Representative BRYANT-DESCHENES of Turner.  
Cosponsored by Representatives: CROSTHWAITE of Ellsworth, FLETCHER of Winslow, McKENNEY of Cumberland, Senator: ROSEN of Hancock.

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Bill "An Act To Improve Economic Development of the Penobscot Nation"

(H.P. 870) (L.D. 1273)

Sponsored by Representative SOCKALEXIS of the Penobscot Nation.



Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: BLANCHARD of Old Town, CAMPBELL of Newfield, GERZOFKY of Brunswick, HUTTON of Bowdoinham, JENNINGS of Leeds, VAUGHAN of Durham, Senators: MITCHELL of Kennebec, TURNER of Cumberland.

Committee on **JUDICIARY** suggested.

On motion of Representative PELLETIER-SIMPSON of Auburn, the Bill was **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**, ordered printed and sent for concurrence.

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### LABOR

Bill "An Act To Prohibit the Use of Foreign Labor Unless a Federal Prevailing Wage Is Set"

(H.P. 873) (L.D. 1276)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator MARTIN of Aroostook and Representatives: CLARK of Millinocket, DRISCOLL of Westbrook, DUGAY of Cherryfield, HUTTON of Bowdoinham, PINEAU of Jay, SMITH of Van Buren, TUTTLE of Sanford, Senator: BARTLETT of Cumberland.

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### LEGAL AND VETERANS AFFAIRS

Bill "An Act To Ensure That Direct Initiatives Have Local Support"

(H.P. 878) (L.D. 1281)

Sponsored by Representative CLOUGH of Scarborough.

Cosponsored by Representatives: BOWLES of Sanford, CURLEY of Scarborough, Senators: ANDREWS of York, SNOWE-MELLO of Androscoggin.

Bill "An Act Allowing Liquor Tasting Events"

(H.P. 886) (L.D. 1289)

Sponsored by Representative TUTTLE of Sanford.

Cosponsored by Representative FISHER of Brewer, Senator PLOWMAN of Penobscot and Representatives: BROWN of South Berwick, COLLINS of Wells, HOTHAM of Dixfield, OTT of York, PATRICK of Rumford, PINKHAM of Lexington Township, VALENTINO of Saco, Senator: GAGNON of Kennebec.

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Resolve, To Ensure the Effective Implementation of Alewife Restoration on the Sebasticook River Watershed

(H.P. 921) (L.D. 1322)

Sponsored by Representative FLETCHER of Winslow.

Cosponsored by Representatives: FITTS of Pittsfield, STEDMAN of Hartland, THOMAS of Ripley, THOMPSON of China, Senators: DAVIS of Piscataquis, GAGNON of Kennebec.

Committee on **MARINE RESOURCES** suggested.

On motion of Representative WATSON of Bath, the Resolve was **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**, ordered printed and sent for concurrence.

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### NATURAL RESOURCES

Bill "An Act Concerning Invasive Species and Water Quality Standards"

(H.P. 901) (L.D. 1304)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Representatives: ANNIS of Dover-Foxcroft, BARSTOW of Gorham, CLARK of Millinocket, DUCHESNE of Hudson, EBERLE of South Portland, PINEAU of Jay, THOMPSON of China.

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### STATE AND LOCAL GOVERNMENT

Bill "An Act To Permit Recording Proceedings of the Legislature"

(H.P. 913) (L.D. 1315)

Sponsored by Representative TRAHAN of Waldoboro.

Cosponsored by Representative MCKANE of Newcastle and Representative: CEBRA of Naples.

Bill "An Act To Enable the Town of Livermore Falls To Withdraw from Androscoggin County and Join Franklin County"

(H.P. 914) (L.D. 1316)

Sponsored by Representative MILLS of Farmington.

Cosponsored by Representatives: PINEAU of Jay, SAVIELLO of Wilton, Senator: WOODCOCK of Franklin.

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Resolve, To Study the Citizen Initiative Process

(H.P. 889) (L.D. 1292)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Representatives: CLARK of Millinocket, FISHER of Brewer, HOTHAM of Dixfield, MOODY of Manchester, PATRICK of Rumford.

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

On motion of Representative BARSTOW of Gorham, the Resolve was **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS**, ordered printed and sent for concurrence.

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### TAXATION

Bill "An Act To Support Affordable Housing"

(H.P. 898) (L.D. 1301)

Sponsored by Representative KOFFMAN of Bar Harbor.

Cosponsored by Representatives: CANAVAN of Waterville, PELLETIER-SIMPSON of Auburn, PERCY of Phippsburg, PINGREE of North Haven, PIOTTI of Unity, SAMPSON of Auburn, WATSON of Bath, Senator: DAMON of Hancock.

Bill "An Act To Provide Safety Net Funds"

(H.P. 912) (L.D. 1314)

Sponsored by Representative PINGREE of North Haven.

