

MAINE STATE LEGISLATURE

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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
9th Legislative Day
Thursday, February 1, 2007

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

Prayer by Pastor Trent Boyd, First Free Will Baptist Church, Buxton.

National Anthem by Meaghan Martin, Hollis.

Pledge of Allegiance.

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

The Journal of Tuesday, January 30, 2007 was read and approved.

SENATE PAPERS

The following Joint Order: (S.P. 131)

ORDERED, the House concurring, that:

1. Joint Standing Committee on Taxation; authorized meetings. The Joint Standing Committee on Taxation shall hold committee meetings during the First Regular Session of the 123rd Legislature to review the effectiveness of state tax policies directed to stimulate research and development activity, including, but not limited to: the current state tax credit programs that provide incentives for taxpayers engaged in research and development activities; the current state income tax rates and their impact on entrepreneurship and research and development activities; and other states' tax incentives and policies that successfully support and encourage the growth of research and development entrepreneurial and business activities. The committee may ask Maine's leading businesses in the research and development community, as well as the Department of Economic and Community Development, Office of Innovation and the Maine Science and Technology Advisory Council, for their recommendations as to how the State can amend its tax policies to stimulate the business climate and foster research and development and commercialization activities in Maine. The committee shall develop recommendations for changes to the tax code that will strengthen research and development and Maine's innovation economy and enhance the State's advancement in this area; and

2. Report. No later than April 1, 2007, the Joint Standing Committee on Taxation shall submit legislation related to its review to the First Regular Session of the 123rd Legislature.

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

READ.

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

COMMUNICATIONS

The Following Communication: (H.C. 44)

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

January 29, 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 20-A, §12304 I am pleased to reappoint Representative Anne C. Perry of Calais to the Advisory Committee on Dental Education.

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. 45)

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

January 29, 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 7, §125, I am pleased to appoint Representative Wendy Pieh of Bremen to the Board of Agriculture.

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. 46)

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

January 29, 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 22, §3739, I am pleased to reappoint Representative Deborah L. Simpson of Auburn to the Child Care Advisory Council.

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. 47)

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

January 29, 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, §1710-L, I am pleased to reappoint Representative Christopher R. Barstow of Gorham to the Commission on Performance Budgeting.

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. 48)

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

January 29, 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 30-A, §2181, I am pleased to reappoint Representative Christopher R. Barstow of Gorham as cochair of the Intergovernmental Advisory 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. 49)

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

January 29, 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 22, §5107-J, I am pleased to appoint Representative Elizabeth S. Miller of Somerville as House Chair to the Long-term Care Oversight Committee.

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. 50)

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

January 29, 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, §3358, I am pleased to reappoint Representative Patricia A. Blanchette of Bangor to the Maine Criminal Justice 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. 51)

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

January 29, 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, §3358, I am pleased to reappoint Representative Stan Gerzofsky of Brunswick to the Maine Criminal Justice 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. 52)

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

January 29, 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 reappoint Representative Patricia A. Blanchette of Bangor 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. 53)

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

January 29, 2007

Hon. Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Public Law 2005, Chapter 614, I am pleased to reappoint Representative John F. Piotti of Unity to the Maine Food Policy Council.

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. 54)

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

January 29, 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 §19202, I am pleased to appoint Representative Carol A. Grose of Woolwich to the Maine HIV Advisory Committee.

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. 55)

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

January 29, 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, §13033, I am pleased to appoint Representative Nancy E. Smith of Monmouth to the Maine Small Business and Entrepreneurship 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. 56)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

AUGUSTA, MAINE 04333-0002

January 29, 2007

Hon. Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Article III, Section 3.01 of the National Legislative Association on Prescription Drug Prices bylaws, I am pleased to reappoint Representative John R. Brautigam of Falmouth to the National Legislative Association on Prescription Drug Prices.

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. 57)

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

January 29, 2007

Hon. Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Article III, Section 3.01 of the National Legislative Association on Prescription Drug Prices bylaws, I am pleased to reappoint Representative Anne C. Perry of Calais to the National Legislative Association on Prescription Drug Prices.

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. 58)

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

January 29, 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 20-A, §11053, I am pleased to reappoint Representative Emily Ann Cain of Orono to the New England Board of Higher Education.

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. 59)

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

January 29, 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 34-A §3002-A, I am pleased to reappoint Representative Jacqueline R. Norton of Bangor to the Policy Review Council.

