

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

Volume II

First Special Session

May 26, 2005 – June 17, 2005

Second Special Session

July 29, 2005

Second Regular Session

January 4, 2006 - April 6, 2006

Pages 737-1487

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
SECOND REGULAR SESSION
2nd Legislative Day
Thursday, January 5, 2006

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

Prayer by Reverend Stephen Bracy, Living Waters Assembly of God, Strong.

National Anthem by Lori Hall, Holden.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

SENATE PAPERS

Bill "An Act To Maintain Standards for the Plumbing Profession"

(S.P. 723) (L.D. 1923)

Bill "An Act Regarding Preferences in Bidding on Maine State Housing Authority Contracts"

(S.P. 742) (L.D. 1943)

Bill "An Act To Implement Certain Recommendations of the Washington County Economic Development Task Force"

(S.P. 743) (L.D. 1944)

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.

Bill "An Act To Protect Victims of Domestic Violence"

(S.P. 739) (L.D. 1938)

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 To Include Oral Health Assessment with Other Preschool Testing for Maine's Children"

(S.P. 737) (L.D. 1936)

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Clarify the Workplace Smoking Laws"

(S.P. 726) (L.D. 1926)

Bill "An Act To Prevent State Taxpayers from Subsidizing Large Employers"

(S.P. 727) (L.D. 1927)

Bill "An Act Permitting the Recycling of Unused Prescription Drugs"

(S.P. 728) (L.D. 1928)

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 Amend the Laws Governing All-terrain Vehicles"

(S.P. 722) (L.D. 1922)

Bill "An Act To Revise Certain Fish and Wildlife Laws"

(S.P. 740) (L.D. 1939)

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

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

Bill "An Act To Protect Health Insurance Consumers" (EMERGENCY)

(S.P. 736) (L.D. 1935)

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 Regarding Working Waterfront Covenants under the Land For Maine's Future Board"

(S.P. 730) (L.D. 1930)

Bill "An Act To Implement Model Time-share Foreclosure Procedures"

(S.P. 732) (L.D. 1932)

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 Strengthen Maine's Craft Brewing Industry"

(S.P. 729) (L.D. 1929)

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

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

Bill "An Act To Implement the Recommendations of the Governor's Task Force Regarding the Shutdown of the Maine Energy Recovery Company Trash-burning Facility in Biddeford"

(S.P. 738) (L.D. 1937)

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

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

Bill "An Act To Change the Name of Little Island to Chickering Island"

(S.P. 741) (L.D. 1942)

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 Encourage Energy Independence for Maine" (EMERGENCY)

(S.P. 731) (L.D. 1931)

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.

COMMUNICATIONS

The Following Communication: (S.P. 653)

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

December 15, 2005
Hon. Beth Edmonds
President of the Senate
122nd Legislature
Hon. John Richardson
Speaker of the House
122nd Legislature

Dear Madam President and Mr. Speaker:

On December 15, 2005, 5 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 15, 2005, as follows:

Business, Research and Economic Development

Bill "An Act To Continue the Tourism Cooperative Marketing Fund" (S.P. 652) (L.D. 1698) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SMITH of Monmouth) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Inland Fisheries and Wildlife

Bill "An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Allow the Operation of Snowmobiles Registered outside the State at Special Events Occurring in the State" (EMERGENCY) (S.P. 649) (L.D. 1695) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative: PARADIS of Frenchville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Marine Resources

Bill "An Act Regarding the Appointment of Harbor Masters" (S.P. 651) (L.D. 1697) (Sponsored by Senator HASTINGS of Oxford) (Cosponsored by Representative HAMPER of Oxford and Senators: DAVIS of Piscataquis, WESTON of Waldo, Representative: MILLETT of Waterford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

State and Local Government

Bill "An Act To Allow the Towns of Mapleton, Castle Hill and Chapman To Deposit All Tax Revenues, Grant Revenues and Other Income and Revenues into One Depository Account" (S.P. 648) (L.D. 1694) (Sponsored by Senator MARTIN of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Transportation

Bill "An Act To Clarify the Assessment of Costs To Maintain a Private Way or Bridge" (S.P. 650) (L.D. 1696) (Sponsored by Senator DIAMOND of Cumberland) (Cosponsored by Representative BRYANT of Windham and Representative: PLUMMER of Windham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate
S/Millicent M. MacFarland
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 734)

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

December 28, 2005
Hon. Beth Edmonds
President of the Senate
122nd Legislature
Hon. John Richardson
Speaker of the House
122nd Legislature

Dear Madam President and Mr. Speaker:

On December 28, 2005, 68 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 28, 2005, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Establish the Maine Agricultural Drought Protection Act" (EMERGENCY) (S.P. 693) (L.D. 1776) (Sponsored by Senator WESTON of Waldo) (Cosponsored by Senators: DAVIS of Piscataquis, RAYE of Washington, Representative: CARR of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Regarding Certain Easements across State Park Land" (S.P. 704) (L.D. 1787) (Sponsored by President EDMONDS of Cumberland) (Cosponsored by Representative WEBSTER of Freeport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Increase the Number of Members on the Board of Pesticides Control" (S.P. 708) (L.D. 1791) (Sponsored by Senator SULLIVAN of York) (Cosponsored by Senator: NUTTING of Androscoggin, Representative: PIOTTI of Unity) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Create a Maine Agricultural Water Source Development and Management Program" (EMERGENCY) (S.P. 720) (L.D. 1803) (Sponsored by Senator WESTON of Waldo) (Cosponsored by Senator: RAYE of Washington, Representative: CARR of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Appropriations and Financial Affairs