Cosponsored by Representatives: CRAVEN of Lewiston, DUDLEY of Portland, FAIRCLOTH of Bangor, LERMAN of Augusta, PERRY of Calais, WEBSTER of Freeport.

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### TRANSPORTATION

Resolve, To Name the New Augusta Bridge

(H.P. 877) (L.D. 1280)

Sponsored by Representative LERMAN of Augusta.

Cosponsored by Senator MITCHELL of Kennebec and Representatives: BROWNE of Vassalboro, DAVIS of Augusta.

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### UTILITIES AND ENERGY

Bill "An Act To Clarify the Process To Enforce Dig Safe Requirements"

(H.P. 879) (L.D. 1282)

Sponsored by Representative BLISS of South Portland.

Cosponsored by Senator BARTLETT of Cumberland.

Bill "An Act To Improve Funding for Telecommunications Relay Services"

(H.P. 887) (L.D. 1290)  
 Sponsored by Representative BLISS of South Portland.  
 Cosponsored by Senator BARTLETT of Cumberland and  
 Representatives: BLANCHARD of Old Town, BRYANT of  
 Windham, PERCY of Phippsburg, SCHATZ of Blue Hill.

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**Pursuant to Statute  
 Criminal Law Advisory Commission**

Representative BLANCHETTE for the **Criminal Law  
 Advisory Commission** pursuant to the Maine Revised Statutes,  
 Title 17-A, section 1354, subsection 2 asks leave to report that  
 the accompanying Bill "An Act To Amend the Crimes of Unlawful  
 Sexual Contact and Unlawful Sexual Touching"

(H.P. 867) (L.D. 1249)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE  
 AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill  
**REFERRED** to the Committee on **CRIMINAL JUSTICE AND  
 PUBLIC SAFETY** and ordered printed pursuant to Joint Rule  
 218.

Sent for concurrence.

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**Pursuant to Statute  
 Criminal Law Advisory Commission**

Representative PELLETIER-SIMPSON for the **Criminal  
 Law Advisory Commission** pursuant to the Maine Revised  
 Statutes, Title 17-A, section 1354, subsection 2 asks leave to  
 report that the accompanying Bill "An Act Regarding the Initiation  
 of Cases of Murder and Class A, B and C Crimes in Superior  
 Court by Complaint"

(H.P. 866) (L.D. 1248)

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.

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**ORDERS**

On motion of Speaker RICHARDSON of Brunswick, the  
 following Joint Resolution: (H.P. 920) (Cosponsored by  
 President EDMONDS of Cumberland and Representatives:  
 ADAMS of Portland, ASH of Belfast, BARSTOW of Gorham,  
 BEAUDETTE of Biddeford, BERUBE of Lisbon, BLISS of South  
 Portland, BRANNIGAN of Portland, BRAUTIGAM of Falmouth,  
 BROWN of South Berwick, BURNS of Berwick, CAIN of Orono,  
 CLARK of Millinocket, CLOUGH of Scarborough, CRAVEN of  
 Lewiston, CRESSEY of Cornish, CROSBY of Topsham,  
 CUMMINGS of Portland, DAVIS of Augusta, DUNN of Bangor,  
 DUPLESSIE of Westbrook, EBERLE of South Portland,  
 FAIRCLOTH of Bangor, FISCHER of Presque Isle, FISHER of  
 Brewer, GERZOFKY of Brunswick, GOLDMAN of Cape  
 Elizabeth, HARLOW of Portland, HOGAN of Old Orchard Beach,  
 HUTTON of Bowdoinham, JACKSON of Fort Kent, JACOBSEN  
 of Waterboro, JOY of Crystal, LERMAN of Augusta, MAKAS of  
 Lewiston, McCORMICK of West Gardiner, McKANE of  
 Newcastle, MOODY of Manchester, MOORE of Standish, NASS  
 of Acton, PARADIS of Frenchville, PATRICK of Rumford,  
 PELLETIER-SIMPSON of Auburn, PERCY of Phippsburg,  
 PINGREE of North Haven, SCHATZ of Blue Hill, TARDY of  
 Newport, THOMPSON of China, WHEELER of Kittery,  
 WOODBURY of Yarmouth, Senators: BRENNAN of Cumberland,

MITCHELL of Kennebec, NASS of York, RAYE of Washington,  
 ROTUNDO of Androscoggin, SAVAGE of Knox, SCHNEIDER of  
 Penobscot, SNOWE-MELLO of Androscoggin)

**JOINT RESOLUTION COMMEMORATING THE HOLOCAUST  
 AND HUMAN RIGHTS CENTER OF MAINE'S LEGISLATIVE  
 AWARENESS DAY AND YOM HASHOAH, THE DAY OF  
 REMEMBRANCE OF THOSE WHO SUFFERED AS VICTIMS  
 OF THE HOLOCAUST**

