

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-Third Legislature
State of Maine

Volume I

First Regular Session

December 6, 2006 - June 5, 2007

Pages 1-681

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
FIRST REGULAR SESSION
5th Legislative Day
Tuesday, January 16, 2007

The House met according to adjournment and was called to order by the Speaker.
Prayer by Pastor Kevin Hatch, Houlton Full Gospel Assembly.
National Anthem by Doris Langlais, Winthrop.
Pledge of Allegiance.
Doctor of the day, Jo Linder, M.D., Falmouth.
The Journal of Tuesday, January 9, 2007 was read and approved.

SENATE PAPERS

The following Joint Order: (S.P. 10)
ORDERED, the House concurring, that the Joint Rules be amended by adding a new Joint Rule 219 to read:
Rule 219. Legislation that exceeds spending limitations.
Any legislation that exceeds the spending limitations established under the Maine Revised Statutes, Title 5, section 1534 must be proposed in a separate measure that addresses the excess amount solely and that may be enacted only by a 2/3 vote of the elected members of each chamber.
This rule expires December 2, 2008.
Came from the Senate, **READ** and **PASSED**.
READ.
On motion of Representative GERZOFKY of Brunswick, **TABLED** pending **PASSAGE** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 31)

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

January 10, 2007
Hon. Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk MacFarland:
Pursuant to my authority under Title 5, §3371, I am pleased to appoint Representative Benjamin Pratt to the Maine Fire Protection Services Commission.
If you have any questions regarding this appointment, please feel free to contact me.
Sincerely,
S/Glenn Cummings
Speaker of the House
READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 30)

LEGISLATIVE YOUTH ADVISORY COUNCIL

January 3, 2007
The Honorable Beth Edmonds, President
Maine State Senate
The Honorable Glenn Cummings, Speaker
Maine House of Representatives
State House
Augusta, Maine 04333
Dear President Edmonds and Speaker Cummings:

Pursuant to Public Law 2005, chapter 616, the Legislative Youth Advisory Council is pleased to submit its final report. Copies of the report have been placed on file with the Law and Legislative Reference Library.

Sincerely,
S/Senator Elizabeth H. Mitchell, Co-Chair
READ and with accompanying papers **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills, Resolves and Resolutions 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 Allocate a Portion of the Land for Maine's Future Fund for the Purchase of Archeological Sites"
(H.P. 127) (L.D. 145)
Sponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.
Cosponsored by Representatives: LORING of the Penobscot Nation, MILLER of Somerville, PERRY of Calais, PIEH of Bremen, TIBBETTS of Columbia, Senator: RAYE of Washington.
Bill "An Act To Prohibit Certain Uses of Monosodium Glutamate"
(H.P. 156) (L.D. 185)

Sponsored by Representative ANNIS of Dover-Foxcroft.
Cosponsored by Senator SHERMAN of Aroostook and Representatives: DUCHESNE of Hudson, FINCH of Fairfield, JOY of Crystal, RICHARDSON of Carmel, RICHARDSON of Greenville.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Provide Funding to the St. Francis Water District for New Wells"
(H.P. 157) (L.D. 186)
Sponsored by Representative JACKSON of Allagash.
Cosponsored by Senator MARTIN of Aroostook.
Bill "An Act To Increase Access to Child Care and Early Education for Maine's Working Families"
(H.P. 158) (L.D. 187)
Sponsored by Representative RAND of Portland.
Cosponsored by Representatives: MARLEY of Portland, PINGREE of North Haven, WALCOTT of Lewiston.
Bill "An Act To Invest in an Allied Health Center at Northern Maine Community College"
(H.P. 160) (L.D. 189)
Sponsored by Representative FISCHER of Presque Isle.
Cosponsored by Senator SHERMAN of Aroostook and Representatives: CLEARY of Houlton, EDGECOMB of Caribou, JACKSON of Allagash, JOY of Crystal, LUNDEEN of Mars Hill, THERIAULT of Madawaska, Senator: MARTIN of Aroostook.
Bill "An Act To Fund Business Attraction Efforts"
(H.P. 161) (L.D. 190)
Sponsored by Representative BEAUDETTE of Biddeford.
Cosponsored by Senator SULLIVAN of York and Representatives: BARSTOW of Gorham, CASAVANT of Biddeford, FARRINGTON of Gorham, PRESCOTT of Topsham, RECTOR of Thomaston, SMITH of Monmouth, WATSON of Bath.

Bill "An Act To Establish More Probation Officer Positions in the Department of Corrections for Better Oversight of Sex Offenders"

(H.P. 165) (L.D. 194)

Sponsored by Representative CROCKETT of Augusta.
Cosponsored by Senator McCORMICK of Kennebec and Representatives: FLOOD of Winthrop, HANLEY of Gardiner, HASKELL of Portland, PLUMMER of Windham, ROBINSON of Raymond, SILSBY of Augusta, Senators: COURTNEY of York, MITCHELL of Kennebec.

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2007" (EMERGENCY)

(H.P. 186) (L.D. 215)

Sponsored by Representative FISCHER of Presque Isle. (GOVERNOR'S BILL)

Cosponsored by Senator ROTUNDO of Androscoggin.

Bill "An Act To Authorize a General Fund Bond Issue To Encourage Municipal High-speed Internet Access"

(H.P. 189) (L.D. 218)

Sponsored by Representative BLISS of South Portland.
Cosponsored by Senator STRIMLING of Cumberland and Representatives: BARSTOW of Gorham, CAIN of Orono, FISCHER of Presque Isle, PINGREE of North Haven, Senator: BARTLETT of Cumberland.

Bill "An Act To Establish a Financial Literacy Program"

(H.P. 187) (L.D. 216)

Sponsored by Representative CANAVAN of Waterville.
Cosponsored by Senator SULLIVAN of York and Representatives: Speaker CUMMINGS of Portland, FISCHER of Presque Isle, PIOTTI of Unity, RECTOR of Thomaston, ROSEN of Bucksport, TRINWARD of Waterville, WEBSTER of Freeport, Senator: MILLS of Somerset.

Submitted by the Treasurer of State pursuant to Joint Rule 204.

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

On motion of Representative FISCHER of Presque Isle, the Bill was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, ordered printed and sent for concurrence.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Enhance Self-defense"

(H.P. 128) (L.D. 146)

Sponsored by Representative CEBRA of Naples.
Cosponsored by Representatives: DUPREY of Hampden, HAMPER of Oxford, LANSLEY of Sabattus, ROBINSON of Raymond, SAVIELLO of Wilton, Senators: COURTNEY of York, SNOWE-MELLO of Androscoggin.