Bill "An Act To Provide Funding for the Construction of a Regional Career Vocational Center" (S.P. 654) (L.D. 1737) (Sponsored by Senator DIAMOND of Cumberland) (Cosponsored by Senators: NASS of York, WOODCOCK of Franklin, Representatives: CEBRA of Naples, TARDY of Newport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Business, Research and Economic Development

Bill "An Act Regarding Licensure Requirements for Nurses" (S.P. 669) (L.D. 1752) (Sponsored by Senator MARTIN of Aroostook) (GOVERNOR'S BILL) (Cosponsored by Representative PERRY of Calais and Senator: President EDMONDS of Cumberland, Representatives: CAIN of Orono, MARRACHÉ of Waterville)

Bill "An Act To Address Emergency Licensure Procedures" (S.P. 673) (L.D. 1756) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SMITH of Monmouth and Senators: HOBBS of York, MAYO of Sagadahoc, SULLIVAN of York, Representatives: O'BRIEN of Lewiston, RECTOR of Thomaston) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Charitable Solicitations Act" (S.P. 684) (L.D. 1767) (Sponsored by Senator HOBBS of York) (Cosponsored by Representative SMITH of Monmouth and

Senators: MAYO of Sagadahoc, SULLIVAN of York, Representatives: PELLETIER-SIMPSON of Auburn, RECTOR of Thomaston) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Amend the Laws Governing Licensure of Workers in the Field of Radiologic Technology" (EMERGENCY) (S.P. 687) (L.D. 1770) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SMITH of Monmouth and Senator: HOBBS of York, Representative: RECTOR of Thomaston) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Amend the Debt Collection Law" (S.P. 721) (L.D. 1804) (Sponsored by Senator SULLIVAN of York) (Cosponsored by Representative BRAUTIGAM of Falmouth and Senator: COWGER of Kennebec, Representatives: BOWLES of Sanford, PELLETIER-SIMPSON of Auburn) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Criminal Justice and Public Safety

Bill "An Act To Strengthen Maine's Timber Theft Laws" (S.P. 676) (L.D. 1759) (Sponsored by Senator NUTTING of Androscoggin) (Cosponsored by Senator: BRYANT of Oxford, Representative: BRYANT of Windham) (Submitted by the Department of Conservation pursuant to Joint Rule 204.)

Bill "An Act To Ensure the Authority of 'Do Not Resuscitate' Orders in Advance Health-care Directives" (EMERGENCY) (S.P. 680) (L.D. 1763) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative BRYANT of Windham and Representatives: DUPLESSIE of Westbrook, HOTHAM of Dixfield, PATRICK of Rumford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Maine Criminal Code and Various Provisions Related to Juveniles" (S.P. 688) (L.D. 1771) (Sponsored by Senator DIAMOND of Cumberland) (Cosponsored by Senator: BRYANT of Oxford, Representatives: BRYANT of Windham, PATRICK of Rumford) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act To Require Mandatory Training for Law Enforcement Officers and Prosecutors Regarding Interaction with People with Developmental Disabilities, Including Autism Spectrum Disorders" (S.P. 698) (L.D. 1781) (Sponsored by Senator BARTLETT of Cumberland) (Cosponsored by Senators: PERRY of Penobscot, RAYE of Washington, Representative: LERMAN of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Deter Environmental Terrorism in the State" (S.P. 706) (L.D. 1789) (Sponsored by Senator NUTTING of Androscoggin) (Cosponsored by Senator: DAVIS of Piscataquis, Representatives: CARR of Lincoln, FLOOD of Winthrop, JODREY of Bethel, SAVIELLO of Wilton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Education and Cultural Affairs

Bill "An Act To Provide State Funding for the Fingerprinting of School Personnel" (S.P. 662) (L.D. 1745) (Sponsored by Senator COURTNEY of York) (Cosponsored by Representative CAMPBELL of Newfield and Senators: ANDREWS of York, SULLIVAN of York, Representatives: BABBIDGE of Kennebunk, BEAUDETTE of Biddeford, HOGAN of Old Orchard Beach, JACOBSEN of Waterboro, McCORMICK of West Gardiner, TRAHAN of Waldoboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Extend Tuition Waivers to Persons Who Have Resided in Subsidized Adoptive Care or Who Have Subsidized Guardians" (S.P. 672) (L.D. 1755) (Sponsored by Senator

