

# 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  
10th Legislative Day  
Tuesday, February 6, 2007

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

Prayer by Reverend Bruce Forbes, South Parish  
Congregational Church, Augusta.

National Anthem by Karma 101, Freeport.

Pledge of Allegiance.

Doctor of the day, David Simmons, M.D., Calais.

The Journal of Thursday, February 1, 2007 was read and approved.

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**SENATE PAPERS**  
**Non-Concurrent Matter**

Bill "An Act To Require Impact Statements from Potential Purchasers of Public Utilities and Those Who Apply To Extract Natural Resources"

(H.P. 315) (L.D. 399)

**REFERRED** to the Committee on **UTILITIES AND ENERGY** in the House on January 30, 2007.

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

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

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**Non-Concurrent Matter**

Bill "An Act To Provide Funding to the Department of Agriculture, Food and Rural Resources for Veterinarians for Farm Animals"

(H.P. 316) (L.D. 400)

**REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in the House on January 30, 2007.

Came from the Senate **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in **NON-CONCURRENCE**.

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

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**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:

**AGRICULTURE, CONSERVATION AND FORESTRY**

Bill "An Act To Prevent Abuse of Pet Ownership Rights"

(H.P. 426) (L.D. 548)

Sponsored by Representative MAKAS of Lewiston.

Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: GERZOFISKY of Brunswick, GILES of Belfast, GROSE of Woolwich, HARLOW of Portland, HINCK of Portland, KNIGHT of Livermore Falls, WAGNER of Lewiston, Senator: TURNER of Cumberland.

Bill "An Act To Protect Beef Producers"

(H.P. 438) (L.D. 571)

Sponsored by Representative THERIAULT of Madawaska.

Cosponsored by Representatives: BROWNE of Vassalboro, CARTER of Bethel, JACKSON of Allagash, LUNDEEN of Mars Hill, PATRICK of Rumford, PIOTTI of Unity, THOMAS of Ripley.

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act To Authorize a General Fund Bond Issue To Promote Increased Research and Development Collaboration between the Environmental and Energy Technology Sector and the University of Maine System"

(H.P. 416) (L.D. 538)

Sponsored by Representative BLISS of South Portland.

Cosponsored by Representatives: BERRY of Bowdoinham, CAIN of Orono, CARTER of Bethel, CONNOR of Kennebunk, EBERLE of South Portland, KAENRATH of South Portland, Senator: BARTLETT of Cumberland.

Bill "An Act To Authorize a General Fund Bond Issue for the Western Maine Creative Arts Center"

(H.P. 440) (L.D. 573)

Sponsored by Representative MILLS of Farmington.

Cosponsored by Senator GOOLEY of Franklin and Representatives: CARTER of Bethel, SAVIELLO of Wilton.

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Bill "An Act To Fund the Purchase of Maine State Retirement System Time by Certain Veterans"

(H.P. 427) (L.D. 549)

Sponsored by Representative JACKSON of Allagash.

Cosponsored by Senator MARTIN of Arostook and Representatives: BRYANT of Windham, CLARK of Millinocket, PATRICK of Rumford, TUTTLE of Sanford, Senator: STRIMLING of Cumberland.

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

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

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Bill "An Act To Fund the Western Maine Career Centers" (EMERGENCY)

(H.P. 439) (L.D. 572)

Sponsored by Representative MILLS of Farmington.

Cosponsored by Senator GOOLEY of Franklin and Representatives: PATRICK of Rumford, PINEAU of Jay, SAVIELLO of Wilton, SIMPSON of Auburn, Senator: MILLS of Somerset.

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

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

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Bill "An Act To Increase Funding for the State's Immunization Program" (EMERGENCY)

(H.P. 441) (L.D. 574)

Sponsored by Representative MILLER of Somerville.

Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: CAMPBELL of Newfield, FINLEY of Skowhegan, LEWIN of Eliot, WALCOTT of Lewiston, WALKER of Lincolnville.