Bill "An Act To Require as a Condition of Probation for Sex Offenders the Approval of a Residence by a Probation Officer"

(H.P. 129) (L.D. 147)

Sponsored by Representative CROCKETT of Augusta.
Cosponsored by Senator COURTNEY of York and Representatives: FLOOD of Winthrop, HANLEY of Gardiner, HASKELL of Portland, PLUMMER of Windham, ROBINSON of Raymond, SILSBY of Augusta, Senators: BRYANT of Oxford, MITCHELL of Kennebec.

Bill "An Act To Provide Fairness in Concealed Weapon Reciprocity Agreements"

(H.P. 130) (L.D. 148)

Sponsored by Representative CEBRA of Naples.
Cosponsored by Senator HASTINGS of Oxford and Representatives: CLARK of Millinocket, CROSTHWAITE of Ellsworth, FLETCHER of Winslow, HAMPER of Oxford, LANSLEY of Sabattus, ROBINSON of Raymond, SAVIELLO of Wilton, TARDY of Newport.

Bill "An Act To Take into Account the Crime Committed That Facilitated a Sexual Assault"

(H.P. 131) (L.D. 149)

Sponsored by Representative CROCKETT of Augusta.
Cosponsored by Senator MITCHELL of Kennebec and Representatives: CEBRA of Naples, GROSE of Woolwich, HASKELL of Portland, ROBINSON of Raymond, SILSBY of Augusta, TIBBETTS of Columbia, TRINWARD of Waterville, Senator: BRYANT of Oxford.

Bill "An Act To Prevent Certain Sex Offenders from Having Contact with Persons less than 14 Years of Age"

(H.P. 162) (L.D. 191)

Sponsored by Representative CROCKETT of Augusta.
Cosponsored by Senator COURTNEY of York and Representatives: FLOOD of Winthrop, HANLEY of Gardiner, McDONOUGH of Scarborough, ROBINSON of Raymond, SILSBY of Augusta, SIMPSON of Auburn, TIBBETTS of Columbia, Senator: BRYANT of Oxford.

Resolve, Directing the Department of Public Safety To Make a Map Available on the Sex Offender Registry

(H.P. 163) (L.D. 192)

Sponsored by Representative SILSBY of Augusta.
Cosponsored by Senator DIAMOND of Cumberland and Representatives: BROWNE of Vassalboro, CONNOR of Kennebunk, CROCKETT of Augusta, FLOOD of Winthrop, HILL of York, MIRAMANT of Camden, SAMSON of Auburn, Senator: McCORMICK of Kennebec.

Bill "An Act To Restrict Access to Certain Websites by Sex Offenders"

(H.P. 164) (L.D. 193)

Sponsored by Representative FISCHER of Presque Isle.
Cosponsored by Senator DIAMOND of Cumberland.

Bill "An Act To Promote the Safety of Children"

(H.P. 166) (L.D. 195)

Sponsored by Representative SIMPSON of Auburn.
Cosponsored by Senator DIAMOND of Cumberland and Representatives: BLANCHETTE of Bangor, BRYANT of Windham, TARDY of Newport.

Bill "An Act To Use Forfeited Bail Money for the Victims of an Offender"

(H.P. 190) (L.D. 219)

Sponsored by Representative HANLEY of Gardiner.
Cosponsored by Senator McCORMICK of Kennebec and Representatives: FISCHER of Presque Isle, HARLOW of Portland, MAZUREK of Rockland, SCHATZ of Blue Hill, SYKES of Harrison, WEDDELL of Frankfort.

Bill "An Act To Clarify and Expand Maine Criminal Laws Related to Sexual Assault"

(H.P. 191) (L.D. 220)

Sponsored by Representative GERZOFISKY of Brunswick.
Cosponsored by Senator SHERMAN of Aroostook and Representatives: BLANCHETTE of Bangor, SYKES of Harrison.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act To Provide a Felony Penalty for Assault on a Firefighter"

(H.P. 201) (L.D. 239)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Representatives: ANNIS of Dover-Foxcroft, BLANCHETTE of Bangor, GREELEY of Levant, PRATT of Eddington, RINES of Wiscasset, SMITH of Monmouth.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Amend and Improve the Education Laws Concerning Portable Space and Rule-making Authority"
(H.P. 132) (L.D. 150)

Sponsored by Representative NORTON of Bangor.
Cosponsored by Senator MITCHELL of Kennebec.
Submitted by the Department of Education pursuant to Joint Rule 204.

Bill "An Act To Include Student Representation on the State Board of Education"
(H.P. 133) (L.D. 151)

Sponsored by Representative FARRINGTON of Gorham.
Cosponsored by Senator MITCHELL of Kennebec, Senator SCHNEIDER of Penobscot and Representatives: ADAMS of Portland, BABBIDGE of Kennebunk, NORTON of Bangor.

Bill "An Act To Modify the Maine Learning Results System"
(H.P. 167) (L.D. 196)

Sponsored by Representative FINCH of Fairfield.
Resolve, Requiring the Maine Community College System To Return Real Property and Buildings to the City of Eastport
(H.P. 192) (L.D. 221)

Sponsored by Representative NORTON of Bangor.
Bill "An Act To Ensure the Integrity of School Crisis Response Plans"
(H.P. 193) (L.D. 222)

Sponsored by Representative SIMPSON of Auburn.
Cosponsored by Senator HOBBS of York and Representatives: BRYANT of Windham, HARLOW of Portland, Senator: MITCHELL of Kennebec.

HEALTH AND HUMAN SERVICES

Bill "An Act To End Fraud in Maine's Welfare Benefit Programs"
(H.P. 150) (L.D. 168)

Sponsored by Representative WALCOTT of Lewiston.
Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: BURNS of Berwick, CAMPBELL of Newfield, CRAVEN of Lewiston, GROSE of Woolwich, LEWIN of Eliot, MAKAS of Lewiston.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Restrict the Use of Personal Watercraft on Crescent Lake and Tenney River in Raymond"
(H.P. 134) (L.D. 152)

Sponsored by Representative ROBINSON of Raymond. (BY REQUEST)
Bill "An Act To Improve the Control and Prevention of Invasive Plant Infestations"
(H.P. 135) (L.D. 153)

Sponsored by Representative EBERLE of South Portland.
Cosponsored by Senator COURTNEY of York and Representatives: BRYANT of Windham, CEBRA of Naples, FLOOD of Winthrop, JACKSON of Allagash, KOFFMAN of Bar Harbor, Senator: NASS of York.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

Bill "An Act To Require the Department of Inland Fisheries and Wildlife To Track All Stocking and Transfers of Fish"
(H.P. 144) (L.D. 162)

Sponsored by Representative WATSON of Bath.
Cosponsored by Senator PERRY of Penobscot and Representatives: KOFFMAN of Bar Harbor, SIROIS of Turner, WHEELER of Kittery.