WESTON of Waldo) (Cosponsored by Representative CURLEY of Scarborough and Senator: ROSEN of Hancock) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act To Further the Implementation of the Essential Programs and Services Funding Model" (S.P. 683) (L.D. 1766) (Sponsored by Senator MITCHELL of Kennebec) (Cosponsored by Representative NORTON of Bangor) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Bill "An Act To Improve Early Childhood Special Education" (EMERGENCY) (S.P. 689) (L.D. 1772) (Sponsored by Senator MITCHELL of Kennebec) (Cosponsored by Senators: BRENNAN of Cumberland, MARTIN of Aroostook, TURNER of Cumberland, Representatives: CUMMINGS of Portland, DAVIS of Falmouth, MILLETT of Waterford, NORTON of Bangor) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Bill "An Act Concerning Members of School Administrative Districts' Finance Committees" (S.P. 697) (L.D. 1780) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative BRYANT of Windham and Representative: PATRICK of Rumford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Promote Economic Development by Enhancing Educational Opportunities" (S.P. 702) (L.D. 1785) (Sponsored by Senator MITCHELL of Kennebec) (Under suspension of the rules, cosponsored by Representative NORTON of Bangor and Senators: BARTLETT of Cumberland, BRENNAN of Cumberland, COWGER of Kennebec, DAVIS of Piscataquis, MARTIN of Aroostook, MAYO of Sagadahoc, SCHNEIDER of Penobscot, TURNER of Cumberland, Representatives: BABBIDGE of Kennebunk, BLISS of South Portland, BOWLES of Sanford, BRAUTIGAM of Falmouth, CAIN of Orono, CRAVEN of Lewiston, CUMMINGS of Portland, CURTIS of Madison, DAVIS of Falmouth, DUPLESSIE of Westbrook, EDGEComb of Caribou, FINCH of Fairfield, FLETCHER of Winslow, GERZOFISKY of Brunswick, MAKAS of Lewiston, MILLETT of Waterford, NASS of Acton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Concerning the Implementation of Cuts in Child Development Services" (S.P. 707) (L.D. 1790) (Sponsored by Senator WESTON of Waldo) (Cosponsored by Senator RAYE of Washington and Senators: DAVIS of Piscataquis, PLOWMAN of Penobscot, Representative: STEDMAN of Hartland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Regarding Standardized Testing in Maine" (EMERGENCY) (S.P. 715) (L.D. 1798) (Sponsored by Senator BRENNAN of Cumberland) (Cosponsored by Representative CLARK of Millinocket, Representative SAVIELLO of Wilton and Senator: WESTON of Waldo) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Health and Human Services

Bill "An Act To Allow the Department of Health and Human Services To Locate Parents Who Are Delinquent in Child Support Payments through Information Related to Cellular Telephones" (EMERGENCY) (S.P. 660) (L.D. 1743) (Sponsored by Senator PLOWMAN of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend Certain Requirements in the ASPIRE-TANF Program" (S.P. 663) (L.D. 1746) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative O'BRIEN of Lewiston and Representative: MILLER of Somerville) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act To Set a Maximum on Penalties Imposed for Licensing Violations by Eating Establishments, Eating and Lodging Places, Lodging Places, Recreational Camps or Camping Areas" (S.P. 670) (L.D. 1753) (Sponsored by Senator COWGER of Kennebec) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act To Give the Commissioner of Health and Human Services Administrative Subpoena Authority" (S.P. 671) (L.D. 1754) (Sponsored by Senator HOBBS of York) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act To Improve the MaineCare Program" (S.P. 674) (L.D. 1757) (Sponsored by Senator MAYO of Sagadahoc) (Cosponsored by Representative WALCOTT of Lewiston and Senator: BRENNAN of Cumberland, Representative: CURLEY of Scarborough) (Approved for introduction by a majority of the Legislative Council Pursuant to Joint Rule 203.)

Bill "An Act To Amend the Maine Health Data Organization Laws Regarding Dental Services" (S.P. 677) (L.D. 1760) (Sponsored by Senator MAYO of Sagadahoc) (Cosponsored by Representative MILLER of Somerville and Representative: LERMAN of Augusta) (Submitted by the Maine Health Data Organization pursuant to Joint Rule 204.)

Bill "An Act To Conform the Certificate of Need Law to Industry Standards" (EMERGENCY) (S.P. 701) (L.D. 1784) (Sponsored by Senator ROSEN of Hancock) (Cosponsored by Representative: LEWIN of Eliot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Insurance and Financial Services

Bill "An Act To Prevent Elder and Dependent Adult Financial Abuse" (S.P. 699) (L.D. 1782) (Sponsored by Senator MAYO of Sagadahoc) (Cosponsored by Representative PERRY of Calais and Senators: BRENNAN of Cumberland, BRYANT of Oxford, President EDMONDS of Cumberland, SULLIVAN of York, Representatives: BRAUTIGAM of Falmouth, BRYANT of Windham, CUMMINGS of Portland, GLYNN of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Maine Consumer Credit Code as It Relates to Finance Charges for Loans on Open-end Credit" (S.P. 700) (L.D. 1783) (Sponsored by Senator SULLIVAN of York) (Under suspension of the rules, cosponsored by Representative PERRY of Calais and Senators: MAYO of Sagadahoc, MILLS of Somerset, Representatives: BABBIDGE of Kennebunk, GLYNN of South Portland, LINDELL of Frankfort, MARRACHÉ of Waterville, McKANE of Newcastle, PILON of Saco, RICHARDSON of Warren, VAUGHAN of Durham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Maine Insurance Guaranty Association Act" (S.P. 718) (L.D. 1801) (Sponsored by Senator SULLIVAN of York) (Cosponsored by Representative PERRY of Calais and Representatives: GLYNN of South Portland, McKANE of Newcastle, PILON of Saco, VAUGHAN of Durham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Judiciary

Bill "An Act To Encourage Reporting of Potential Fraud in State Government" (S.P. 658) (L.D. 1741) (Sponsored by Senator SCHNEIDER of Penobscot) (Cosponsored by Representative SMITH of Monmouth and Senators: BRENNAN of Cumberland, DAMON of Hancock, Representatives: CAIN of Orono, CUMMINGS of Portland, DUNN of Bangor, PERCY of