WHEREAS, from 1933 to 1945, 6,000,000 Jews were  
 murdered in the Holocaust as part of a systematic program of  
 genocide, and millions of other people suffered as victims of  
 Nazism; and

WHEREAS, the people of the State of Maine should always  
 remember the atrocities committed by the Nazis so that such  
 horrors are never repeated; and

WHEREAS, the people of the State of Maine should always  
 remember those who liberated the Nazi concentration camps,  
 some at the cost of their lives and others with lifelong emotional  
 suffering, as holding an honored place in our history; and

WHEREAS, the people of the State of Maine should  
 continually rededicate themselves to the principle of equal justice  
 for all people, remain eternally vigilant against all tyranny and  
 recognize that bigotry provides a breeding ground for tyranny to  
 flourish; and

WHEREAS, March 15, 2005 has been designated as the  
 Holocaust and Human Rights Center of Maine's Legislative  
 Awareness Day; and

WHEREAS, May 5, 2005 has been designated  
 internationally as a Day of Remembrance of the Victims of the  
 Holocaust and is known as Yom HaShoah; and

WHEREAS, the national community, pursuant to an Act of  
 Congress, will be commemorating the week of May 1st to May  
 8th as the Days of Remembrance of the Victims of the Holocaust,  
 with the theme of "From Liberation to the Pursuit of Justice"; and

WHEREAS, it is appropriate for the people of the State of  
 Maine to join in the national and international commemorations;  
 now, therefore, be it

**RESOLVED:** That, We, the Members of the One Hundred  
 and Twenty-second Legislature now assembled in the First  
 Regular Session, on behalf of the people we represent, pause in  
 solemn memory of the victims of the Holocaust, urge one and all  
 to recommit themselves to the lessons of the Holocaust through  
 the Holocaust and Human Rights Center of Maine's Legislative  
 Awareness Day and the national week of commemoration and  
 express our common desire to continually strive to overcome  
 prejudice and inhumanity through education, vigilance and  
 resistance; and be it further

**RESOLVED:** That suitable copies of this resolution, duly  
 authenticated by the Secretary of State, be transmitted to the  
 United States Holocaust Memorial Council in Washington, D.C.,  
 and the Holocaust and Human Rights Center of Maine, on behalf  
 of the people of the State of Maine.

**READ and ADOPTED.**

Sent for concurrence.

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On motion of Representative WHEELER of Kittery, the  
 following Joint Resolution: (H.P. 904) (Cosponsored by Senator  
 ANDREWS of York and Representatives: ADAMS of Portland,  
 ANNIS of Dover-Foxcroft, ASH of Belfast, BABBIDGE of  
 Kennebunk, BARSTOW of Gorham, BEAUDETTE of Biddeford,  
 BERUBE of Lisbon, BISHOP of Boothbay, BLANCHARD of Old  
 Town, BLANCHETTE of Bangor, BLISS of South Portland,  
 BRANNIGAN of Portland, BRAUTIGAM of Falmouth, BROWN of  
 South Berwick, BROWNE of Vassalboro, BRYANT of Windham,

BURNS of Berwick, CAIN of Orono, CAMPBELL of Newfield, CARR of Lincoln, CLARK of Millinocket, CLOUGH of Scarborough, COLLINS of Wells, CRAVEN of Lewiston, CROSBY of Topsham, CROSTHWAITE of Ellsworth, CUMMINGS of Portland, CURLEY of Scarborough, CURTIS of Madison, DAVIS of Falmouth, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUDLEY of Portland, DUPLESSIE of Westbrook, EBERLE of South Portland, EDER of Portland, FAIRCLOTH of Bangor, FARRINGTON of Gorham, FINCH of Fairfield, FISCHER of Presque Isle, FISHER of Brewer, FLETCHER of Winslow, FLOOD of Winthrop, GERZOFKY of Brunswick, GLYNN of South Portland, GOLDMAN of Cape Elizabeth, GROSE of Woolwich, HANLEY of Paris, HANLEY of Gardiner, HARLOW of Portland, HOGAN of Old Orchard Beach, HOTHAM of Dixfield, HUTTON of Bowdoinham, JACKSON of Fort Kent, JACOBSEN of Waterboro, JENNINGS of Leeds, JODREY of Bethel, LEWIN of Eliot, LUNDEEN of Mars Hill, MAKAS of Lewiston, MAREAN of Hollis, MARLEY of Portland, MAZUREK of Rockland, McCORMICK of West Gardiner, McLEOD of Lee, MILLER of Somerville, MILLS of Farmington, MOULTON of York, MUSE of Fryeburg, NASS of Acton, NORTON of Bangor, O'BRIEN of Lewiston, OTT of York, PARADIS of Frenchville, PATRICK of Rumford, PELLETIER-SIMPSON of Auburn, PERCY of Phippsburg, PILON of Saco, PINEAU of Jay, PIOTTI of Unity, RECTOR of Thomaston, RICHARDSON of Carmel, Speaker RICHARDSON of Brunswick, RICHARDSON of Skowhegan, RINES of Wiscasset, SAMPSON of Auburn, SAVIELLO of Wilton, SCHATZ of Blue Hill, SMITH of Van Buren, THOMPSON of China, TUTTLE of Sanford, TWOMEY of Biddeford, VALENTINO of Saco, WATSON of Bath, WEBSTER of Freeport, WOODBURY of Yarmouth, Senators: BRYANT of Oxford, COURTNEY of York, DAMON of Hancock, DIAMOND of Cumberland, HOBBS of York, MAYO of Sagadahoc, NASS of York, RAYE of Washington, SAVAGE of Knox, SULLIVAN of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

**JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO CONTINUE ITS SUPPORT AND ADVOCACY FOR THE PORTSMOUTH NAVAL SHIPYARD IN KITTERY, MAINE**

WE, your Memorialists, the Members of the One Hundred and Twenty-second Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the Congress of the United States as follows:

WHEREAS, within the year, Secretary of Defense Donald Rumsfeld, through the Base Realignment and Closure (BRAC) Commission, will make recommendations about which military installations are to be considered for closure in cost-cutting measures for the military; and

WHEREAS, the State of Maine has a distinct and important military installation that is potentially at risk for closure, the naval shipyard in Kittery, a shipyard located on an island in the Piscataqua River between New Hampshire and Maine, which specializes in maintaining and overhauling nuclear submarines; and

WHEREAS, the Portsmouth Naval Shipyard in Kittery is one of only 4 public shipyards in the nation, is vital to our maritime strength and is of major importance to the local economies of 3 states, employing almost 5,000 people from Maine, New Hampshire and Massachusetts; and

WHEREAS, the naval shipyard in Kittery has unobstructed access to the open ocean, delivers submarine overhauls ahead of schedule, is in a very secure location and has the space to accommodate more personnel and duties; and

WHEREAS, the people of the State of Maine have long been at the forefront of our nation's defense, are first to join and send troops in any conflict and have a strong tradition of support and appreciation for the military bases within our borders; now, therefore, be it

RESOLVED: That We, your Memorialists, take this opportunity to convey our appreciation for the advocacy and support for the naval shipyard in Kittery that the Congress of the United States and the Maine Congressional Delegation have provided over the years, and we strongly urge the Congress of the United States to consider the importance of the naval shipyard in Kittery in this time of war on terrorism and the vital need to protect our nation; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Wheeler.

Representative WHEELER: Thank you Mr. Speaker, Ladies and Gentlemen of the House. I want thank everybody for signing the Resolution and I think it's essential for Kittery to keep the yard open because it had done it's yard finishes under cost and it has finished ahead of schedule on all their work in Portsmouth and I think it's essential to keep this open and I thank everybody for signing the Resolution. Thank you very much!

Subsequently, was **ADOPTED.**

Sent for concurrence.

On motion of Representative PIOTTI of Unity, the following Joint Order: (H.P. 925)

ORDERED, the Senate concurring, that the Joint Standing Committee on Agriculture, Conservation and Forestry shall report out, to the House, a bill to allow the Executive Director of the Maine Land Use Regulation Commission within the Department of Conservation to assess a processing fee for certain projects.

**READ and PASSED.**

Sent for concurrence.

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

**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-14)** on Bill "An Act To Change the Name of T8 SD to Fletchers Landing Township"

(S.P. 46) (L.D. 140)

Signed:

Senators:

SCHNEIDER of Penobscot  
 ROTUNDO of Androscoggin  
 ANDREWS of York

Representatives:

BARSTOW of Gorham  
 McFADDEN of Dennysville  
 MOULTON of York  
 BISHOP of Boothbay  
 CROSTHWAITE of Ellsworth

SAMPSON of Auburn  
BLANCHARD of Old Town  
MUSE of Fryeburg  
SCHATZ of Blue Hill

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

Signed:

Representative:

HARLOW of Portland

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-14)**.

**READ.**

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

The Bill was **READ ONCE**. Committee Amendment "**A**" (**S-14**) was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, March 17, 2005.

HOGAN of Old Orchard Beach  
MAZUREK of Rockland  
McKENNEY of Cumberland  
BROWNE of Vassalboro

Minority Report of the same Committee reporting **Ought to Pass** on same Resolve.

Signed:

Representatives:

PARADIS of Frenchville

COLLINS of Wells

THOMAS of Ripley

Representative MARLEY of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from Wells, Representative Collins.

Representative **COLLINS**: Mr. Speaker, Ladies and Gentlemen of the House. For those of you who don't know, I have been a member of the Transportation Committee going on my fourth term. At least once a session a colleague of ours will come forward, either from this chamber or the Senate, with a dire description of a dangerous intersection somewhere here in the State of Maine.