Bill "An Act To Prohibit the Use of Nonnative Baitfish"
(H.P. 145) (L.D. 163)

Sponsored by Representative WATSON of Bath.
Cosponsored by Senator PERRY of Penobscot and Representatives: FINCH of Fairfield, KOFFMAN of Bar Harbor, SIROIS of Turner, WHEELER of Kittery.

Bill "An Act To Require the Department of Inland Fisheries and Wildlife To Fin-clip All Stocked Fish"
(H.P. 146) (L.D. 164)

Sponsored by Representative WATSON of Bath.
Cosponsored by Senator PERRY of Penobscot and Representatives: KOFFMAN of Bar Harbor, WHEELER of Kittery.

Bill "An Act To Designate the Arctic Charr as a State Heritage Fish"
(H.P. 147) (L.D. 165)

Sponsored by Representative WATSON of Bath.
Cosponsored by Senator PERRY of Penobscot and Representatives: FINCH of Fairfield, KOFFMAN of Bar Harbor, WHEELER of Kittery.

Bill "An Act To Require the Standardization of Fishing Rules"
(H.P. 148) (L.D. 166)

Sponsored by Representative WATSON of Bath.
Cosponsored by Senator PERRY of Penobscot and Representatives: KOFFMAN of Bar Harbor, WHEELER of Kittery.

Bill "An Act To Allow Military Personnel Stationed in Maine To Register All-terrain Vehicles As Residents"
(H.P. 149) (L.D. 167)

Sponsored by Representative LANSLEY of Sabattus.
Cosponsored by Senator COURTNEY of York and Representatives: CEBRA of Naples, COTTA of China, EDGECOMB of Caribou, HAMPER of Oxford, McKANE of Newcastle, ROBINSON of Raymond, SAVIELLO of Wilton, VAUGHAN of Durham.

Bill "An Act To Prevent the Domestication of Wild Turkey and Deer"
(H.P. 168) (L.D. 197)

Sponsored by Representative LANSLEY of Sabattus.
Cosponsored by Representatives: CEBRA of Naples, NASS of Acton, ROBINSON of Raymond, SAVIELLO of Wilton, VAUGHAN of Durham.

JUDICIARY

Bill "An Act To Place Land in Township 21 in Trust"
(H.P. 151) (L.D. 169)

Sponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.
Cosponsored by Senator RAYE of Washington and Representatives: LORING of the Penobscot Nation, McFADDEN of Dennysville, PERRY of Calais, TIBBETTS of Columbia.

Bill "An Act To Increase the Value of an Estate Collectible by Affidavit in Probate Law to \$20,000"
(H.P. 169) (L.D. 198)

Sponsored by Representative FLOOD of Winthrop.
Cosponsored by Senator HASTINGS of Oxford and Representatives: ADAMS of Portland, BERUBE of Lisbon, BROWNE of Vassalboro, MAREAN of Hollis, MILLS of Farmington, NASS of Acton, SIMPSON of Auburn.

Bill "An Act To Improve the Lien Process"

(H.P. 170) (L.D. 199)

Sponsored by Representative FLETCHER of Winslow.
Cosponsored by Senator McCORMICK of Kennebec and Representatives: CANAVAN of Waterville, HAMPER of Oxford, HOLMAN of Fayette, STRANG BURGESS of Cumberland.

Bill "An Act To Provide Additional Background Information to the Probate Court"

(H.P. 171) (L.D. 200)

Sponsored by Representative HAYES of Buckfield.
Cosponsored by Senator DIAMOND of Cumberland and Representatives: CLEARY of Houlton, FAIRCLOTH of Bangor, HOTHAM of Dixfield, MILLETT of Waterford, SIROIS of Turner, SYKES of Harrison.

Bill "An Act To Amend the Maine Tort Claims Act"

(H.P. 194) (L.D. 223)

Sponsored by Representative PLUMMER of Windham.
Cosponsored by Senator DIAMOND of Cumberland.

LABOR

Bill "An Act To Eliminate the Offset for Social Security and Certain Other Pensions for Unemployment Benefits"

(H.P. 137) (L.D. 155)

Sponsored by Representative CAMPBELL of Newfield.
Cosponsored by Representatives: CLARK of Millinocket, TUTTLE of Sanford, Senators: President EDMONDS of Cumberland, PERRY of Penobscot, Senator MARTIN of Aroostook and Representatives: Speaker CUMMINGS of Portland, MOORE of Standish, ROSEN of Bucksport, TARDY of Newport, Senators: COURTNEY of York, McCORMICK of Kennebec, RAYE of Washington, ROSEN of Hancock.

Bill "An Act To Increase the State's Share of Retired Teachers' Health Insurance"

(H.P. 172) (L.D. 201)

Sponsored by Representative CROCKETT of Augusta.
Cosponsored by Representatives: CRESSEY of Cornish, FINCH of Fairfield, Senator MARTIN of Aroostook, Senator SAVAGE of Knox and Representatives: CLARK of Millinocket, MIRAMANT of Camden, SILSBY of Augusta, SIMPSON of Auburn, SUTHERLAND of Chapman, Senators: DAMON of Hancock, MARRACHÉ of Kennebec, MITCHELL of Kennebec.

Bill "An Act To Provide for Minimum Wage and Overtime Coverage for Certain Domestic Workers"

(H.P. 195) (L.D. 224)

Sponsored by Representative HASKELL of Portland.
Cosponsored by Senator BRYANT of Oxford and Representatives: BURNS of Berwick, CONOVER of Oakland, DRISCOLL of Westbrook, PATRICK of Rumford, ROSEN of Bucksport.
Submitted by the Department of Labor pursuant to Joint Rule 204.

Bill "An Act To Provide Flexibility in Health Insurance for Spouses under the State Employee Health Insurance Plan"

(H.P. 196) (L.D. 225)

Sponsored by Representative FISCHER of Presque Isle.
Cosponsored by Representatives: JACKSON of Allagash, TUTTLE of Sanford.

Bill "An Act To Provide Reinstatement of Group Life Insurance for Public Employees Returning from Unpaid Military Leave"

(H.P. 136) (L.D. 154)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator SCHNEIDER of Penobscot and Representative: TUTTLE of Sanford, Senator: STRIMLING of Cumberland.

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

Committee on **LABOR** suggested.

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

LEGAL AND VETERANS AFFAIRS

Bill "An Act Concerning Student Voter Registration"

(H.P. 174) (L.D. 203)

Sponsored by Representative KNIGHT of Livermore Falls.
Cosponsored by Representatives: CHASE of Wells, FINLEY of Skowhegan, GOULD of South Berwick, LEWIN of Eliot, McLEOD of Lee, PLUMMER of Windham, SAVAGE of Falmouth, WEAVER of York.