Phippsburg) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Children from Contact with Convicted Sex Offenders" (S.P. 695) (L.D. 1778) (Sponsored by Senator PERRY of Penobscot) (Cosponsored by Senators: BROMLEY of Cumberland, SULLIVAN of York, Representatives: FISHER of Brewer, RECTOR of Thomaston, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Fees for Probate Filings" (S.P. 717) (L.D. 1800) (Sponsored by Senator WESTON of Waldo) (Cosponsored by Representative: CUMMINGS of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Labor

Bill "An Act To Assist Maine Military Families" (EMERGENCY) (S.P. 664) (L.D. 1747) (Sponsored by Senator SCHNEIDER of Penobscot) (Cosponsored by Representative FISHER of Brewer and Senators: BRENNAN of Cumberland, DAMON of Hancock, Representatives: CAIN of Orono, CUMMINGS of Portland, DUNN of Bangor, FAIRCLOTH of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require the Maine State Retirement System To Divest Itself of Certain Holdings" (S.P. 675) (L.D. 1758) (Sponsored by Senator STRIMLING of Cumberland) (Cosponsored by Representative: PELLETIER-SIMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve the Maine Enterprise Option Program" (S.P. 711) (L.D. 1794) (Sponsored by Senator BARTLETT of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Legal and Veterans Affairs

Bill "An Act To Make Technical Changes to the Gambling Laws" (S.P. 665) (L.D. 1748) (Sponsored by Senator GAGNON of Kennebec) (Submitted by the Department of Public Safety pursuant to Joint Rule 204.)

Marine Resources

Bill "An Act To Amend the Statutes Governing the Commercial Fishing Safety Council" (S.P. 681) (L.D. 1764) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative PERCY of Phippsburg and Senators: ANDREWS of York, SULLIVAN of York, Representatives: MAZUREK of Rockland, KAELIN of Winterport, DUGAY of Cherryfield, PINGREE of North Haven, ASH of Belfast, BOWEN of Rockport) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act to Allow Dragging in Lower Taunton Bay" (EMERGENCY) (S.P. 703) (L.D. 1786) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative PERCY of Phippsburg and Representative: KAELIN of Winterport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Natural Resources

Bill "An Act To Prevent Motor Fuel Spills from Aboveground Storage Tanks That Have Underground Piping" (S.P. 685) (L.D. 1768) (Sponsored by Senator COWGER of Kennebec) (Cosponsored by Representative DUCHESNE of Hudson) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Bill "An Act To Improve the Water Quality and Safety of Phillips Lake" (S.P. 691) (L.D. 1774) (Sponsored by Senator ROSEN of Hancock) (Cosponsored by Representative HALL of Holden and Senators: DAVIS of Piscataquis, MAYO of Sagadahoc, Representatives: BRANNIGAN of Portland, FISHER of Brewer,

ROSEN of Bucksport) (Approved for introduction by a majority of the Legislative Council Pursuant to Joint Rule 203.)

Resolve, To Direct the Department of Environmental Protection To Consolidate the Management of Solid Waste (S.P. 694) (L.D. 1777) (Sponsored by Senator COWGER of Kennebec) (Cosponsored by Representative KOFFMAN of Bar Harbor and Senator: MARTIN of Aroostook, Representatives: DUCHESNE of Hudson, MOULTON of York) (Approved for introduction by a majority of the Legislative Council Pursuant to Joint Rule 203.)

Bill "An Act To Protect Maine Families and the Environment by Improving the Collection and Recycling of Mercury Thermostats" (S.P. 709) (L.D. 1792) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative KOFFMAN of Bar Harbor and Representatives: EBERLE of South Portland, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Ensure the Long-term Capacity of Municipal Landfills" (EMERGENCY) (S.P. 712) (L.D. 1795) (Sponsored by Senator COWGER of Kennebec) (Cosponsored by Representative KOFFMAN of Bar Harbor and Senator: SNOWE-MELLO of Androscoggin, Representative: DUCHESNE of Hudson) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Sustain Good Local Planning Practices" (EMERGENCY) (S.P. 719) (L.D. 1802) (Sponsored by President EDMONDS of Cumberland) (Cosponsored by Representative WEBSTER of Freeport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

State and Local Government

Bill "An Act To Amend the Law Governing Warrant Funding for Education" (S.P. 659) (L.D. 1742) (Sponsored by Senator SCHNEIDER of Penobscot) (Cosponsored by Representative NORTON of Bangor and Senators: MITCHELL of Kennebec, TURNER of Cumberland, Representatives: DAVIS of Falmouth, EDGECOMB of Caribou, FINCH of Fairfield, GOLDMAN of Cape Elizabeth, LANSLEY of Sabattus, MERRILL of Appleton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Authorizing the Deorganization of Drew Plantation" (S.P. 679) (L.D. 1762) (Sponsored by Senator RAYE of Washington) (Cosponsored by Representative: McLEOD of Lee) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Strengthen the State Purchasing Code of Conduct Laws" (S.P. 686) (L.D. 1769) (Sponsored by Senator ROTUNDO of Androscoggin) (Cosponsored by Senator: President EDMONDS of Cumberland, Representatives: BARSTOW of Gorham, CUMMINGS of Portland) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Increase Certain Fees Paid for Service of Writs and Complaints" (S.P. 696) (L.D. 1779) (Sponsored by Senator DAVIS of Piscataquis) (Cosponsored by Senators: DAMON of Hancock, NASS of York, SNOWE-MELLO of Androscoggin, WESTON of Waldo, Representatives: BOWLES of Sanford, CARR of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Confirm the Authority of the City of Saco To Acquire Extraterritorial Facilities" (S.P. 705) (L.D. 1788) (Sponsored by Senator HOBBS of York) (Cosponsored by Representative TWOMEY of Biddeford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Taxation