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

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

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**BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**

Resolve, To Stimulate Tourism Development Projects  
(H.P. 403) (L.D. 525)

Sponsored by Representative ANNIS of Dover-Foxcroft.  
Cosponsored by Senator SMITH of Piscataquis and  
Representatives: DUCHESNE of Hudson, JOY of Crystal,  
KOFFMAN of Bar Harbor, MIRAMANT of Camden,  
RICHARDSON of Carmel, RICHARDSON of Greenville,  
SAVIELLO of Wilton.

Bill "An Act To Allow the Independent Practice of Dental  
Hygiene"  
(H.P. 428) (L.D. 550)

Sponsored by Representative CLARK of Millinocket.  
Cosponsored by Representatives: HANLEY of Gardiner,  
JACKSON of Allagash, PATRICK of Rumford, SAVIELLO of  
Wilton.

Bill "An Act To Expand Jurisdictions of Municipal Housing  
Authorities"  
(H.P. 442) (L.D. 575)

Sponsored by Representative DRISCOLL of Westbrook.  
Cosponsored by Senator STRIMLING of Cumberland and  
Representatives: BABBIDGE of Kennebunk, BEAUDETTE of  
Biddeford, BURNS of Berwick, PEOPLES of Westbrook, Senator:  
BARTLETT of Cumberland.

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**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Resolve, To Promote Public Safety by Establishing a Multiple-  
OUI Registry  
(H.P. 395) (L.D. 517)

Sponsored by Representative BABBIDGE of Kennebunk.  
Cosponsored by Representatives: AYOTTE of Caswell, CLARK  
of Millinocket, CONNOR of Kennebunk, CROCKETT of Augusta,  
DRISCOLL of Westbrook, PEOPLES of Westbrook, SILSBY of  
Augusta, TUTTLE of Sanford.

Bill "An Act To Protect Children in Public Schools by Notifying  
All School Personnel of Sex Offenders Residing, Working or  
Attending School in the School District"  
(H.P. 396) (L.D. 518)

Sponsored by Representative CEBRA of Naples.  
Cosponsored by Representatives: LANSLEY of Sabattus,  
ROBINSON of Raymond, THOMAS of Ripley.

Bill "An Act To Amend the Laws Relating to Juveniles"  
(H.P. 399) (L.D. 521)

Sponsored by Representative HANLEY of Gardiner.  
Cosponsored by Senator McCORMICK of Kennebec and  
Representatives: BERRY of Bowdoinham, GREELEY of Levant,  
HASKELL of Portland, HILL of York, PLUMMER of Windham,  
SYKES of Harrison.  
Submitted by the Department of Corrections pursuant to Joint  
Rule 204.

Resolve, To Investigate Cellular Telephone Use and Driver  
Safety  
(H.P. 443) (L.D. 576)

Sponsored by Representative BABBIDGE of Kennebunk.  
Cosponsored by Representatives: BEAUDETTE of Biddeford,  
CLARK of Millinocket, FAIRCLOTH of Bangor, HOGAN of Old  
Orchard Beach, McDONOUGH of Scarborough, McLEOD of Lee,  
NORTON of Bangor, RECTOR of Thomaston.

Bill "An Act Concerning the Transport of Inmates in the  
Custody of the Sheriff"  
(H.P. 444) (L.D. 577)

Sponsored by Representative PLUMMER of Windham.  
Cosponsored by Senator DIAMOND of Cumberland and  
Representatives: BRYANT of Windham, GERZOFSKY of  
Brunswick, HANLEY of Gardiner, PERCY of Phippsburg,

ROBINSON of Raymond, TIBBETTS of Columbia, Senator:  
DAMON of Hancock.

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Bill "An Act To Allow Civil Penalties for Trespass while  
Engaging in Activities Regulated by Inland Fisheries and Wildlife"  
(H.P. 455) (L.D. 588)

Sponsored by Representative BRYANT of Windham.  
Cosponsored by Senator BRYANT of Oxford and  
Representatives: GERZOFSKY of Brunswick, JACKSON of  
Allagash, PATRICK of Rumford, PINEAU of Jay, WHEELER of  
Kittery.