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. 60)

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

January 29, 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 1, §411, I am pleased to reappoint Representative Deborah L. Simpson of Auburn to the Right to Know Advisory Committee.

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. 61)

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

TO: Millicent M. MacFarland

Clerk of the House

FROM: S/Glenn Cummings

Speaker of the House

DATE: January 31, 2007

RE: Appointments Standing Committees of the House
123rd Legislature

Pursuant to my authority under House Rule 201.1 (J), I have made the following appointments to the Standing Committees of the House.

Bills in the Second Reading

Peter L. Rines, Chair (D-Wiscasset)

Jacqueline A. Lundeen (D-Mars Hill)

Carol A. Grose (D-Woolwich)

Teresea M. Hayes (D-Buckfield)

Roberta M. Muse (R-Fryeburg)*

James J. Campbell, Sr. (R-Newfield)

Gary E. Plummer (R-Windham)

Kimberley C. Rosen (R-Bucksport)

Engrossed Bills

Stephen P. Hanley, Chair (D-Gardiner)

Peggy A. Pendleton (D-Scarborough)

W. Bruce MacDonald (D-Boothbay)

David Miramant (D-Camden)

Richard M. Cebra (R-Naples)*

Sarah O. Lewin (R-Eliot)

Jonathan B. McKane (R-Newcastle)

Kerri L. Prescott (R-Topsham)

Ethics

Marilyn E. Canavan, Chair (D-Waterville)

Mark E. Bryant (D-Windham)

Donald E. Pilon (D-Saco)

Dawn Hill (D-York)

John C. Robinson (R-Raymond)*

James D. Annis (R-Dover-Foxcroft)

Susan M. W. Austin (R-Gray)

Robert A. Berube (R-Lisbon)

Leaves of Absence

Walter A. Wheeler, Sr., Chair (D-Kittery)

Timothy A. Carter (D-Bethel)

Robert N. Eaton (D-Sullivan)

Patricia B. Sutherland (D-Chapman)

Earl E. Richardson (R-Greenville)*

Howard E. McFadden (R-Dennysville)

Donna W. Finley (R-Skowhegan)

Windol C. Weaver (R-York)

Rules and Business of the House

The Speaker, Ex Officio

Hannah M. Pingree (D-North Haven)

Joshua A. Tardy (R-Newport)

Robert H. Crosthwaite (R-Ellsworth)

*Ranking Republican Member

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.P. 132)

**STATE OF MAINE
123RD MAINE LEGISLATURE**

January 25, 2007

Sen. Philip L. Bartlett II

Senate Chair, Joint Standing Committee on Utilities and Energy

Rep. Lawrence Bliss

House Chair, Joint Standing Committee on Utilities and Energy

123rd Legislature

Augusta, ME 04333

Dear Senator Bartlett and Representative Bliss:

Please be advised that Governor John E. Baldacci has nominated Richard Davies of Hallowell for appointment as the Public Advocate.

Pursuant to M.R.S.A. Title 35-A §1701, this nomination will require review by the Joint Standing Committee on Utilities and Energy and confirmation by the Senate.

Sincerely,

S/Beth Edmonds

President of the Senate

S/Glenn Cummings

Speaker of the House

Came from the Senate, **READ and REFERRED** to the

Committee on **UTILITIES AND ENERGY**.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009" (EMERGENCY)

(H.P. 383) (L.D. 499)

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

Cosponsored by Senator ROTUNDO of Androscoggin and Representative: MILLETT of Waterford, Senator: TURNER of Cumberland.

Bill "An Act To Provide Relief to the Commuters on Casco Bay Islands"

(H.P. 384) (L.D. 501)

Sponsored by Representative MARLEY of Portland.

Cosponsored by Senator STRIMLING of Cumberland and Representatives: RAND of Portland, STRANG BURGESS of Cumberland.

Bill "An Act To Ensure That Maine Residents Have Reliable Winter Heating Assistance"

(H.P. 385) (L.D. 502)

Sponsored by Representative FLETCHER of Winslow.

Cosponsored by Senator ROSEN of Hancock and Representatives: COTTA of China, HINCK of Portland, PLUMMER of Windham, RECTOR of Thomaston, SCHATZ of Blue Hill, STRANG BURGESS of Cumberland, TREAT of Farmingdale, Senator: PERRY of Penobscot.