Bill "An Act To Clarify the Taxable Status of Lobster Traps" (S.P. 656) (L.D. 1739) (Sponsored by Senator ANDREWS of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Taxable Status of Processing Fees Charged in Connection with Cancelled Lodging Reservations" (S.P. 666) (L.D. 1749) (Sponsored by Senator COWGER of Kennebec) (Cosponsored by Representative KOFFMAN of Bar Harbor and Senators: DAMON of Hancock, MAYO of Sagadahoc, Representatives: McCORMICK of West Gardiner, SCHATZ of Blue Hill) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Concerning Technical Changes to the Tax Laws" (S.P. 668) (L.D. 1751) (Sponsored by Senator PERRY of Penobscot) (Cosponsored by Representative WOODBURY of Yarmouth and Representative: McCORMICK of West Gardiner) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Offer Financial Institutions an Option for Payment of the Maine Franchise Tax" (S.P. 678) (L.D. 1761) (Sponsored by Senator PERRY of Penobscot) (Cosponsored by Representative: DUGAY of Cherryfield) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Bill "An Act To Establish a Refundable Historic Rehabilitation Credit" (S.P. 692) (L.D. 1775) (Sponsored by Senator MITCHELL of Kennebec) (Cosponsored by Representative LERMAN of Augusta and Senators: GAGNON of Kennebec, PERRY of Penobscot, Representatives: BROWNE of Vassalboro, DAVIS of Augusta) (Approved for introduction by a majority of the Legislative Council Pursuant to Joint Rule 203.)

Bill "An Act To Ensure the Continued Viability of Affordable Housing" (S.P. 713) (L.D. 1796) (Sponsored by Senator PERRY of Penobscot) (Cosponsored by Representative CLOUGH of Scarborough and Senator: STRIMLING of Cumberland, Representatives: HUTTON of Bowdoinham, LERMAN of Augusta, MILLER of Somerville, WATSON of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Qualifications for the Maine Residents Property Tax Program" (EMERGENCY) (S.P. 714) (L.D. 1797) (Sponsored by Senator SULLIVAN of York) (Cosponsored by Representative HUTTON of Bowdoinham and Senators: COURTNEY of York, PERRY of Penobscot, Representative: WOODBURY of Yarmouth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Exempt Snow Grooming Equipment and Machinery from the Personal Property Tax" (S.P. 716) (L.D. 1799) (Sponsored by Senator DAVIS of Piscataquis) (Cosponsored by Senators: DAMON of Hancock, HASTINGS of Oxford, PLOWMAN of Penobscot, SNOWE-MELLO of Androscoggin, WESTON of Waldo, WOODCOCK of Franklin, Representatives: BOWLES of Sanford, CARR of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Transportation

Bill "An Act To Amend the Laws Governing Ferry Service Travel for Individuals with Catastrophic Illness" (EMERGENCY) (S.P. 655) (L.D. 1738) (Sponsored by Senator SAVAGE of Knox) (Cosponsored by Representative MAZUREK of Rockland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend Certain Transportation Laws" (S.P. 667) (L.D. 1750) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative MARLEY of Portland and

Senator: SAVAGE of Knox, Representative: McKENNEY of Cumberland) (Submitted by the Department of Transportation pursuant to Joint Rule 204.)

Bill "An Act To Require Insurance Companies To Notify the Secretary of State when a Motor Vehicle Has Been Insured" (S.P. 682) (L.D. 1765) (Sponsored by Senator COWGER of Kennebec) (Cosponsored by Representative BURNS of Berwick, Representative MARLEY of Portland) (Approved for introduction by a majority of the Legislative Council Pursuant to Joint Rule 203.)

Bill "An Act To Improve the Process for Issuing Duplicate Motor Vehicle Certificates of Title" (S.P. 690) (L.D. 1773) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Senator DAMON of Hancock, Representative: FISHER of Brewer) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Prevent Noise and Air Pollution in the Town of Oakland" (S.P. 710) (L.D. 1793) (Sponsored by Senator MITCHELL of Kennebec) (Cosponsored by Representative CANAVAN of Waterville and Senators: DAMON of Hancock, GAGNON of Kennebec, Representatives: BRAUTIGAM of Falmouth, BROWNE of Vassalboro, KOFFMAN of Bar Harbor) (Approved for introduction by a majority of the Legislative Council Pursuant to Joint Rule 203.)

Utilities and Energy

Bill "An Act To Establish the Athens Standard Water District" (S.P. 657) (L.D. 1740) (Sponsored by Senator MILLS of Somerset) (Cosponsored by Representative: THOMAS of Ripley) (Approved for introduction by a majority of the Legislative Council Pursuant to Joint Rule 203.)

Bill "An Act To Create the Washburn Water and Sewer District" (S.P. 661) (L.D. 1744) (Sponsored by Senator MARTIN of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

S/Millicent M. MacFarland

Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Protect Children from the Onset of Autism" (H.P. 1366) (L.D. 1947)

Sponsored by Representative LERMAN of Augusta.