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

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

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**HEALTH AND HUMAN SERVICES**

Bill "An Act To Provide Assistance to Family Members,  
Friends and Neighbors Who Provide Home Health Care for  
Senior Citizens"  
(H.P. 397) (L.D. 519)

Sponsored by Representative CAMPBELL of Newfield.  
Cosponsored by Representative SAVIELLO of Wilton, Senator  
GOOLEY of Franklin, Senator BRANNIGAN of Cumberland and  
Representatives: Speaker CUMMINGS of Portland, FINLEY of  
Skowhegan, GROSE of Woolwich, LEWIN of Eliot, PERRY of  
Calais, WALKER of Lincolnville, Senators: President EDMONDS  
of Cumberland, RAYE of Washington.

Bill "An Act To Ensure Access to MaineCare Services"  
(H.P. 398) (L.D. 520)

Sponsored by Representative BEAUDOIN of Biddeford.  
Cosponsored by Senator MARTIN of Aroostook and  
Representatives: BOLAND of Sanford, CROCKETT of Augusta,  
MILLER of Somerville, PERCY of Phippsburg, SMITH of  
Monmouth, VALENTINO of Saco.

Bill "An Act To Create the Maine Health Card Program"  
(H.P. 429) (L.D. 551)

Sponsored by Representative PINKHAM of Lexington Township.  
Cosponsored by Representatives: CAMPBELL of Newfield,  
PERRY of Calais, SAVIELLO of Wilton, WEBSTER of Freeport.

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**INLAND FISHERIES AND WILDLIFE**

Bill "An Act To Ban Personal Watercraft on East Carry Pond,  
Middle Carry Pond and West Carry Pond"  
(H.P. 417) (L.D. 539)

Sponsored by Representative PINKHAM of Lexington Township.  
Cosponsored by Senator: MILLS of Somerset.

Resolve, To Extend Fall Fishing Opportunities  
(H.P. 446) (L.D. 579)

Sponsored by Representative HOLMAN of Fayette.  
Cosponsored by Senator COURTNEY of York and  
Representatives: CLARK of Millinocket, KNIGHT of Livermore  
Falls, MILLS of Farmington, NASS of Acton, Senator: RAYE of  
Washington.

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**INSURANCE AND FINANCIAL SERVICES**

Bill "An Act To Increase Eligibility for the Dirigo Health  
Program"  
(H.P. 404) (L.D. 526)

Sponsored by Representative CONOVER of Oakland.

Cosponsored by Senator STRIMLING of Cumberland and Representatives: BERRY of Bowdoinham, BRAUTIGAM of Falmouth, BRYANT of Windham, FAIRCLOTH of Bangor, PERRY of Calais, PIOTTI of Unity, SMITH of Monmouth, Senator: BARTLETT of Cumberland.

Bill "An Act To Help Maine People Be Informed Medical Consumers"

(H.P. 445) (L.D. 578)

Sponsored by Representative PRIEST of Brunswick.

Cosponsored by Senator SULLIVAN of York and Representatives: BRAUTIGAM of Falmouth, CANAVAN of Waterville, GERZOFKY of Brunswick, GROSE of Woolwich, SAVAGE of Falmouth, WEBSTER of Freeport.

Bill "An Act To Repeal Certain Health Savings Account Provisions"

(H.P. 456) (L.D. 589)

Sponsored by Representative HARLOW of Portland.

Bill "An Act To Amend Certain Requirements Applicable to Insurance Producers"

(H.P. 457) (L.D. 590)

Sponsored by Representative FISCHER of Presque Isle.

Cosponsored by Senator PERRY of Penobscot and Representative: VAUGHAN of Durham.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

**JUDICIARY**

Bill "An Act To Authorize a Court To Appoint Counsel in Protection from Abuse Hearings"

(H.P. 418) (L.D. 540)

Sponsored by Representative FITTS of Pittsfield.

Cosponsored by Representatives: BRAUTIGAM of Falmouth, HOLMAN of Fayette, ROBINSON of Raymond, TARDY of Newport.

Bill "An Act To Provide for Punitive Damages against Sex Offenders"

(H.P. 430) (L.D. 552)

Sponsored by Representative WATSON of Bath.

Cosponsored by Representatives: BRAUTIGAM of Falmouth, HANLEY of Gardiner, PRATT of Eddington, SIMPSON of Auburn, WOODBURY of Yarmouth.