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act Regarding Licensure Testing by the Oil and Solid Fuel Board"

(H.P. 363) (L.D. 479)

Sponsored by Representative DRISCOLL of Westbrook.

Cosponsored by Senator BARTLETT of Cumberland and Representatives: BABBIDGE of Kennebunk, BRYANT of Windham, CLARK of Millinocket, FARRINGTON of Gorham, JACKSON of Allagash, PEOPLES of Westbrook, TUTTLE of Sanford, WOODBURY of Yarmouth.

Resolve, To Reduce Paperwork Retention Required by the Maine State Housing Authority

(H.P. 364) (L.D. 480)

Sponsored by Representative CRESSEY of Cornish.

Cosponsored by Senator McCORMICK of Kennebec and Representatives: ANNIS of Dover-Foxcroft, AUSTIN of Gray, CEBRA of Naples, HOTHAM of Dixfield, MAREAN of Hollis, McKANE of Newcastle, THIBODEAU of Winterport, VAUGHAN of Durham.

EDUCATION AND CULTURAL AFFAIRS

Resolve, Directing the Department of Education To Review and Assess Distance Learning Opportunities for High School Students

(H.P. 365) (L.D. 481)

Sponsored by Representative FARRINGTON of Gorham.

Cosponsored by Senator MILLS of Somerset and Representatives: Speaker CUMMINGS of Portland, JACKSON of Allagash, NORTON of Bangor.

Resolve, To Conduct an Objective and Independent Review of Essential Programs and Services

(H.P. 366) (L.D. 482)

Sponsored by Representative PIEH of Bremen.

Cosponsored by Senator DOW of Lincoln and Representatives: CRAY of Palmyra, EDGECOMB of Caribou, FINCH of Fairfield, HOLMAN of Fayette, PERRY of Calais, Senators: BOWMAN of York, McCORMICK of Kennebec, SCHNEIDER of Penobscot.

Bill "An Act To Require That Public Schools Start after Labor Day"

(H.P. 367) (L.D. 483)

Sponsored by Representative VALENTINO of Saco.

Cosponsored by Representative HOLMAN of Fayette and Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford, HOGAN of Old Orchard Beach, MUSE of Fryeburg, NORTON of Bangor, STRANG BURGESS of Cumberland, Senator: COURTNEY of York.

Bill "An Act To Adjust the School Funding Formula with Regard to Unorganized Territories"

(H.P. 368) (L.D. 484)

Sponsored by Representative CARTER of Bethel.

Cosponsored by Representative SAVIELLO of Wilton, Senator BRYANT of Oxford and Representatives: CLARK of Millinocket, PATRICK of Rumford, PIEH of Bremen, Senators: BOWMAN of York, GOOLEY of Franklin, MARTIN of Aroostook, MILLS of Somerset.

HEALTH AND HUMAN SERVICES

Bill "An Act Regarding Children in the Child Welfare System"

(H.P. 371) (L.D. 487)

Sponsored by Representative CANAVAN of Waterville.

Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: CAMPBELL of Newfield, MILLER of Somerville, PENDLETON of Scarborough, TRINWARD of Waterville, WALCOTT of Lewiston, Senators: MILLS of Somerset, ROSEN of Hancock, STRIMLING of Cumberland.

Bill "An Act To Clarify the Status of a Case following the Establishment of Permanent Guardianship"

(H.P. 388) (L.D. 505)

Sponsored by Representative PERRY of Calais.

Cosponsored by Representatives: CONNOR of Kennebec, GROSE of Woolwich, WALCOTT of Lewiston.

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

On motion of Representative PERRY of Calais, **TABLED** pending **REFERENCE** and later today assigned.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Provide Free Turkey Hunting Permits to Maine Residents 80 Years of Age or Older"

(H.P. 369) (L.D. 485)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Senator GOOLEY of Franklin and Representatives: CARTER of Bethel, CLARK of Millinocket, DUCHESNE of Hudson, McFADDEN of Dennysville, MILLS of Farmington, PRATT of Eddington, WHEELER of Kittery.

Bill "An Act To Establish an Apprenticeship Hunter License Program"

(H.P. 370) (L.D. 486)

Sponsored by Representative RICHARDSON of Warren.

Cosponsored by Representative HANLEY of Gardiner and Representatives: CEBRA of Naples, FITTS of Pittsfield.