MARINE RESOURCES

Bill "An Act To Require All Holders of Mahogany Quahog Licenses To Operate Their Own Vessels When Fishing for Quahogs"

(H.P. 138) (L.D. 156)

Sponsored by Representative EMERY of Cutler.
Cosponsored by Senator DOW of Lincoln and Representatives: BURNS of Berwick, CRAY of Palmyra, McFADDEN of Dennysville, PINKHAM of Lexington Township, SAVIELLO of Wilton, THIBODEAU of Winterport, TIBBETTS of Columbia, Senator: DAMON of Hancock.

Bill "An Act To Permit the Landing of Lobsters Harvested by Methods other than Conventional Traps" (EMERGENCY)

(H.P. 152) (L.D. 170)

Sponsored by Representative HASKELL of Portland.
Cosponsored by President EDMONDS of Cumberland, Senator BROMLEY of Cumberland and Representatives: FLETCHER of Winslow, SMITH of Monmouth.

STATE AND LOCAL GOVERNMENT

Bill "An Act Requiring the Municipal Clerk To Inspect Municipal Election Ballots"

(H.P. 173) (L.D. 202)

Sponsored by Representative BLANCHARD of Old Town.
Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: BARSTOW of Gorham, BRYANT of Windham, HOGAN of Old Orchard Beach, MAZUREK of Rockland, PATRICK of Rumford, PIEH of Bremen, SCHATZ of Blue Hill.

Resolve, To Combine Payroll and Human Resources for All State Agencies into One Central Agency

(H.P. 175) (L.D. 204)

Sponsored by Representative CRESSEY of Cornish.
Cosponsored by Representatives: BURNS of Berwick, CRAY of Palmyra, CROTHWAITE of Ellsworth, CURTIS of Madison, McFADDEN of Dennysville, SAVAGE of Falmouth, THIBODEAU of Winterport, Senator: RAYE of Washington.

Bill "An Act To Require Regulatory Impact Estimates on Private Property"

(H.P. 176) (L.D. 205)

Sponsored by Representative EMERY of Cutler.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: CRAY of Palmyra, McFADDEN of Dennysville,

PERRY of Calais, SAVIELLO of Wilton, THIBODEAU of Winterport, VAUGHAN of Durham, Senator: MILLS of Somerset.

Bill "An Act Regarding Penalties for Payments Made to the State That Are Rejected by a Financial Institution"
(H.P. 188) (L.D. 217)

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

Bill "An Act To Enhance the Concept of Representative Democracy by Ensuring Basic Compensation for Elected Representatives"
(H.P. 197) (L.D. 226)

Sponsored by Representative BURNS of Berwick.
Cosponsored by Senator STRIMLING of Cumberland and Representatives: CANAVAN of Waterville, CRAVEN of Lewiston, CRESSEY of Cornish, DRISCOLL of Westbrook, EMERY of Cutler, GERZOFKY of Brunswick, HILL of York, WHEELER of Kittery.

TAXATION

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Lower the Income Tax
(H.P. 139) (L.D. 157)

Sponsored by Representative VAUGHAN of Durham.
Bill "An Act To Allow a Local Option Sales Tax"
(H.P. 140) (L.D. 158)

Sponsored by Representative HOGAN of Old Orchard Beach.
Cosponsored by Representative EBERLE of South Portland, Senator PERRY of Penobscot and Representatives: ADAMS of Portland, BLANCHARD of Old Town, BLANCHETTE of Bangor, BLISS of South Portland, BRAUTIGAM of Falmouth, BRYANT of Windham, FAIRCLOTH of Bangor, HARLOW of Portland, HASKELL of Portland, MAZUREK of Rockland, PINGREE of North Haven, SCHATZ of Blue Hill.

Bill "An Act To Establish a Voluntary Tax Account"
(H.P. 153) (L.D. 171)

Sponsored by Representative LANSLEY of Sabattus.
Cosponsored by Senator COURTNEY of York and Representatives: CEBRA of Naples, CRESSEY of Cornish, HAMPER of Oxford, MCKANE of Newcastle, ROBINSON of Raymond, SAVIELLO of Wilton, VAUGHAN of Durham.

Bill "An Act To Increase the Property Tax Exemption for Veterans"
(H.P. 154) (L.D. 172)

Sponsored by Representative NASS of Acton.
Cosponsored by Senator NASS of York and Representatives: GOULD of South Berwick, HOLMAN of Fayette, LANSLEY of Sabattus, PATRICK of Rumford, TARDY of Newport, TUTTLE of Sanford, Senators: PLOWMAN of Penobscot, ROSEN of Hancock.

Bill "An Act To Provide an Inflation Adjustment to the Income Tax Exemption for Private, Public and Military Pensions"
(H.P. 177) (L.D. 206)

Sponsored by Representative CROCKETT of Augusta.
Cosponsored by Senator SAVAGE of Knox and Representatives: CLARK of Millinocket, FLETCHER of Winslow, MILLS of Farmington, PATRICK of Rumford, TIBBETTS of Columbia, WATSON of Bath, Senators: DAMON of Hancock, MARRACHÉ of Kennebec.

Bill "An Act To Reduce the Meals and Lodging Tax"
(H.P. 178) (L.D. 207)

Sponsored by Representative CRESSEY of Cornish.
Cosponsored by Senator PLOWMAN of Penobscot and Representatives: ANNIS of Dover-Foxcroft, AUSTIN of Gray,

CEBRA of Naples, CROSTHWAITE of Ellsworth, HAMPER of Oxford, LANSLEY of Sabattus, McDONOUGH of Scarborough, RICHARDSON of Warren.

Bill "An Act To Eliminate Tax Increment Financing for Retail Businesses"
(H.P. 179) (L.D. 208)

Sponsored by Representative SIMPSON of Auburn.
Cosponsored by Senator STRIMLING of Cumberland and Representatives: HARLOW of Portland, WOODBURY of Yarmouth, Senator: MILLS of Somerset.

Bill "An Act To Allow the Reimbursement of Motor Vehicle Excise Taxes in Certain Cases"
(H.P. 198) (L.D. 227)

Sponsored by Representative HOLMAN of Fayette.
Cosponsored by Representative CLARK of Millinocket and Representative: FLETCHER of Winslow.

TRANSPORTATION

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate a Portion of Vehicle Registration Fees To Fund Veterans' Cemeteries
(H.P. 141) (L.D. 159)

Sponsored by Representative EDGECOMB of Caribou.
Cosponsored by Senator McCORMICK of Kennebec and Representatives: AYOTTE of Caswell, BERUBE of Lisbon, COTTA of China, FAIRCLOTH of Bangor, HAYES of Buckfield, LANSLEY of Sabattus, TUTTLE of Sanford.