Representative Carr brought to our attention a very dangerous intersection in Enfield, gave us photographs and data on the number of accidents. As a matter of fact, he had the unfortunate experience of having to attend that accident at this very dangerous intersection with a fatality. There are other members of the State Police fraternity that have retired, that are members of this body, that have also attended many accidents at this intersection. This intersection demands our attention; for public safety, to do the right thing for these people and as part of Maine. The Department in years past has tried to remedy the situation by warning lights, extra signage, that kind of thing. This intersection needs a stoplight, it needs a means of slowing people down to stop, to look at the intersection and be safer.

Safety is paramount to my committee. We have bills presented to us on an ongoing basis dealing with public safety. This cries out for action, it cries out for action by this body. I urge you to vote, **Ought to Pass** on LD 213. Thank you for your attention.

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

Representative **CARR**: Thank you Mr. Speaker, Ladies and Gentlemen of the House. I'd like to say a few words today on LD 213. LD 213 was put in as a result of my spending nearly 40 years in the Lincoln area and about 30 of those years as a member of the State Police, in the last several years as a patrol sergeant out of Troop E in Orono. So I do have some experience on knowing a dangerous intersection when I see it. The area in question is a four-way intersection that intersects Route 2 and Route 155. Route 155 is the major route that travels to Cold Stream Pond where several people live year round and others visit in the summer. There is also a middle school located within a mile and a half of this intersection that school busses need to travel through everyday.

The criteria that DOT uses is a criteria based upon the volume of traffic and the number of accidents. Those are two of the criteria. It's fairly obvious that there's fewer cars that travel the intersection of Route 2 and 155 a day than it is a route that may be in Gorham or Cumberland or some of the other larger cities. We just don't have the same volume of traffic. But we have more accidents! We have many accidents at this intersection. I personally have covered two fatalities there over the years. I photographed several other accidents with serious personal injury.

## CONSENT CALENDAR

### First Day

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

(S.P. 40) (L.D. 98) Bill "An Act To Codify Senate Districts in Statute" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(S.P. 77) (L.D. 224) Bill "An Act To Amend the Law Governing Student Rates on Maine State Ferry Service Ferries" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 89) (L.D. 113) Bill "An Act To Allow Animal Control Officers and Individuals Who Collect Trash To Use Flashing Amber Lights on Their Vehicles" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 427) (L.D. 594) Bill "An Act To Promote Education in the Unorganized Territory" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(H.P. 141) (L.D. 190) Bill "An Act Relating to the Treatment of Employers and Military Personnel in Connection with 'Call to Duty' Activity" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-26)**

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

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

## REPORTS OF COMMITTEE

### Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Resolve, To Require That the Department of Transportation Install a Traffic Light in West Enfield

(H.P. 164) (L.D. 213)

Signed:

Senators:

DAMON of Hancock

DIAMOND of Cumberland

SAVAGE of Knox

Representatives:

MARLEY of Portland

FISHER of Brewer

SAMPSON of Auburn

Over the last 25 years legislators that have been elected to that particular district have tried to get a traffic light installed. The town of Enfield has worked to try to get a traffic light installed. They sent a letter, and the most recent letter was in the last few months, at their request.

I understand that there is a system set up with criteria and I understand that from time to time those criteria may not be suitable for a particular situation. I submit to you this is one of those cases where the criteria that used is not suitable for this intersection.

When this type of situation exists the residents of an area have no other alternative but to turn to their elected representatives to try to take care of a problem that exists. This is definitely a problem. It's a problem to the people who live in this area and it's also a problem to those people traveling through the area. Many of the citizens, including the town of Enfield, have asked me to try to do what I can to get a light installed and the best way I can see after looking at the history of this intersection is to submit this bill, which I have done.

I had an opportunity this morning to speak with a Representative from Washburn, Representative Churchill who is also a retired trooper. Actually I had the opportunity to work with Trooper Churchill for several years in that area. He also mentioned that he's covered accidents. I'm not sure if he would speak to that or not but I did want to bring that up.

Mr. Speaker, I also know that you have your mother and father that spent a great deal of time in that area and they travel through that intersection on a daily basis. I'm sure that you've traveled through that too, so you know what I am talking about. So with that I wanted to make sure that everybody understood the seriousness of this intersection. I wanted an opportunity to explain to you the concerns that the people who live in this area – it's not just Enfield, it's the people from Howland, Enfield, Lowell, Passadumkeag, Lincoln and all the others who have to travel on a daily basis going to work in Bangor because many of the jobs that were once available at Diamond, International, Stud Mill, other areas in the town - now have to travel on a daily basis to go to Bangor and many of them travel this route. I put it in your hands and ask that you follow my light and vote to require DOT to install a traffic light at this intersection. It's my understanding that the cost could be absorbed at around \$80,000. Mr. Speaker, when the vote is taken I ask that we have a roll call.