Cosponsored by President EDMONDS of Cumberland and Representatives: BURNS of Berwick, CAMPBELL of Newfield, GROSE of Woolwich, MILLER of Somerville, PINGREE of North Haven, WALCOTT of Lewiston, WEBSTER of Freeport, Senator: BARTLETT of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Establish a High-risk Health Insurance Pool" (H.P. 1365) (L.D. 1945)

Sponsored by Representative TARDY of Newport.

Cosponsored by Senator MILLS of Somerset and Representatives: BOWLES of Sanford, GLYNN of South Portland, LINDELL of Frankfort, Senators: DAVIS of Piscataquis, WESTON of Waldo.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

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

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

REPORTS OF COMMITTEE

Change of Committee

Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Regulate Fire Alarm Contractors"

(S.P. 524) (L.D. 1508)

Reporting that it be **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Divided Report

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Provide for Department of Labor Services and Other Services in Unorganized Territories"

(S.P. 438) (L.D. 1258)

Signed:

Senators:

PERRY of Penobscot

COURTNEY of York

Representatives:

HANLEY of Paris

CLARK of Millinocket

McCORMICK of West Gardiner

WOODBURY of Yarmouth

CLOUGH of Scarborough

HUTTON of Bowdoinham

SEAVEY of Kennebunkport

WATSON of Bath

DUDLEY of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-426)** on same Bill.

Signed:

Senator:

STRIMLING of Cumberland

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

On motion of Representative WOODBURY of Yarmouth, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended** by Committee Amendment "A" (H-723) on Resolve, To Fund a Study Regarding Health Care for Maine's Firefighters (H.P. 15) (L.D. 10)

Signed:

Senator:

DIAMOND of Cumberland

Representatives:

BLANCHETTE of Bangor

HANLEY of Gardiner

GREELEY of Levant

GERZOFKY of Brunswick

DAVIS of Augusta

PARADIS of Frenchville

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

Signed:

Senator:

CLUKEY of Aroostook

Representatives:

PLUMMER of Windham

CHURCHILL of Washburn

SYKES of Harrison

GROSE of Woolwich

READ.

Representative BLANCHETTE of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative SYKES of Harrison **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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 Harrison, Representative Sykes.

Representative SYKES: This bill recommends to the Appropriations Committee a \$75,000 study regarding healthcare for Maine Firefighters. The purpose of the bill coming from the Maine Fire Commission is to provide some incentives for recruitment and retention of volunteer firefighters and I think that we all know that we certainly need to encourage those people to do that type of very positive volunteer work and also we are aware that if we send this to Appropriations it is going to be in competition with a number of other requests for money. I am also aware that to appear as though you are against your volunteer fire department may be even heresy or political suicide. I am a volunteer and I oppose this bill. I oppose this bill because I see it as not in the right place or having the right process. The concept is good, yes we do need to provide some incentives, but this is not the way to go about it. The bill speaks specifically to gathering actuarial and healthcare information from volunteer firefighters throughout the State of Maine. As a volunteer firefighter I see that the best place for this job to be done is with my local selectmen. If our selectmen in the Town of Harrison decides that they want to provide an incentive of healthcare for our firefighters they already provide healthcare to town employees and can go to the healthcare provider and find out exactly what that would cost them. They are in the best position to do this. I don't think that we need to spend \$75,000 to have this study. I would much prefer that the study said that we were going to study how to provide a variety of incentives to get people to volunteer and stay with the volunteer fire departments. For that reason I would hope that we would defeat this and move on to the Minority Report. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Westbrook, Representative Duplessie.

Representative **DUPLESSIE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. As a member of the Maine Fire Service's Protection Commission, this LD is strongly supported by the complete Commission for various reasons. This is the proper place for something like this to be so that we could have a statewide actuarial study done to see what those costs would be.

Local incentives, yes that would be grand, but we have every six months or so articles in different newspapers in this state about communities having drastic concerns about what is happening in their communities because they cannot staff their fire departments, their volunteer call forces. That is what this gets to. It is to do the actuarial study to see if it would be feasible for these smaller communities to participate in a healthcare plan for their volunteer call force. In many of these communities those volunteers on the call force are local small business people, self employed individuals and it is getting harder and harder to have those people turn out for fire calls and to retain the help that they need. Possibly, some of these people, if they had a health insurance plan, would have more incentive to participate in the volunteer call force and to dedicate more time. The training requirements are getting more and more extensive for them and we need to make some type of incentive for these communities. They have talked about retirement incentives and about healthcare incentives and have talked about various incentives over the years and as time goes on it is getting harder and harder and harder for smaller communities to staff their volunteer call force. Yes \$75,000 is the projected cost, but it is a statewide issue and this is the place that we should be looking at it in order to help them out. It will help most of the communities in this state. I encourage you to vote this bill out of this House, Ought to Pass and to send it to the Appropriations table and then we will work on it from that point. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I appreciate this bill and I certainly love my firemen. The problem I have is that we take one segment of the population and say that they deserve something more than others. I have been fighting for healthcare for people I represent and I am, quite frankly, getting very tired of going to another spaghetti supper because some child has cancer and needs a bone marrow transplant. If we all took that energy and took that \$75,000 and got behind single payer healthcare we wouldn't be in this situation.

Who wants to vote against firefighters? It is an emotional issue. We all love our firefighters that's not the issue. The issue is that we are taking one segment of the population and putting them up above others – mill workers, waitresses and lots of other industries. That is the problem I have with this. Let's all get on board and say that we all need healthcare. That is where the energy needs to be taken and I have great respect for Representative Duplessie. He has been a former firefighter and is doing a great thing for firefighters, we all need to do that, but the bottom line is that we are singling out one segment of the population. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Blanchette.