Bill "An Act To Provide Safe All-terrain Vehicle Access on Public Ways"
(H.P. 142) (L.D. 160)

Sponsored by Representative MARLEY of Portland.
Cosponsored by Senator BRYANT of Oxford and Representative: PIEH of Bremen.
Submitted by the Department of Transportation pursuant to Joint Rule 204.

Bill "An Act To Prohibit the Use of Cellular Telephones by Minors while Driving"
(H.P. 143) (L.D. 161)

Sponsored by Representative HOGAN of Old Orchard Beach.
Cosponsored by Representative JACKSON of Allagash, Senator COURTNEY of York and Representatives: BLANCHARD of Old Town, HANLEY of Gardiner, HOTHAM of Dixfield, MacDONALD of Boothbay, MAZUREK of Rockland, PATRICK of Rumford, PIEH of Bremen, SIMPSON of Auburn.

Bill "An Act To Allow a Newspaper Carrier To Use Flashing Amber Lights on That Carrier's Vehicle"
(H.P. 155) (L.D. 173)

Sponsored by Representative FINLEY of Skowhegan.
Cosponsored by Representatives: CRAY of Palmyra, CURTIS of Madison, PINKHAM of Lexington Township, Senator: MILLS of Somerset.

Bill "An Act To Require That a Person Be a Maine Resident in Order To Be Issued a Maine Driver's License"
(H.P. 180) (L.D. 209)

Sponsored by Representative BROWNE of Vassalboro.
Cosponsored by Senator COURTNEY of York and Representatives: BERUBE of Lisbon, CEBRA of Naples, LEWIN of Eliot, McLEOD of Lee, THOMAS of Ripley, Senator: SAVAGE of Knox.

Bill "An Act Relating to the Use of Dealer Plates"
(H.P. 181) (L.D. 210)

Sponsored by Representative MARLEY of Portland.
Bill "An Act To Allow a Truck Driver To Haul a Trailer on a Highway If That Driver Has a Point-to-point Permit"

(H.P. 182) (L.D. 211)

Sponsored by Representative JACKSON of Allagash.
Cosponsored by Senator MARTIN of Aroostook and
Representatives: BROWNE of Vassalboro, HOGAN of Old
Orchard Beach, MARLEY of Portland, MAZUREK of Rockland,
PATRICK of Rumford, THERIAULT of Madawaska, THOMAS of
Ripley, Senator: DAMON of Hancock.

Bill "An Act Regarding Penalties for Logbook Violations"

(H.P. 183) (L.D. 212)

Sponsored by Representative JACKSON of Allagash.
Cosponsored by Senator MARTIN of Aroostook and
Representatives: BROWNE of Vassalboro, HOGAN of Old
Orchard Beach, MARLEY of Portland, MAZUREK of Rockland,
THERIAULT of Madawaska, THOMAS of Ripley.

Bill "An Act To Establish an Airport Managers Training
Program"

(H.P. 184) (L.D. 213)

Sponsored by Representative MIRAMANT of Camden.
Cosponsored by Senator BOWMAN of York and
Representatives: BRAUTIGAM of Falmouth, CONNOR of
Kennebunk, HAYES of Buckfield, SILSBY of Augusta, WALKER
of Lincolnville, WATSON of Bath, WEAVER of York.

Bill "An Act To Establish a Special Veterans License Plate for
Motorcycles"

(H.P. 199) (L.D. 228)

Sponsored by Representative BURNS of Berwick.
Cosponsored by Senator SULLIVAN of York and
Representatives: CANAVAN of Waterville, CARTER of Bethel,
DRISCOLL of Westbrook, EMERY of Cutler, GREELEY of
Levant, HILL of York, MARLEY of Portland, WHEELER of Kittery.

Bill "An Act To Authorize a General Fund Bond Issue for
Public Transportation in Rural Areas"

(H.P. 159) (L.D. 188)

Sponsored by Representative SCHATZ of Blue Hill.
Cosponsored by Senator DAMON of Hancock and
Representatives: HOGAN of Old Orchard Beach, MILLER of
Somerville, PINGREE of North Haven.

Committee on **TRANSPORTATION** suggested.

On motion of Representative MARLEY of Portland, the Bill
was **REFERRED** to the Committee on **APPROPRIATIONS AND
FINANCIAL AFFAIRS**, ordered printed and sent for concurrence.

UTILITIES AND ENERGY

Bill "An Act To Facilitate the Establishment of Tribal Electric
Utility Districts"

(H.P. 200) (L.D. 229)

Sponsored by Representative PINGREE of North Haven.
Cosponsored by Representative LORING of the Penobscot
Nation and Representatives: EMERY of Cutler, FLETCHER of
Winslow, MOORE of Standish, RINES of Wiscasset,
SOCTOMAH of the Passamaquoddy Tribe, Senators:
MARRACHÉ of Kennebec, PERRY of Penobscot, RAYE of
Washington.

Pursuant to Statute

Intergovernmental Advisory Commission

Representative BARSTOW for the **Intergovernmental
Advisory Commission** pursuant to the Maine Revised Statutes,
Title 30-A, section 2181, subsection 4, paragraph F asks leave to

report that the accompanying Resolve, To Improve the
Professional Development of County Officials

(H.P. 126) (L.D. 142)

Be **REFERRED** to the Committee on **STATE AND LOCAL
GOVERNMENT** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve
REFERRED to the Committee on **STATE AND LOCAL
GOVERNMENT** and ordered printed pursuant to Joint Rule 218.
Sent for concurrence.

Pursuant to Statute

Intergovernmental Advisory Commission

Representative BARSTOW for the **Intergovernmental
Advisory Commission** pursuant to the Maine Revised Statutes,
Title 30-A, section 2181, subsection 4, paragraph F asks leave to
report that the accompanying Bill "An Act To Initiate the
Intergovernmental Advisory Commission's Blueprint for
Government"

(H.P. 185) (L.D. 214)

Be **REFERRED** to the Committee on **STATE AND LOCAL
GOVERNMENT** and printed pursuant to Joint Rule 218.

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

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the
following items:

Recognizing:

Morris Yachts, Inc., of Bass Harbor, whose M42 has won in
the Special-Purpose Cruisers "Nothing Quite Like It" category of
Cruising World's Boat of the Year contest. Morris Yachts, Inc. is
a family-owned business that has been in operation for over 30
years with a product line that has set the standard for luxury and
performance among those in the yachting profession. We
congratulate president D. Cuyler Morris and the employees of
Morris Yachts, Inc. on this special recognition and offer our best
wishes for continued success;

(HLS 37)

Presented by Representative CROSTHWAITE of Ellsworth.
Cosponsored by Senator DAMON of Hancock, Representative
PINGREE of North Haven.

On **OBJECTION** of Representative CROSTHWAITE of
Ellsworth, was **REMOVED** from the Special Sentiment Calendar.
READ.