Bill "An Act Regarding the Authority of the Commissioner of Inland Fisheries and Wildlife To Issue Permits to Beagle Clubs To Trap Snowshoe Hares" (EMERGENCY)

(H.P. 386) (L.D. 503)

Sponsored by Representative CAMPBELL of Newfield.

Cosponsored by Senator BRYANT of Oxford and Representatives: BRYANT of Windham, JACKSON of Allagash, McLEOD of Lee, NASS of Acton, RICHARDSON of Carmel, SAVIELLO of Wilton, WHEELER of Kittery, Senator: NASS of York.

Bill "An Act To Require the Commissioner of Inland Fisheries and Wildlife To Reserve 250 Moose Permits for Residents Who Have Never Received One"

(H.P. 387) (L.D. 504)

Sponsored by Representative THOMAS of Ripley.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: ANNIS of Dover-Foxcroft, CEBRA of Naples, GIFFORD of Lincoln, HANLEY of Gardiner, JACKSON of Allagash, JOY of Crystal, LEWIN of Eliot, RICHARDSON of Greenville.

JUDICIARY

Bill "An Act To Amend the Child Support Laws"

(H.P. 372) (L.D. 488)

Sponsored by Representative EDGECOMB of Caribou. (BY REQUEST)

Cosponsored by Senator ROSEN of Hancock and Representatives: CARTER of Bethel, HOGAN of Old Orchard Beach, JACKSON of Allagash, Senator: McCORMICK of Kennebec.

Resolve, To Increase the Authority of the Consumer Protection Division of the Office of the Attorney General

(H.P. 373) (L.D. 489)

Sponsored by Representative TUTTLE of Sanford.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: BERUBE of Lisbon, BRYANT of Windham, CASAVANT of Biddeford, DUNN of Bangor, JACOBSEN of Waterboro, LORING of the Penobscot Nation, SIMPSON of Auburn.

Bill "An Act To Rescind the Statute of Limitations on the Ability To File a Civil Suit in Cases Dealing with Unlawful Sexual Contact"

(H.P. 389) (L.D. 506)

Sponsored by Representative MacDONALD of Boothbay.

Cosponsored by Senator DOW of Lincoln and Representatives: CLEARY of Houlton, MAZUREK of Rockland, PIEH of Bremen.

Bill "An Act Recognizing Native American Religion in Maine Prisons and Jails"

(H.P. 390) (L.D. 507)

Sponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.

Cosponsored by Representatives: CLEARY of Houlton, EATON of Sullivan, LORING of the Penobscot Nation, PERRY of Calais, PIEH of Bremen, SCHATZ of Blue Hill.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Clarify Reporting of Contributions and Expenditures by Persons Involving a Ballot Question"

(H.P. 374) (L.D. 490)

Sponsored by Representative ROBINSON of Raymond.

Cosponsored by Senator PLOWMAN of Penobscot and Representatives: CEBRA of Naples, FITTS of Pittsfield, LANSLEY of Sabattus, MILLETT of Waterford, PLUMMER of Windham, TARDY of Newport, THOMAS of Ripley, VAUGHAN of Durham.

Bill "An Act To Set Limits on Political Action Committee Contributions"

(H.P. 375) (L.D. 491)

Sponsored by Representative VALENTINO of Saco.

Cosponsored by Representatives: BEAUDOIN of Biddeford, GOULD of South Berwick, MUSE of Fryeburg, PATRICK of Rumford, PINKHAM of Lexington Township, TUTTLE of Sanford, Senator: NUTTING of Androscoggin.

Bill "An Act Concerning Citizens' Initiatives and Public Disclosure of Influence"

(H.P. 391) (L.D. 508)

Sponsored by Representative DILL of Cape Elizabeth.

Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: BLISS of South Portland, CAIN of Orono, CASAVANT of Biddeford, MILLS of Farmington.

MARINE RESOURCES

Bill "An Act To Clarify Who Receives Money from Fines for Violations of Maine's Soft-shelled Clam Laws"

(H.P. 376) (L.D. 492)

Sponsored by Representative MacDONALD of Boothbay.

Cosponsored by Senator DAMON of Hancock and Representatives: PIEH of Bremen, WEBSTER of Freeport.