Representative **BLANCHETTE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. We are very fortunate as we sit here in the 122nd Legislature that we live in a wonderful state such as Maine, but I serve on the Maine Fire Commission and we have worked on this bill for about a year and

a half and have tried to figure out ways that we could, within house and within the fire commission, do this actuarial study for how to retain quality firefighters throughout the State of Maine.

I am blessed, as is the good Representative from Biddeford and the good Representative from Westbrook, Representative Duplessie, to have municipal fire departments that are not subject to on call, as you can get there firefighters. But, the biggest portion of our state when you go north of Augusta is volunteer, on call firefighters, unless they are a large municipality, of which Waterville has their own municipal fire department and so does Old Town, so does Brewer, so does Hampden, but what about the little town of Monroe? What about the little town of Meddybumps, where there are five or six houses up there? These are the people that we came down here, put our hand up a year ago this month and swore to protect and serve, much like our police and fire departments do. This is a very, very vital thing that we are trying to do. We are asking Appropriations, if they can, to appropriate up to \$75,000 for this study to cover all of the people in Maine. It is not a certain segment that we are picking out. They happen to be firefighters that are working for us and putting their life on the line.

I don't know if any of you have every had the misfortune and scary feeling in your home of hearing a roaring fire in your chimney when it is as cold as it is out today? You pick up the phone; you dial 911 and fully expect a full brigade of firefighters to arrive at your home. Your house is in danger; your life is in danger. Who is going to help you? You can't do it yourself. I have been on the receiving end of a chimney fire with a volunteer fire department and guess what? One volunteer firefighter showed up, she happened to be a woman, we looked at each other and said which one hits the chimney on the roof? I'm scared of heights and she wasn't crazy about it either, but then, as time permitted the volunteer firefighters came in. They are a vital part of our community. They are your friends, your husbands, your brothers, your sisters and even possibly your mother in some instances. We need this study. We need to find a way to retain and to keep qualified volunteer firefighters working in the State of Maine.

Do you people have any idea what it costs to train a volunteer firefighter? If they have to leave because they have to go to a job that has insurance we have lost that and the town that paid for their training and bought their equipment has lost that. Let's play fair. Let's send it to Appropriations and let it fall where it may. We only have good things to gain from this study and we are going to be protecting the people that we ask to protect us seven days a week, 24 hours a day, 365 days a year. Let's do the right thing and give them something to look forward to every time that the have to fight a fire in your house – it could be today, it could be tomorrow. Thank you ladies and gentlemen.

The SPEAKER: The Chair recognizes the Representative from Wiscasset, Representative Rines.

Representative **RINES**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. As many of you know I have been in the Fire Service for many years. I would like to look at this just from the facts point of view. Every time that a community, and it doesn't matter what size it is, puts their firefighter on the street it costs \$2,000 in gear and \$1,500 in training just to get them ready at the basic level.

The facts are simple. Ten years ago in the State of Maine, combined between the full time departments and the volunteers, there were close to 12,000 firefighters in the State of Maine. Today, ten years later, there are fewer than 9,000. The full time department numbers haven't changed. It is all at the local level in the small towns all over the state. Those are the bare facts, and it is not getting any better soon or for any quick reasons. They

are the first line of defense in homeland security. They are the first line of defense at the local level at the fire call, the car accident, and the chimney fire. It is a small dollar amount that is being asked for to do a study and see if it is feasible. It may not be, but we need the finances to do retention for these people. Remember the numbers. Ten years ago it was 12,000, today it is under 9,000 or thereabouts and these are they are the first line of defense on a whole host of different issues. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have been a member of the fire department in Newfield as a treasurer for twelve years and been a member for fifteen. I represent four rural towns that all have volunteer fire departments and volunteer rescue and I stand proud to be a member of the fire department and I knew what it was like when I was in the ambulance with a heart attack and looked up and saw all of my friends. They were Johnny-on-the-Spot all the way to the hospital with me and stayed with me the better part of the day. I support this. It is a very small amount of money when you consider how large our state is and how many rural fire departments and rescue squads we have in this state. Thank you.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative Sykes.

Representative **SYKES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Please remember, this bill is not about training. It's not about bunker pants and gear and the cost of that. It is not about roaring chimney fires and it is not about homeland security. What this bill is about is who is best positioned to determine healthcare costs if you as a community want to offer that as a benefit or an incentive to your volunteer fighters. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 352

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Brown R, Browne W, Bryant, Cain, Campbell, Canavan, Clark, Collins, Craven, Crosby, Cummings, Curley, Davis G, Davis K, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Eberle, Eder, Farrington, Finch, Fischer, Fisher, Flood, Gerzofsky, Glynn, Greeley, Grose, Hanley S, Harlow, Hogan, Hotham, Hutton, Jacobsen, Jennings, Koffman, Lindell, Lundeen, Makas, Marraché, Mazurek, McCormick, McFadden, Merrill, Miller, Mills, Moody, Moore G, Nass, Norton, O'Brien, Paradis, Patrick, Pelletier-Simpson, Percy, Perry, Pilon, Pingree, Rector, Richardson W, Rines, Sampson, Saviello, Schatz, Smith N, Smith W, Thompson, Trahan, Tuttle, Valentino, Walcott, Watson, Webster, Wheeler, Mr. Speaker.