The **SPEAKER**: The Chair recognizes the Representative
from Ellsworth, Representative Crosthwaite.

Representative **CROSTHWAITE**: Thank you Mr. Speaker.
Mr. Speaker, Ladies and Gentlemen of the House. Morris Yachts
has been in operation for over three decades. The product line
includes sail and power yachts, with a fine reputation for luxury,
performance and great value. It has truly set the standard for
yachtsmen around the world.

Tom Morris began this endeavor in 1972, and son Cuyler,
who is now the President of the company, joined him in 1995.
Tom's family had been vacationing in Maine during the summers
since 1886, so his love for sailing and the sea were with him
since birth. The family "A Class" boat, Manchester 17, was
bought by Tom's grandfather in 1911, and served five
generations until 1975 when Tom and his brother Bill donated her
to the Mystic Seaport. She was sailed from Maine to Mystic as

living proof that age and longevity are a function of good design, construction and maintenance.

Morris Yachts has grown steadily over the years building a range of semi-custom finished sail and powerboats which now number close to 200. To the best of our knowledge every Morris Yacht is sailing today but for one, a 25' Pemaquid Friendship Sloop, used as a prop in the movie *The Truman Story*. Today, the yachts range in size from 34 to 62 feet, with all sharing the fine craftsmanship, outstanding custom woodworking and robust construction methods people have now come to expect from this great company. Customer pride and satisfaction have been the driving force in their growth and in their success.

After a number of years, they outgrew their facilities in Southwest Harbor, purchased a deepwater marine facility in nearby Bass Harbor. The Bass Harbor facility is now home to Morris Service with heated indoor storage, a 35 ton travel lift, brokerage offices and home base to the growing fleet of charter boats. They also operate a fully serviced facility in Trenton.

Although Morris Yachts is a family run business supported by a highly skilled team of professional boat builders, service technicians and sales personnel, some of whom we're privileged to have here with us today. It is indeed an honor Mr. Speaker, to recognize and to congratulate a real Maine business, Morris Yachts, Inc. Whose M42 has just won in the Special-Purpose Cruisers "Nothing Quite Like It" category of *Cruising World's* Boat of the Year contest. I want to congratulate them and invite the members of the House to join me. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative **PINGREE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I first want to thank the good Representative from Ellsworth, Representative Crosthwaite for putting this Sentiment in this morning. Morris Yachts is located in part of my district, on Mount Desert Island. A number of our constituents, both I and Representative Crosthwaite and Representative Koffman's constituents, work for this fine company. And I want to congratulate them on a very well deserved honor, the "Nothing Quite Like It" category. I grew up in a family of boat builders. My dad has built boats for my entire life and I have to say, I think this is going to be an exciting session for boat building.

A number of members of this legislative body were at the University of Maine at Orono last week at the Wood Composites Lab, and Morris Yachts has been at the cutting edge of composites for the last several years, getting several MTI grants. These are some of the best jobs in the State of Maine. We talk about the future of our economy and I have to tell you, Mainers have always been boat builders. They're rising to the top level of the boat-building field in the country. And I hope through our actions, through bond funding, through potential tax legislation, we can do everything we can to support this industry.

I'm very proud to have Morris Yachts in my district. I'm very proud of the work they have done. And I'm very proud of the type of employer that they are for the State of Maine. They provide good jobs, benefits and a really proud tradition that I think will live for long time in this state, as long as we as legislators continue to recognize that it's important. Thank you Mr. Speaker, and again, I congratulate Morris Yachts.

The SPEAKER: The Chair recognizes the Representative from Bar Harbor, Representative Koffman.

Representative **KOFFMAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. There is much fanfare these days over the findings and recommendations of the so-called Brookings Report. That report reminds us that Maine processes a globally known, enviable brand. Not that we need

reminding. The report also points to how economic restructuring is producing quality jobs in a merging, innovative cluster, such as biotechnology advanced materials in boatbuilding.

Today the Legislature recognizes Morris Yachts' boat building excellence. Morris Yachts is indeed contributing to Maine's known brand for high caliber workmanship and design innovations. Their latest award for the M42 is described in *Cruising World* magazine as, I quote, "The finest example of American boat building that exists. Not only in the company's execution of the craft, but also in the innovation." I am pleased to join my colleagues in honoring Morris Yachts' company and welcoming several members of the family and staff to today's session. Thank you Mr. Speaker.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

Recognizing:

Roger Richmond, of Freeport, architect, professor and designer, for the exceptional collection of his architectural design work that displays and reflects the emotional consciousness of our State's and our nation's history. Mr. Richmond is a registered architect and Professor of Architecture at the University of Maine at Augusta. He is the designer of a proposed memorial for Dr. Martin Luther King, Jr. that was submitted to a national competition in Washington, D.C. We are honored that the proposed memorial is displayed in the Maine State House and will honor Mr. King in other locations within Maine. Mr. Richmond's concept is a memorializing statement of Dr. King's enduring and moving dream of social freedom and equality for every person. In addition, Mr. Richmond won the national competition to design a Vietnam Veterans Memorial for the State of Maine which is located in Capitol Park. He was the first architect commissioned by NASA to design zero and artificial gravity living environments for space stations and planetary fly-by missions. In 2001, Mr. Richmond was named the Student's Choice Faculty of the Year. We extend our congratulations and thanks to Mr. Richmond for his dedication, his insight and his contributions to our State and to the nation;

(HLS 44)

Presented by Representative WEBSTER of Freeport.
Cosponsored by President EDMONDS of Cumberland.

On **OBJECTION** of Representative WEBSTER of Freeport, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, January 9, 2007, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Require Notification when a Vehicle Is Towed"
(H.P. 87) (L.D. 95)

(Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested)

TABLED - January 9, 2007 (Till Later Today) by Representative SMITH of Monmouth.

PENDING - REFERENCE.

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

Resolve, To Deny Family Status to Fetuses
(H.P. 47) (L.D. 49)
(Committee on **HEALTH AND HUMAN SERVICES** suggested)
TABLED - January 9, 2007 (Till Later Today) by Representative PERRY of Calais.
PENDING - **REFERENCE**.

On motion of Representative PERRY of Calais, the Resolve was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, ordered printed and sent for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue for Maine's Roads and Bridges"
(H.P. 58) (L.D. 60)
(Committee on **TRANSPORTATION** suggested)
TABLED - January 9, 2007 (Till Later Today) by Representative BROWNE of Vassalboro.
PENDING - **REFERENCE**.

On motion of Representative MARLEY of Portland, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, ordered printed and sent for concurrence.

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

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

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

Expression of Legislative Sentiment recognizing Roger Richmond, of Freeport.
(HLS 44)
Which was **TABLED** by Representative WEBSTER of Freeport pending **PASSAGE**.