Bill "An Act To Provide for Punitive Damages against Drunk Drivers"

(H.P. 447) (L.D. 580)

Sponsored by Representative GERZOFKY of Brunswick.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: BLANCHETTE of Bangor, BRYANT of Windham, DRISCOLL of Westbrook, HANLEY of Gardiner, HASKELL of Portland, HILL of York, MAKAS of Lewiston, SIMPSON of Auburn.

Bill "An Act To Amend the Laws Pertaining to Improvident Transfers"

(H.P. 448) (L.D. 581)

Sponsored by Representative MILLS of Farmington.

Cosponsored by Senator HASTINGS of Oxford and Representatives: DILL of Cape Elizabeth, HOLMAN of Fayette, NASS of Acton, SIMPSON of Auburn, WATSON of Bath, Senators: HOBBS of York, SMITH of Piscataquis.

Bill "An Act To Permit Medical and Social Service Professionals To Report Animal Cruelty"

(H.P. 450) (L.D. 583)

Sponsored by Representative SIMPSON of Auburn.

Cosponsored by Senator HOBBS of York and Representative: BRYANT of Windham.

Bill "An Act Concerning Animal Control Officers as Mandated Reporters of Abuse"

(H.P. 451) (L.D. 584)

Sponsored by Representative SIMPSON of Auburn.

Cosponsored by Senator HOBBS of York and Representative: BRYANT of Windham.

Bill "An Act To Allow for Corporate Ownership of Dental Practices"

(H.P. 431) (L.D. 553)

Sponsored by Representative CLARK of Millinocket.

Cosponsored by Representatives: HANLEY of Gardiner, JACKSON of Allagash, JOY of Crystal, SAVIELLO of Wilton.

Committee on **JUDICIARY** suggested.

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

**LABOR**

Bill "An Act To Require the Posting of Proof of Workers' Compensation Insurance at Construction Sites"

(H.P. 400) (L.D. 522)

Sponsored by Representative CLARK of Millinocket.

Cosponsored by Senator STRIMLING of Cumberland and Representatives: BURNS of Berwick, JACKSON of Allagash, PATRICK of Rumford, TUTTLE of Sanford, WATSON of Bath.

Bill "An Act To Encourage the Owners of Sole Proprietorships To Hire More Employees"

(H.P. 419) (L.D. 541)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Senator RAYE of Washington and Representatives: FLETCHER of Winslow, GREELEY of Levant, LANSLEY of Sabattus, McFADDEN of Dennysville, MUSE of Fryeburg, WOODBURY of Yarmouth.

Bill "An Act Regarding Occupational Safety and Health Training for Workers on State-funded Construction Projects"

(H.P. 458) (L.D. 591)

Sponsored by Representative PATRICK of Rumford.

Cosponsored by Senator BRYANT of Oxford and Representatives: BLANCHARD of Old Town, BRYANT of Windham, HOGAN of Old Orchard Beach, JACKSON of Allagash, PINEAU of Jay, SMITH of Monmouth, THERIAULT of Madawaska, TUTTLE of Sanford.

**LEGAL AND VETERANS AFFAIRS**

Bill "An Act To Increase the Penalty for Late Filings by Lobbyists"

(H.P. 435) (L.D. 557)

Sponsored by Representative HARLOW of Portland. (BY REQUEST)

Bill "An Act To Establish Instant Run-off Voting for gubernatorial Races"

(H.P. 452) (L.D. 585)

Sponsored by Representative HINCK of Portland.

Cosponsored by Representative KNIGHT of Livermore Falls and Representatives: BERRY of Bowdoinham, CHASE of Wells, CROTHWAITE of Ellsworth, PIEH of Bremen, ROBINSON of Raymond, SAVIELLO of Wilton, Senators: PERRY of Penobscot, STRIMLING of Cumberland.

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**MARINE RESOURCES**

Bill "An Act To Amend the Shellfish Laws"

(H.P. 432) (L.D. 554)

Sponsored by Representative GERZOFKY of Brunswick.  
Cosponsored by Representative: McDONOUGH of Scarborough.  
Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Bill "An Act To Simplify Notification Procedures for Water Quality Changes"

(H.P. 453) (L.D. 586)

Sponsored by Representative MacDONALD of Boothbay.  
Cosponsored by Senator DOW of Lincoln and Representatives: EATON of Sullivan, PERCY of Phippsburg, PIEH of Bremen.