NAY - Berube, Bierman, Bishop, Bowen, Bowles, Bryant-Deschenes, Carr, Cebra, Churchill, Clough, Cressey, Curtis, Daigle, Duprey, Edgecomb, Emery, Fitts, Fletcher, Hall, Hamper, Hanley B, Jodrey, Joy, Kaelin, Lansley, Lewin, Marean, McKane, McLeod, Millett, Moulton, Nutting, Ott, Pinkham, Plummer, Richardson D, Richardson E, Richardson M, Robinson, Seavey, Sherman, Shields, Sykes, Tardy, Thomas, Twomey, Vaughan, Woodbury.

ABSENT - Burns, Crosthwaite, Faircloth, Goldman, Jackson, Lerman, Marley, McKenney, Muse, Pineau, Piotti, Rosen, Stedman.

Yes, 90; No, 48; Absent, 13; Excused, 0.

90 having voted in the affirmative and 48 voted in the negative, with 13 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Resolve was **READ ONCE. Committee Amendment "A" (H-723)** was **READ** by the Clerk and **ADOPTED.** The Resolve was assigned for **SECOND READING** Tuesday, January 10, 2006.

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Resolve, Directing the State Police and the County Sheriff's Departments To Enter into a Call-sharing Agreement (H.P. 783) (L.D. 1140)

Signed:

Senators:

DIAMOND of Cumberland
CLUKEY of Aroostook

Representatives:

PLUMMER of Windham
HANLEY of Gardiner
GREELEY of Levant
CHURCHILL of Washburn
SYKES of Harrison
GROSE of Woolwich
DAVIS of Augusta

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-724)** on same Resolve.

Signed:

Representatives:

BLANCHETTE of Bangor
GERZOFISKY of Brunswick
PARADIS of Frenchville

READ.

On motion of Representative BLANCHETTE of Bangor, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-728)** on Bill "An Act To Establish a Maternal and Infant Death Review Panel"

(H.P. 984) (L.D. 1420)

Signed:

Senators:

MAYO of Sagadahoc
ROSEN of Hancock

Representatives:

CAMPBELL of Newfield
SHIELDS of Auburn
PINGREE of North Haven
WALCOTT of Lewiston
WEBSTER of Freeport
MILLER of Somerville
BURNS of Berwick

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

Signed:

Representatives:

LEWIN of Eliot
GROSE of Woolwich
GLYNN of South Portland

Representative SOCKALEXIS of the Penobscot Nation - of the House - supports the Minority **Ought Not to Pass** Report.

READ.

On motion of Representative PINGREE of North Haven, the Majority **Ought to Pass as Amended** Report was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-728)** was **READ** by the Clerk and **ADOPTED.** The Bill was assigned for **SECOND READING** Tuesday, January 10, 2006.

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-725)** on Bill "An Act To Increase the Minimum Wage"

(H.P. 174) (L.D. 235)

Signed:

Senators:

BARTLETT of Cumberland
STRIMLING of Cumberland

Representatives:

CLARK of Millinocket
TUTTLE of Sanford
SMITH of Van Buren
DRISCOLL of Westbrook
HUTTON of Bowdoinham

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

Signed:

Senator:

SNOWE-MELLO of Androscoggin

Representatives:

CRESSEY of Cornish
HAMPER of Oxford
HALL of Holden
DUPREY of Hampden

READ.

Representative SMITH of Van Buren moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-729)** on Bill "An Act To Extend Term Limits"

(H.P. 371) (L.D. 496)

Signed:

Senators:

MITCHELL of Kennebec
GAGNON of Kennebec
PLOWMAN of Penobscot

Representatives:

PATRICK of Rumford
PINKHAM of Lexington Township
MOORE of Standish
FISHER of Brewer
TUTTLE of Sanford

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

Signed:

Representatives:

HOTHAM of Dixfield
VALENTINO of Saco
OTT of York

READ.

On motion of Representative PATRICK of Rumford, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act Concerning Dismantling of Railroad Track"

(H.P. 386) (L.D. 510)

Signed:

Senators:

DAMON of Hancock
SAVAGE of Knox

Representatives:

HOGAN of Old Orchard Beach
COLLINS of Wells
BROWNE of Vassalboro
THOMAS of Ripley

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-726)** on same Bill.

Signed:

Representatives:

MARLEY of Portland
MAZUREK of Rockland

READ.

Representative SAMPSON of Auburn moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

reporting **Ought to Pass as Amended by Committee Amendment "B" (H-730)**

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

SENATE PAPERS

The following Joint Order: (S.P. 745)
ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 10, 2006, at 10:00 in the morning.

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

Bill "An Act To Ensure the Continued Ability of the Maine Economic Growth Council To Produce the Measures of Growth Report"

(S.P. 744) (L.D. 1946)

Bill "An Act To Save the Marine Technology Center and Strengthen Maine's Boatbuilding Workforce"

(S.P. 746) (L.D. 1948)

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

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

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

On motion of Representative CLOUGH of Scarborough, the House adjourned at 12:09 p.m., until 10:00 a.m., Tuesday, January 10, 2006 pursuant to the Joint Order (S.P. 745).

CONSENT CALENDAR

First Day

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

(H.P. 1027) (L.D. 1464) Bill "An Act To Amend the Laws Relating to Motorized Scooters, Motor-driven Cycles and Mopeds" (EMERGENCY) Committee on **TRANSPORTATION**