The **SPEAKER**: The Chair recognizes the Representative from Freeport, Representative Webster.

Representative **WEBSTER**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is my pleasure to rise and honor Roger Richmond of Freeport, whose work honors the late Reverend Martin Luther King, Jr. I hope that you have an opportunity to see this work, which is out in the rotunda. With the work, Mr. Richmond has designed a memorial sculpture in an environment, created an environment that brings one into the experience of Mr. King, Reverend King, and honors a legacy.

Maine has a history of honoring the legacy of Reverend Martin Luther King, and if I might digress for a moment, unfortunately, the Honorable Gerald Talbot, who served in the 1970's in this body, was unable to attend to day. He very much wants to see the piece and will be coming on another day, but called to say he was unable to come. The Honorable Gerald

Talbot submitted legislation in the 1970's that requested that the holiday of Martin Luther King be made a state holiday, which was finally accomplished in the 80's.

One last note is that we have as an original Mainer, Elijah Parish Lovejoy, who was an abolitionist publisher, whose words were quoted by Martin Luther King. Mr. Lovejoy was from Albion, Maine and he graduated from Colby College. And it was he who first said, "As long as one man is not free, I am not free. As long as one man lacks justice, I suffer injustice". It is with these words that I am pleased that Roger Richmond is here today, will be available to all of us to speak and learn more about this piece. And hopefully the future of the model, and perhaps some further legacy from Maine. Thank you Mr. Speaker.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

SENATE PAPERS

The following Joint Order: (S.P. 62)
ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 23, 2007 at 10:00 in the morning.
Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

Bill "An Act To Clarify the Requirements for Temporary Licensure of Psychologists"
(S.P. 59) (L.D. 177)
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 Establish a 'Do Not Fax' List"
(S.P. 79) (L.D. 242)
Came from the Senate, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

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

Bill "An Act To Amend the Laws Governing Cases Involving the Plea or Finding of Not Criminally Responsible by Reason of Insanity"
(S.P. 65) (L.D. 182)

Bill "An Act To Require Maine To Submit DNA Samples of Sex Offenders to the National DNA Registry"
(S.P. 76) (L.D. 238)
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 Protect Children's Health on School Grounds"
(S.P. 67) (L.D. 184)
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 Fund Youth Conservation Education"
(S.P. 57) (L.D. 175)

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 Consumers in the Home Appraisal Process"
(S.P. 66) (L.D. 183)

Bill "An Act To Modify the Laws Regarding Garnishment of Wages"
(S.P. 69) (L.D. 231)

Bill "An Act To Amend the Laws Concerning the Assessment of Rates for Workers' Compensation"
(S.P. 72) (L.D. 234)

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 the Reporting of Sexual Abuse"
(S.P. 60) (L.D. 178)

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 Provide Funds for Voice-activated Telephones"
(S.P. 71) (L.D. 233)

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

Bill "An Act To Establish November as Lung Cancer Awareness Month"
(S.P. 80) (L.D. 243)

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 Allow Direct-to-consumer Wine and Malt Liquor Sales"
(S.P. 54) (L.D. 143)

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 Support Maine's Free Clinics"
(S.P. 55) (L.D. 144)

Bill "An Act To Increase the County Share of the Real Estate Transfer Tax"
(S.P. 56) (L.D. 174)

Bill "An Act To Make Changes to the Maine Residents Property Tax Program"
(S.P. 61) (L.D. 179)

Bill "An Act To Exempt from the Income Tax Military Pay of Maine Residents Who Are Members of the Armed Services Stationed outside of the State Earned while on Active Duty"
(S.P. 74) (L.D. 236)

Bill "An Act To Amend the Maine Tree Growth Tax Law"
(S.P. 75) (L.D. 237)

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

Bill "An Act To Provide for a Change in Gender Designation on a Driver's License"
(S.P. 63) (L.D. 180)

Resolve, To Reduce the Cost of Moving Modular Homes and Increase Traffic Safety
(S.P. 64) (L.D. 181)

Resolve, To Direct the Department of Transportation to Establish the Elton R. Brooks Memorial Rest Area and Boat Launching Facility
(S.P. 70) (L.D. 232)

Bill "An Act To Allow a Person To Be Issued More than One Set of Disabled Veteran Registration Plates"
(S.P. 73) (L.D. 235)

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

Bill "An Act To Clarify the Scope of Conservation Programs with Respect to Electricity Use"
(S.P. 68) (L.D. 230)

Bill "An Act To Establish a Discounted Cable Rate for Senior Citizens and Assisted Living Facilities"
(S.P. 77) (L.D. 240)

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.

ORDERS

On motion of Representative GERZOFISKY of Brunswick, the following House Order: (H.O. 12)

ORDERED, that the House Rules be amended by amending House Rule 524 to read:

Rule 524. Amendment, adoption or repeal of rule or order. A rule or order of the House may not be altered or repealed, nor may any new standing rule or order be adopted, unless one day's previous notice is given in each case. The notice must be entered on the journal. Notwithstanding this rule and Rule 523, after the convening of the First Regular Session, and before the ~~third~~ **fourth** Friday in January in odd years, any amendment to the House Rules proposed by a House Order may be adopted by a majority vote in the House. If the amendment has already failed to be adopted during that session, it may only be adopted if, upon reconsideration, it receives the approval of two thirds of the members present in the House.

READ and PASSED.

SENATE PAPERS

Non-Concurrent Matter

Resolve, To Deny Family Status to Fetuses

(H.P. 47) (L.D. 49)

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in the House on **JANUARY 16, 2007**.

Came from the Senate **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

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

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

ORDERS

On motion of Representative **FISCHER** of Presque Isle, the following Joint Resolution: (H.P. 202)

JOINT RESOLUTION EXPRESSING THE INTENT OF THE LEGISLATURE TO ENSURE RESPONSIBLE GOVERNMENTAL EXPENDITURES

WHEREAS, the Members of the One Hundred and Twenty-second Maine Legislature enacted limitations to ensure responsible and sensible governmental expenditures; and

WHEREAS, the people of the State of Maine have placed their trust in elected officials; and

WHEREAS, we, the Members of the One Hundred and Twenty-third Maine Legislature, honor the solemn trust the people of the State of Maine have bestowed upon us; and

WHEREAS, the Attorney General of Maine has opined that a joint rules change requiring a 2/3 majority to override the spending limitations would likely be found unconstitutional, if reviewed by the Maine Supreme Judicial Court; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-third Legislature of the State of Maine now assembled in the First Regular Session, reaffirm our commitment to remain under the spending cap on governmental expenditures as enacted by the One Hundred and Twenty-second Maine Legislature; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable John Elias Baldacci, Governor of the State of Maine.

READ.

The **SPEAKER:** The Chair recognizes the Representative from Presque Isle, Representative Fischer.