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**NATURAL RESOURCES**

Resolve, To Direct the Department of Environmental Protection To Locate and Remediate a Gasoline Spill Contaminating a Private Well

(H.P. 420) (L.D. 542)

Sponsored by Representative PRATT of Eddington. (BY REQUEST)

Cosponsored by Representative: FISHER of Brewer, Senator: ROSEN of Hancock.

Bill "An Act To Protect and Improve Lake Water Quality"

(H.P. 454) (L.D. 587)

Sponsored by Representative EBERLE of South Portland.  
Cosponsored by Senator MARTIN of Aroostook and Representatives: ANNIS of Dover-Foxcroft, BLISS of South Portland, HINCK of Portland, KOFFMAN of Bar Harbor, McDONOUGH of Scarborough, MUSE of Fryeburg, PIEH of Bremen, WOODBURY of Yarmouth.

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Bill "An Act To Provide for Enforcement of Land Use Limitations Relating to Cemeteries"

(H.P. 401) (L.D. 523)

Sponsored by Representative HANLEY of Gardiner.  
Cosponsored by President EDMONDS of Cumberland.  
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Committee on **NATURAL RESOURCES** suggested.

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

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Bill "An Act To Protect Children from Lead Exposure by Requiring Sufficient Notice of Renovations"

(H.P. 433) (L.D. 555)

Sponsored by Representative HINCK of Portland.  
Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: BABBIDGE of Kennebunk, BARSTOW of Gorham, BEAUDETTE of Biddeford, EBERLE of South Portland, FLETCHER of Winslow, HAYES of Buckfield, PLUMMER of Windham, SAMSON of Auburn.

Committee on **NATURAL RESOURCES** suggested.

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

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**STATE AND LOCAL GOVERNMENT**

Resolve, To Reduce the Size of State Government by Four Percent

(H.P. 434) (L.D. 556)

Sponsored by Representative JOY of Crystal.  
Cosponsored by Senator MILLS of Somerset and Representatives: ANNIS of Dover-Foxcroft, COTTA of China, JACOBSEN of Waterboro, LEWIN of Eliot, MOORE of Standish, SAVIELLO of Wilton, THOMAS of Ripley, VAUGHAN of Durham.

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**TAXATION**

Bill "An Act To Expand Property Tax Benefits for Retired Citizens"

(H.P. 405) (L.D. 527)

Sponsored by Representative RICHARDSON of Warren.  
Cosponsored by Representatives: KNIGHT of Livermore Falls, WEDDELL of Frankfort and Representatives: LANSLEY of Sabattus, THOMAS of Ripley.

Bill "An Act To Improve the Business Equipment Tax Exemption"

(H.P. 406) (L.D. 528)

Sponsored by Representative SMITH of Monmouth.  
Cosponsored by Senator PERRY of Penobscot and Representatives: BROWNE of Vassalboro, HOTHAM of Dixfield, PERCY of Phippsburg, PIOTTI of Unity, PRATT of Eddington, WATSON of Bath, WOODBURY of Yarmouth, Senator: MILLS of Somerset.

Bill "An Act To Encourage Newly Retired Veterans To Reside in Maine"

(H.P. 407) (L.D. 529)

Sponsored by Representative WATSON of Bath.  
Cosponsored by Representatives: CLARK of Millinocket, Speaker CUMMINGS of Portland, FISHER of Brewer, PINEAU of Jay, SMITH of Monmouth.

Bill "An Act To Encourage Open Space through Current Use Taxation of Open Space Land Set Aside for Long-term Protection from Development"

(H.P. 408) (L.D. 530)

Sponsored by Representative HILL of York.  
Cosponsored by Senator PERRY of Penobscot and Representatives: ADAMS of Portland, BURNS of Berwick, CONNOR of Kennebunk, GOULD of South Berwick, HANLEY of Gardiner, Senator: McCORMICK of Kennebec.

Bill "An Act To Improve the Method of Taxing Natural Gas for Highway Use"

(H.P. 409) (L.D. 531)

Sponsored by Representative BLISS of South Portland.  
Cosponsored by Representative: CAIN of Orono, Senator: BARTLETT of Cumberland.