Bill "An Act To Amend Laws Pertaining to Entry into the Lobster Fishery"

(H.P. 392) (L.D. 509)

Sponsored by Representative MAZUREK of Rockland.

Cosponsored by Representatives: PERCY of Phippsburg, RECTOR of Thomaston, Senator: President EDMONDS of Cumberland.

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

NATURAL RESOURCES

Resolve, To Require the Department of Environmental Protection To Provide Engineering and Permitting Assistance To Clean Up Toothaker Pond (EMERGENCY)

(H.P. 377) (L.D. 493)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Senator GOOLEY of Franklin and Representatives: CARTER of Bethel, CLARK of Millinocket, DUCHESNE of Hudson, MILLS of Farmington, Senator: SHERMAN of Aroostook.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Amend the Membership of the Advisory Council on Tax-deferred Arrangements"

(H.P. 393) (L.D. 510)

Sponsored by Representative PERRY of Calais.

Cosponsored by Representatives: CONNOR of Kennebunk, GROSE of Woolwich, PIOTTI of Unity.

TRANSPORTATION

Bill "An Act To Repeal the Motor Vehicle Inspection Laws"

(H.P. 378) (L.D. 494)

Sponsored by Representative VAUGHAN of Durham.

Cosponsored by Senator PLOWMAN of Penobscot and Representatives: AYOTTE of Caswell, CEBRA of Naples, HANLEY of Gardiner, SAVIELLO of Wilton, THOMAS of Ripley.

Bill "An Act To Add the Combat Infantryman Badge to the Special Commemorative Decals for Veterans License Plates"

(H.P. 379) (L.D. 495)

Sponsored by Representative FLETCHER of Winslow.

Cosponsored by Senator McCORMICK of Kennebec and Representatives: CARTER of Bethel, CEBRA of Naples, CROSTHWAITE of Ellsworth, FISCHER of Presque Isle, FISHER of Brewer, GERZOFKY of Brunswick, SYKES of Harrison, VAUGHAN of Durham.

Bill "An Act To Exempt Emergency Vehicles from Tolls on the Maine Turnpike"

(H.P. 380) (L.D. 496)

Sponsored by Representative EBERLE of South Portland.

Cosponsored by Senator STRIMLING of Cumberland and Representatives: BLANCHETTE of Bangor, FISHER of Brewer, FLOOD of Winthrop, HANLEY of Gardiner, McDONOUGH of Scarborough, STRANG BURGESS of Cumberland, WAGNER of Lewiston, Senator: HOBBS of York.

Bill "An Act To Allow Funeral Processions To Use Certain Lights"

(H.P. 381) (L.D. 497)

Sponsored by Representative HANLEY of Gardiner.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: BERRY of Bowdoinham, NASS of Acton, THOMAS of Ripley, WEDDELL of Frankfort.

Bill "An Act To Study the Feasibility of Locating a New Bridge in the St. David Area"

(H.P. 394) (L.D. 511)

Sponsored by Representative THERIAULT of Madawaska.

Cosponsored by Senator MARTIN of Aroostook and Representatives: HOGAN of Old Orchard Beach, JACKSON of Allagash, MARLEY of Portland, MAZUREK of Rockland, PEOPLES of Westbrook, THOMAS of Ripley.

Bill "An Act Regarding the Certification of the Required Driving Time for a License for Certain Persons under 21 Years of Age" (EMERGENCY)

(H.P. 362) (L.D. 478)

Sponsored by Representative HANLEY of Gardiner.

Cosponsored by Senator McCORMICK of Kennebec and Representatives: BLANCHARD of Old Town, CLARK of Millinocket, COTTA of China, EBERLE of South Portland, KNIGHT of Livermore Falls, McKANE of Newcastle, SAVAGE of Falmouth, SMITH of Monmouth.

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

Committee on **TRANSPORTATION** suggested.

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee and specially assigned for **SECOND READING**, Tuesday, February 6, 2007.

UTILITIES AND ENERGY

Bill "An Act To Limit the Charges for a Lost Cell Phone"

(H.P. 382) (L.D. 498)

Sponsored by Representative CRESSEY of Cornish.