Representative **FISCHER:** Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. The purpose of this Joint Resolution is to clearly state the intent of this Legislature not to exceed LD 1's caps, not about a majority vote, not about a two-thirds vote, just not to exceed the caps period. And that's what we are committed to. We should not allow this aisle to divide us. We should not allow our disagreement on issues such as these to divide us. But instead, we should today, stand together and say quite clearly to the people of the State of Maine, that we are committed to work in a bipartisan way. And to pass a bipartisan budget together. That will be what is best for the people of the State of Maine.

There are many big commitments contained both in the supplement budget the Chief Executive has presented to us, and in the biennial budget that he has presented to us. It has large investments in K-12 education, in higher education, in fulfilling our responsibilities to Maine's hospitals, to making sure there is an adequate safety net for all Mainers. All of those things, all of

them, live within the caps that the last Legislature passed. And we reaffirm our commitment to those caps here today.

The biennial budget that the Chief Executive has presented, as it stands now with revenue increases, contained therein, is still \$70 million below the spending caps in each year of the biennial, \$140 million below the spending caps. Our committee, the Appropriations Committee, is committed not to send a budget to the floor of this House that exceeds those caps. That is the pledge that I make. That is the pledge that our Caucus makes. And I ask all of you to join in that pledge. Thank you Mr. Speaker.

The **SPEAKER:** The Chair recognizes the Representative from Winthrop, Representative Flood.

Representative **FLOOD:** Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. While I am very disappointed that we are not able to find a way to approve a two-thirds majority vote on the excess above and beyond LD 1's spending caps, I do want to say that I respect the effort and the review that this proposal has caused. When I drafted the proposed rule, I knew that it would result in significant discussion at the liberation, regarding spending and the various philosophies about majority voting and supermajority voting.

Spending reform is a key necessity for our state. And the proposed rule would have formalized important discipline and scrutiny regarding state spending during the 123rd Legislature. I am pleased, however, that the Resolution that we have before us, was proposed by our Chair of the Appropriations Committee. I think that is most relevant. I am disappointed that the proposed rule will not become a reality, but I am proud however, of the important discussion that this has precipitated. And I am pleased that as a secondary solution, we may be able to pass a good Joint Resolution that pledges our constraint regarding state spending, during this Legislature.

Let's make this a meaningful pledge and work our hardest to honor it. I want to personally thank the leaders of both caucuses for listening to this proposal and giving it consideration. I appreciate the meetings with members of both parties. Particularly the Representative from Newport, Representative Tardy, the Representative from Ellsworth, Representative Crosthwaite, the Representative from Brunswick, Representative Gerzofsky, and House Democrat Leader, Representative Pingree, and you Mr. Speaker. I also appreciate the deliberations before the Joint Rules Committee and its members from both bodies. I do want to say that I will continue my pursuit to encourage greater and greater levels of discipline regarding state spending. The people of Maine deserve that and nothing less. It is critically important.

In the interim however, I graciously respect the fact that we have gone as far as we can with this today. And I thank this body for its patience. And I hope when this matter comes to a vote, we will demonstrate to the state our full commitment to control spending with 151 green lights. Again, I want to thank you all for your patience. I think we can do better and I will continue to pursue additional, reasonable spending controls. Thank you very much Mr. Speaker.

The **SPEAKER:** The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative **PINGREE:** Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I certainly don't want to stand any longer between this Chamber and lunch. But I just very briefly wanted to echo the comments of the good Chair of Appropriations. I actually wanted to thank Representative Flood for handling this matter with real respect, with real interest in pursuing a good process for this legislative body, and a real commitment to fairness. I think he has handled himself in a very

respectful way and I've enjoyed working with him. And I certainly appreciate the body's willingness to consider this Joint Resolution. Thank you Mr. Speaker.

Representative PINGREE of North Haven **REQUESTED** a roll call on **ADOPTION**.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Adoption. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 1

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Bliss, Boland, Brautigam, Browne W, Bryant, Cain, Campbell, Canavan, Carter, Casavant, Cebra, Chase, Cleary, Connor, Conover, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Duprey, Eaton, Edgecomb, Emery, Faircloth, Farrington, Finch, Finley, Fischer, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Grose, Hamper, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Holman, Hotham, Jackson, Joy, Kaenrath, Knight, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Mills, Miramant, Moore, Muse, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rand, Rector, Richardson D, Richardson E, Richardson W, Rines, Robinson, Rosen, Samson, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walcott, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - NONE.

ABSENT - Blanchette, Burns, Clark, Cressey, Dunn, Eberle, Fisher, Greeley, Hanley S, Jacobsen, Koffman, Pineau.

Yes, 139; No, 0; Absent, 12; Excused, 0.

139 having voted in the affirmative and 0 voted in the negative, with 12 being absent, and accordingly the Joint Resolution was **ADOPTED**.

Sent for concurrence.

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

Joint Order to Amend Joint Rule 219 to Require a 2/3 Vote on Legislation that Exceeds Spending Limitations

(S.P. 10)

Which was **TABLED** by Representative GERZOFSKY of Brunswick pending **PASSAGE**.

Representative GERZOFSKY of Brunswick moved that the Joint Order and all accompanying papers be **INDEFINITELY POSTPONED**.

Representative TARDY of Newport **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONED** the Joint Order and all accompanying papers.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Joint Order and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 2

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchard, Blanchette, Bliss, Boland, Brautigam, Bryant, Burns, Cain, Canavan, Carter, Casavant, Cleary, Connor,

Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Marley, Mazurek, Miller, Mills, Miramant, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pingree, Piotti, Pratt, Priest, Rand, Rines, Samson, Schatz, Silsby, Simpson, Sirois, Smith N, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner, Walcott, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Berube, Browne W, Campbell, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Duprey, Edgecomb, Emery, Finley, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Hamper, Holman, Hotham, Joy, Knight, Lansley, Lewin, Marean, McDonough, McFadden, McKane, McLeod, Millett, Moore, Muse, Nass, Pinkham, Plummer, Prescott, Rector, Richardson D, Richardson E, Richardson W, Robinson, Rosen, Savage, Saviello, Strang Burgess, Sykes, Tardy, Thibodeau, Thomas, Tibbetts, Vaughan, Walker, Weaver, Woodbury.

ABSENT - Clark, Cressey, Greeley, Jacobsen, Pineau, Watson.

Yes, 85; No, 60; Absent, 6; Excused, 0.

85 having voted in the affirmative and 60 voted in the negative, with 6 being absent, and accordingly the Joint Order and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

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

On motion of Representative TUTTLE of Sanford, the House adjourned at 1:43 p.m., until 10:00 a.m., Tuesday, January 23, 2007 pursuant to the Joint Order (S.P. 62).