Resolve, To Establish the Maine Tree Growth Tax Law Review Committee

(H.P. 421) (L.D. 543)

Sponsored by Representative SAVIELLO of Wilton.  
Cosponsored by Senator PERRY of Penobscot and Representatives: LANSLEY of Sabattus, MAREAN of Hollis, MILLS of Farmington, PINKHAM of Lexington Township, WOODBURY of Yarmouth, Senator: MILLS of Somerset.

Bill "An Act To Provide Maine Land Conservation Tax Incentives"

(H.P. 422) (L.D. 544)

Sponsored by Representative WATSON of Bath.  
Cosponsored by Representatives: CARTER of Bethel, PIEH of Bremen, SMITH of Monmouth, WOODBURY of Yarmouth.

Bill "An Act To Create Fairness in the Motor Vehicle Excise Tax by Implementing the Recommendations of the Secretary of State's Task Force on Registration Fees"

(H.P. 436) (L.D. 558)

Sponsored by Representative PENDLETON of Scarborough.

Bill "An Act Regarding the Valuation of Land within Buffer Areas Established under the Natural Resources Protection Laws"

(H.P. 437) (L.D. 559)

Sponsored by Representative JOY of Crystal.

Cosponsored by Representatives: ANNIS of Dover-Foxcroft, JACOBSEN of Waterboro, MOORE of Standish, RICHARDSON of Carmel, SAVIELLO of Wilton.

Bill "An Act To Create Fairness in Maine's Property Taxes"

(H.P. 449) (L.D. 582)

Sponsored by Representative SIMPSON of Auburn.

Cosponsored by Senator PERRY of Penobscot and Representative: MILLS of Farmington.

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### TRANSPORTATION

Bill "An Act To Exempt Registered Farm Trucks from Commercial Inspection"

(H.P. 402) (L.D. 524)

Sponsored by Representative PIEH of Bremen.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: CARTER of Bethel, CRAY of Palmyra, HOLMAN of Fayette, MAREAN of Hollis, MARLEY of Portland, PERCY of Phippsburg, PIOTTI of Unity, Senator: SAVAGE of Knox.

Resolve, To Create a Plan for the Downeast Airport Authority

(H.P. 410) (L.D. 532)

Sponsored by Representative EMERY of Cutler.

Cosponsored by Senator RAYE of Washington and Representatives: MARLEY of Portland, McFADDEN of Dennysville, McLEOD of Lee, PERRY of Calais, SOCTOMAH of the Passamaquoddy Tribe, TARDY of Newport, THOMAS of Ripley, TIBBETTS of Columbia.

Bill "An Act To Establish 'Clean Air - No Idling' Zones"

(H.P. 411) (L.D. 533)

Sponsored by Representative BLISS of South Portland.

Cosponsored by Representatives: BERRY of Bowdoinham, CAIN of Orono, CONNOR of Kennebunk, EBERLE of South Portland, KAENRATH of South Portland, SIROIS of Turner, Senator: BARTLETT of Cumberland.

Resolve, Directing the Maine Turnpike Authority To Study the Relocation of the York Toll Booth

(H.P. 412) (L.D. 534)

Sponsored by Representative WEAVER of York.

Cosponsored by Senator BOWMAN of York and Representatives: CHASE of Wells, GOULD of South Berwick, HILL of York, LEWIN of Eliot, SAVAGE of Falmouth, WHEELER of Kittery, Senators: COURTNEY of York, NASS of York.

Bill "An Act To Create a Retired Firefighter Registration Plate"

(H.P. 413) (L.D. 535)

Sponsored by Representative JACKSON of Allagash.

Cosponsored by Senator MARTIN of Aroostook and Representatives: BLANCHARD of Old Town, BRYANT of Windham, HOGAN of Old Orchard Beach, PATRICK of Rumford, PIEH of Bremen, PINGREE of North Haven, Senators: NUTTING of Androscoggin, STRIMLING of Cumberland.

Resolve, To Name the Bridge on Route 201 in Jackman over the Moose River the Veterans Memorial Bridge

(H.P. 423) (L.D. 545)

Sponsored by Representative PINKHAM of Lexington Township.