Representative CARR of Lincoln **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report. More than one-fifth of the members present expressed a desire for a roll call which was ordered.

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

Representative **PARADIS**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am glad to be on this bipartisan minority. I concur with what has been said so far and I just want to add a few words on this. I think generally, the DOT does a good job but once in a while – and this is one of those cases – I think they lose sight of the rural nature of our state. You cannot just go by traffic counts. This a dangerous spot, its been attested to – not only by the good Representative from Lincoln but others. I would encourage everyone on this one to vote red. Thank you.

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

Representative **MARLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Well we haven't really debated anything this session and so this is a good place to start. It's a good issue. I have all the respect in the world for the Representative from Lincoln, Representative Carr, he's doing

his job for his constituents. He's bringing forward an issue of an intersection that is dangerous. Unfortunately though it's just not the light issue. There's issues around – this is why we will all be second guessing all of your committee bills – but you know that in committee you have a much more engaged discussion as far as seeing. Obviously, I can't hold up a prop and show you the intersection but if you are to use the front of the isle here, going to the Speaker's podium and then across there is a convenience store on one side with no curb cuts so that allows traffic to move in and out of this intersection more unrestricted. That's an issue as well as the light issue. So, there are several issues here not just simply the light. That's why I think you see a 10:3 report, Ought Not to Pass. Representative Carr who was a State Trooper brings a lot of that history with him. I think he has done a very good job of moving this issue forward. The intersection is currently on a list by the Department to look at other proposed solutions. I think your going to be talking about curb cuts, lights and there's going to be a lot of things that need to be addressed at this intersection. While I certainly respect the minority report and their point of view - because something needs to be done - I don't think it needs to be done legislatively. I think this is being moved forward and I think there are larger issues than just simply this light issue. So I certainly hope you'll support the Majority Ought Not to Pass. Thank you.

The SPEAKER: The Chair recognizes the Representative from Churchill, Representative Churchill.

Representative **CHURCHILL**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I too am familiar with this intersection. I found it was unique in that a lot of people that are not familiar with the area tend to pass about a quarter of a mile south of the intersection. It doesn't really appear to be an intersection and the passes a lot of time aren't completed until they are in or by the intersection. I would like to say that I feel that this deserves attention and it could save lives. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Sampson.

Representative **SAMPSON**: It's always difficult when we have colleagues that come before us and ask us to look at a specific project and see if we can help them. While there are certainly legitimate problems with this intersection, DOT has specific guidelines that they use – national guidelines – to find out if...to grade each intersection to see if it qualifies for a light, which buy the way is \$80,000 per light. While you don't want to put a price tag on a life itself, that it might save, we have numerous inquiries to these lights being placed around Maine and so we have to have a set of guidelines that help us make decisions whether we put those lights in on those intersections. Ten of us on the Committee used DOT's guidelines and said this does not qualify under those guidelines to put that type of light up. We have asked DOT to go back and look at curb cuts; to look at other ways that we can help the situation and alleviate the situation. If we pass this it is going to set a precedent. How are we going to justify and tell another community that we can't put a light up there if we have no rules to go by? So I would ask you to follow the ten that said Ought Not to Pass and thank you.

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

#### ROLL CALL NO. 28

YEA - Adams, Ash, Babbidge, Barstow, Beaudette, Bliss, Bowles, Brannigan, Brautigam, Browne W, Bryant, Burns, Cain, Canavan, Craven, Crosby, Cummings, Driscoll, Dugay, Dunn, Duplessie, Eberle, Faircloth, Farrington, Fischer, Fisher,

Gerzofsky, Goldman, Hanley S, Harlow, Hogan, Hutton, Jennings, Jodrey, Koffman, Lerman, Makas, Marley, Marraché, Mazurek, McKenney, Nass, Norton, Patrick, Pelletier-Simpson, Percy, Perry, Pineau, Pingree, Piotti, Rines, Sampson, Smith N, Smith W, Valentino, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Berube, Bierman, Bishop, Blanchard, Blanchette, Bowen, Brown R, Bryant-Deschenes, Campbell, Carr, Cebra, Churchill, Clark, Clough, Collins, Cressey, Crosthwaite, Curley, Curtis, Daigle, Davis G, Davis K, Duchesne, Duprey, Eder, Edgecomb, Finch, Fitts, Fletcher, Flood, Glynn, Greeley, Hall, Hamper, Hanley B, Hotham, Jackson, Jacobsen, Joy, Kaelin, Lansley, Lewin, Lindell, Lundeen, Marean, McCormick, McFadden, McKane, McLeod, Miller, Millett, Mills, Moody, Moore G, Moulton, Muse, Nutting, Ott, Paradis, Pilon, Pinkham, Plummer, Rector, Richardson D, Richardson M, Richardson W, Robinson, Rosen, Schatz, Seavey, Sherman, Shields, Stedman, Sykes, Tardy, Thomas, Tuttle, Twomey, Vaughan.