Cosponsored by Senator COURTNEY of York and Representatives: ADAMS of Portland, AUSTIN of Gray, FARRINGTON of Gorham, FISHER of Brewer, FLETCHER of Winslow, GERZOFKY of Brunswick, PENDLETON of Scarborough, VAUGHAN of Durham.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Honorable Nancy Randall Clark, of Freeport, who has received the Belle Rush Award from the American Association of Retired People (AARP) for her participation in community activities and projects sponsored by the Maine chapter of AARP. Ms. Clark served in the Maine House of Representatives and the Maine Senate for more than 20 years and was president of the Maine Teachers' Association. We extend our congratulations to Ms. Clark for her well-deserved award;

(SLS 33)

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

READ.

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. I rise to briefly add to this Sentiment. The Honorable Nancy Randall Clark was my Senator in Freeport, the first person for whom I ever worked on a campaign. She is also the first woman who was ever Majority Leader of the Maine Senate. I still refer to her as Senator Clark, the Honorable Clark. She chuckles at that because to everyone in Freeport, she is known as Nancy.

She continues to be active, helping in Cumberland County politics and is a light in our community. I hope that those of you who recall Nancy will send her a note and any others who wish to say something on her behalf would contact her. She is a wonderful woman and a real inspiration to me and I appreciate your time. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative **TUTTLE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. It is indeed an honor for me to speak about the record of Nancy Randall Clark, as the good Representative from Freeport has told us, she was the first woman Senate Majority Leader, I believe in the 112th, 113th, and 114th Maine Legislatures. I worked with her on many issues, and I always tell the Senators, "She'll always be my leader." Thank you Mr. Speaker.

Subsequently, the Sentiment was **PASSED** in concurrence.

Recognizing:

the Nathan Clifford Elementary School in Portland upon the honored occasion of its 100th Anniversary, 1907-2007. Designed by noted architect John Calvin Stevens and named in honor of United States Supreme Court Justice Nathan Clifford (1858-1881), of Portland, Clifford Elementary was built in the then-open fields of the west end of the old city to serve a busy suburban population expanding beyond the ancient town peninsula. Upon its dedication it was hailed as "a schoolhouse of so fine proportions and accommodations that the pupils of that vicinity will be given facilities such as they have never enjoyed before." Clifford Elementary featured the first radio installed in a city public school and the first classes for vision-impaired students in any Maine public school and has today some of the most valuable Works Progress Administration murals remaining in any city building. Today the second-oldest continuously operating elementary school in Portland, Clifford Elementary serves students of dozens of diverse nationalities and of various incomes, blending the best of old traditions and society's newest challenges in a growing and changing city. We salute the Clifford Elementary community upon its first century of accomplishments and extend our best wishes for its next century of success in Portland, Longfellow's beloved city "that is seated by the sea";

(HLS 75)

Presented by Representative HINCK of Portland.

Cosponsored by Representative ADAMS of Portland, Representative HASKELL of Portland, Representative MARLEY of Portland, Representative RAND of Portland, Representative BRAUTIGAM of Falmouth, Speaker CUMMINGS of Portland, Representative HARLOW of Portland, Senator BRANNIGAN of Cumberland, Senator STRIMLING of Cumberland.

On **OBJECTION** of Representative HINCK of Portland, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **HINCK**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Nathan Clifford School is 100 years old. For those who know Portland, the Nathan Clifford School is two blocks from the University of Maine Law School. They are both distinguished educational institutions. The school is named for a former Speaker of this body, who was also an Attorney General in the State of Maine, a US Attorney General, a Supreme Court Justice, and a member of the US Congress. The Nathan Clifford School was designed by John Calvin Stevens, one of Maine's distinguished architects. But this Sentiment is not meant to recognize those departed dignitaries. Rather it is to recognize 100 years of education and civic accomplishments at this wonderful elementary school.

I've seen the swirl of activity around the school in the morning. I've seen the late night activities, including its dedicated parents and teachers meeting well into the night. I've seen the playground filled with families during the barbecue that begins the school year. I've talked with Nathan Clifford students about the pride they take in their school. Nathan Clifford is a beacon of education. It is an anchor, a fulcrum of a vibrant neighborhood in the center of Portland. Let me sum up this Sentiment. Nathan Clifford is an awesome school. Thank you.

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

William F. Plummer III, of Georgetown, founder of Sheepscot Bay Boat Company. From a young age, Mr. Plummer could work on and fix anything. He built docks, floats, houses, buildings, trucks, motor homes and airplanes including Piper J3 Cubs, but his passion was gas, diesel and outboard motors. In the early 1960s, he founded the Sheepscot Bay Boat Company, working on and storing boats and selling Boston Whalers and Johnson outboards for more than 30 years. Mr. Plummer was a member of the Methodist Church in Bath, the Georgetown Fire Department and several other local organizations. For those who knew him, Mr. Plummer leaves a large void in the community that will be hard to fill. Mr. Plummer will be sadly missed and long remembered by his family and friends;

(HLS 76)

Presented by Representative MacDONALD of Boothbay.

Cosponsored by Senator BENOIT of Sagadahoc.

On **OBJECTION** of Representative MACDONALD of Boothbay, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative **MacDONALD**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to ask you to join me in honoring the memory of William Plummer III, of Georgetown. He is a man that I met in campaigning, during two campaign seasons in Georgetown, who always treated me with the greatest amount of courtesy and good will. I was sorry, as well as the members of the Georgetown community and his family, to see that he had passed away this past November.

When you talk to his family about what it is most that they would like you to remember about him, it was his work ethic. He was a Mainer with long tradition and history in the community of Georgetown through his family, on both sides of the family. As well was a hard worker who co-founded the Sheepscot Bay Boat Company in the 1960's, and it still persists today. I would say that in addition to the work ethic that what is most noticeable about him, is the legacy that he has left of his family, which continues to do the hard work in Georgetown of building the community. Especially the five islands village in the town of Georgetown, where William Plummer IV is a central figure in the redevelopment of that community center.

So the hard work ethic, the long tradition of residence and devotion to community, and the family that still exists and works and continues on his heritage. I ask you to join me in honoring that tradition here today. Thank you Mr. Speaker.

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

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, January 30, 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 Stop Misleading Drug Advertisements"

(H.P. 294) (L.D. 364)

- In House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** on January 25, 2007.

- In Senate, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

In Memory of:

TABLED - January 30, 2007 (Till Later Today) by Representative FAIRCLOTH of Bangor.

PENDING - **FURTHER CONSIDERATION.**

On motion of Representative PERRY of Calais, the House voted to **INSIST.**

SENATE PAPERS

The following Joint Order: (S.P. 166)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 6, 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 Status of Lots Greater than 40 Acres on Plans Recorded for Unorganized Territory Land before September 21, 2001"

(S.P. 158) (L.D. 471)

Bill "An Act To Clarify Land Planning in the Unorganized and Deorganized Townships of the State"

(S.P. 159) (L.D. 472)

Bill "An Act To Clarify Land Use Regulation in Unorganized and Deorganized Townships"

(S.P. 160) (L.D. 473)

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

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

Bill "An Act To Create the Marine Research Matching Fund"

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

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 Disseminate 'Lessons Learned' from Medical Injury Claims"

(S.P. 156) (L.D. 469)

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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

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

Bill "An Act To Reform Public Education by Encouraging Regional Approaches"

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

Bill "An Act To Prohibit School Administrative Units from Advocating in Political Activity"

(S.P. 152) (L.D. 465)

Bill "An Act To Amend the Laws Governing Compulsory School Attendance"

(S.P. 155) (L.D. 468)

Bill "An Act To Add Ten Days to the School Year" (EMERGENCY)

(S.P. 157) (L.D. 470)

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 Regarding the Protection and Advocacy Agency Advisory Council"

(S.P. 154) (L.D. 467)

Bill "An Act To Amend the Definition of Health Care Facility To Include Hospice Facilities" (EMERGENCY)

(S.P. 165) (L.D. 500)

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 Establish a Reinsurance Fund To Expand Health Insurance Coverage for Individuals and Small Groups"

(S.P. 163) (L.D. 476)

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

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

Bill "An Act To Deter Parental Alienation"

(S.P. 164) (L.D. 477)

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 County Commissioners with an Enforcement Mechanism with Regard to Parking Ordinances"

(S.P. 153) (L.D. 466)

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

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

Resolve, To Direct the Department of Transportation To Rename State Bridge Number 5278 the Ryan Quirion Guthrie Bridge

(S.P. 161) (L.D. 474)

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

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

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

On motion of Representative MACDONALD of Boothbay, the House adjourned at 11:02 a.m., until 10:00 a.m., Tuesday, February 6, 2007 pursuant to the Joint Order (S.P. 166) and in honor and lasting tribute to William F. Plummer III, of Georgetown.