ABSENT - Dudley, Emery, Grose, Merrill, O'Brien, Richardson E, Saviello, Thompson, Trahan, Walcott.

Yes, 60; No, 81; Absent, 10; Excused, 0.

60 having voted in the affirmative and 81 voted in the negative, with 10 being absent, and accordingly the Majority Ought Not to Pass Report was **NOT ACCEPTED**.

Subsequently, the Minority Ought to Pass Report was **ACCEPTED**. The Resolve was **READ ONCE** and was assigned for **SECOND READING** Thursday, March 17, 2005.

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#### SENATE PAPERS

Bill "An Act To Ensure Public Awareness of Pesticide Applications"

(S.P. 436) (L.D. 1256)

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.

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Bill "An Act To Allow Physicians Licensed in Other States but Trained outside the United States To Practice Medicine in Maine"

(S.P. 441) (L.D. 1261)

Bill "An Act To Contain Costs, Reduce Paperwork and Streamline the Regulatory Process for Maine's Small Businesses"

(S.P. 443) (L.D. 1263)

Bill "An Act To Extend the Kim Wallace Adaptive Equipment Loan Program" (EMERGENCY)

(S.P. 447) (L.D. 1267)

Came from the Senate, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

**REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

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Bill "An Act Concerning Concealed Firearms Permits"

(S.P. 434) (L.D. 1254)

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.

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Resolve, To Establish a System for Verification of Proficiency for Prelingually Deaf Candidates for Teacher Certification

(S.P. 430) (L.D. 1251)

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.

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Resolve, To Increase Prospective Interim Payments to Certain Rural Hospitals

(S.P. 450) (L.D. 1270)

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.

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Resolve, Directing the Department of Inland Fisheries and Wildlife To Adopt and Follow a Rules Policy Regarding Inland Fishing

(S.P. 433) (L.D. 1253)

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.

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Bill "An Act To Change the Retirement Eligibility Requirements for Investigators in the Office of the Attorney General and the Department of the Secretary of State"

(S.P. 449) (L.D. 1269)

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

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

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Resolve, Authorizing Dominic LaJoie To Sue the Department of Agriculture, Food and Rural Resources

(S.P. 437) (L.D. 1257)

Bill "An Act To Establish Daily Loss Limits Relating to Slot Machines and Certain Games of Chance"

(S.P. 440) (L.D. 1260)

Bill "An Act To Ensure Integrity in the Voting Process"

(S.P. 446) (L.D. 1266)

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.

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Bill "An Act Regarding Shellfish Harvesting"

(S.P. 429) (L.D. 1250)

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

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

Bill "An Act To Ensure Environmental Justice"  
(S.P. 435) (L.D. 1255)

Bill "An Act To Protect Aquifers"  
(S.P. 445) (L.D. 1265)

Bill "An Act To Amend the Law on Junkyards, Automobile Graveyards and Automobile Recycling Businesses"  
(S.P. 448) (L.D. 1268)

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

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

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Bill "An Act To Amend Maine's Estate Tax Law"  
(S.P. 444) (L.D. 1264)

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

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

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Resolve, To Establish the Commission To Study the Licensing Conflicts between the Department of Agriculture, Food and Rural Resources and the Department of Health and Human Services

(S.P. 442) (L.D. 1262)

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.

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Bill "An Act To Sustain Maine Schools and Libraries"  
(S.P. 439) (L.D. 1259)

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.

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Bill "An Act To Provide for Department of Labor Services and Other Services in Unorganized Territories"  
(S.P. 438) (L.D. 1258)

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

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

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#### REPORTS OF COMMITTEE Divided Report

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on 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)

Signed:

Senators:

SCHNEIDER of Penobscot  
ROTUNDO of Androscoggin

Representatives:

BARSTOW of Gorham  
McFADDEN of Dennyville

HARLOW of Portland  
SAMPSON of Auburn  
BLANCHARD of Old Town  
MUSE of Fryeburg  
SCHATZ of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-27)** on same Bill.

Signed:

Senator:

ANDREWS of York

Representatives:

MOULTON of York  
BISHOP of Boothbay  
CROSTHWAITE of Ellsworth

**READ.**

Representative BARSTOW of Gorham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative JOY: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. As we go through the history of this nation we find that more and more and more things are being done that are in violation of the Constitution of the United States. Due to a court ruling a number of years ago, it was ruled that the federal government could ignore the Constitution and own lands within the confines of the nation but in the Constitution it's very clear as to what types of lands can be owned by the federal government. Naval ports, armories, arsenals and that little block of land down in between Virginia and Maryland down there that's called the District of Columbia. Beyond that there is no provision for any ownership of land by the federal government within the United States. However, we know that west of the Mississippi nearly 50% of the land is owned by the federal government. If we take the total of the United States 43% is owned. As we all know, there has been a lot of talk about creating a federal park in Maine. Ladies and gentleman, the federal government already owns more land in Maine than they are authorized to by the Constitution. The amendment that was placed on the bill would change the process by which this would happen. If our congressional delegation and the Governor should petition Congress to do a feasibility study on creating a park they're only required to hold one public hearing and that public hearing doesn't even have to be held within the State of Maine. So, consequently, the people of the State of Maine, especially those who would be most affected by the creation of that park and who would have no voice in the process because they probably could not afford to travel to some other location to participate in that hearing. I suggest that you defeat the proposed motion and instead accept the Ought to Pass as Amended. The feasibility study that I mentioned earlier would be required to be passed by two-thirds of the people who are in those communities that would disappear inside the confines that are planned for a park and also two-thirds of the people who abut the land for the park. Right at the present time there is a list of towns, including my own, which is to be depopulated from 20%-60% by those proposing the national park. I think probably that should be enough information right there to let you know that Mainers don't have any say when it comes to the federal grabbing of land. Mr. Speaker, I request that when the vote is taken it is taken by the yeas and nays.

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

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

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

Representative **BARSTOW**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The issue I would like to touch upon as we stand here this morning and consider this bill - and hope that my fellow colleagues here take into high consideration - the Majority Ought not to Pass Report, is the issue of participation in the process of federal lands, or further, which is not mentioned in this bill the idea of participation in any public land that is purchased either by the federal government or the state. Let me first say, that it was decided immediately, that we should not go down the avenue of dealing with federal provisions and further, dealing with the federal government's right to move forward and purchase what land that it decides too through Congressional action and through the Executive's action at the federal level. Rather, that is something that our congressional delegation must focus on and deal with in their own right.

The issue that seemed to come up in the public hearing as our committee deliberated on this bill, was on the focus of future lands to be purchased that could become a national park up in rural areas in the northern part of our state. I would say that we feel those who are in the Majority Ought Not to Pass Report of the committee felt that there is an extensive process that goes beyond just one public hearing to be held outside of the state. There are procedures for participation here in-state for individuals in this region, and further you need to have all four members of our congressional delegation as well as our Chief Executive sign on to the establishment of any kind of national park or reserve. So, as we talk about this issue, and we talk about the divide that seems to be discussed between rural and urban Maine, I would say myself, personally, I would like to come forward and say - and I have said to the good Representative from crystal, that I'm willing to work with him and make sure that there is a consensus participation on the issues that are creating that divide. We can make it so that we can work towards a diverse state rather than a divided state. I appreciate the members' consideration of this report and hope that you do pass it. Thank you Mr. Speaker.

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

**ROLL CALL NO. 29**

YEA - Adams, Ash, Babbidge, Barstow, Beaudette, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Canavan, Craven, Crosby, Cummings, Davis G, Driscoll, Duchesne, Dugay, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Glynn, Goldman, Hanley S, Harlow, Hogan, Hutton, Jackson, Jennings, Koffman, Lerman, Lundeen, Makas, Marley, Marraché, Mazurek, Miller, Mills, Moody, Muse, Norton, Paradis, Patrick, Pelletier-Simpson, Percy, Perry, Pilon, Pineau, Pingree, Piotti, Rines, Sampson, Schatz, Smith N, Smith W, Tuttle, Twomey, Valentino, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Berube, Bierman, Bishop, Bowen, Bowles, Brown R, Browne W, Bryant-Deschenes, Campbell, Carr, Cebra, Churchill, Clark, Clough, Collins, Cressey, Crosthwaite, Curley, Curtis, Daigle, Davis K, Duprey, Edgecomb, Fitts, Fletcher, Flood, Greeley, Hall, Hamper, Hanley B, Hotham, Jacobsen, Jodrey, Joy, Kaelin, Lansley, Lewin, Lindell, Marean, McCormick, McFadden, McKane, McKenney, McLeod, Millett, Moore G, Moulton, Nass, Nutting, Ott, Pinkham, Plummer, Rector, Richardson D, Richardson M, Richardson W, Robinson, Rosen, Seavey, Sherman, Shields, Stedman, Sykes, Tardy, Thomas, Vaughan.

ABSENT - Dudley, Emery, Grose, Merrill, O'Brien, Richardson E, Saviello, Thompson, Trahan, Walcott.

Yes, 73; No, 68; Absent, 10; Excused, 0.

73 having voted in the affirmative and 68 voted in the negative, with 10 being absent, and accordingly the Majority **Ought Not to Pass Report** was **ACCEPTED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

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

Representative **TUTTLE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I would be remiss if I didn't remark that today marks the 185th anniversary of Maine's admittance into the United States as the 23rd state. So, happy birthday Maine!

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On motion of Representative **TUTTLE** of Sanford, the House adjourned at 11:42 a.m., until 10:00 a.m., Thursday, March 17, 2005 in honor of this date, March 15, 1820, when this State was born.