Cosponsored by Senator MILLS of Somerset.

Resolve, Directing the Department of Transportation To Amend Its Rules Regarding Noise Abatement Costs

(H.P. 424) (L.D. 546)

Sponsored by Representative KAENRATH of South Portland.

Cosponsored by Representatives: BLISS of South Portland, EBERLE of South Portland.

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### UTILITIES AND ENERGY

Bill "An Act To Promote Efficiency in the Use of the Communications Equipment Fund" (EMERGENCY)

(H.P. 414) (L.D. 536)

Sponsored by Representative BLISS of South Portland.

Cosponsored by Representatives: BERRY of Bowdoinham, CAIN of Orono, CROCKETT of Augusta, EBERLE of South Portland, KAENRATH of South Portland, SIROIS of Turner, Senator: BARTLETT of Cumberland.

Bill "An Act To Create Fairness in E-9-1-1 Funding"

(H.P. 425) (L.D. 547)

Sponsored by Representative FITTS of Pittsfield.

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Bill "An Act to Protect the Machiasport Clam Flats along the Machias River from Effluent Contamination"

(H.P. 415) (L.D. 537)

Sponsored by Representative EMERY of Cutler.

Cosponsored by Senator RAYE of Washington and Representatives: ADAMS of Portland, McFADDEN of Dennysville, McLEOD of Lee, PERCY of Phippsburg, PERRY of Calais, TARDY of Newport, TIBBETTS of Columbia, Senator: DAMON of Hancock.

Committee on UTILITIES AND ENERGY suggested.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **REFERENCE** and later today assigned.

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### SPECIAL SENTIMENT CALENDAR

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

#### In Memory of:

Sonny Pomerleau, lifelong resident of Augusta. Mr. Pomerleau was born and raised in Augusta on Sand Hill, attended St. Augustine School and graduated from Cony High School in 1963. For nearly 10 years, he worked as an emergency medical technician for the Augusta Fire Department and he worked for 25 years at Lepage Bakeries of Lewiston. Mr. Pomerleau became a member of Le Club Calumet in 1966 and a member of Elks Lodge 964 in 1984. He was very involved with both of these organizations, participating in various events and serving as president of Le Club Calumet in 1990. Mr. Pomerleau was a man who loved the outdoors and found joy in being surrounded by people. He was always there for his friends and neighbors with a smile or a joke. Mr. Pomerleau will be greatly missed and long remembered by his family, his friends and the community of Augusta;

(SLS 36)

On **OBJECTION** of Representative CROCKETT of Augusta, was **REMOVED** from the Special Sentiment Calendar.

#### READ.

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

**BILLS IN THE SECOND READING**

**House**

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)

Was reported by the Committee on **Bills in the Second Reading** and **READ** the second time.

On motion of Representative MARLEY of Portland, was **SET ASIDE**.

The same Representative **PRESENTED House Amendment "A" (H-4)**, which was **READ** by the Clerk.

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

Representative **MARLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The Amendment should be on your desk. Just to clarify, currently it is very narrow, those who are allowed to certify the driving hours for a minor person under the age of, actually under the age of 21, so not even just minors, on their driving hours. And this broadens that definition because the Secretary of State has come to us saying that there is actually individuals who have been wards of the state etc. that don't have someone on the Certified List and aren't able to get a license. It is obviously impacting their ability to work, to get to school, etc. It is a very clean amendment. All parties have seen it. I just want to make sure people are aware of it. Thank you.

Subsequently, **House Amendment "A" (H-4)** was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-4)** and sent for concurrence.

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

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 1, 2007, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Joint Order, To Implement the Recommendations of the Joint Select Committee on Research, Economic Development and the Innovation Economy Regarding Tax Incentives for Research and Development Entrepreneurs and Businesses

(S.P. 131)

- In Senate, **READ** and **PASSED**.

**TABLED** - February 1, 2007 (Till Later Today) by Representative PINGREE of North Haven.

**PENDING - PASSAGE**.

Representative **CAIN** of Orono **PRESENTED House Amendment "A" (H-2)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Orono, Representative Cain.

Representative **CAIN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Just a quick explanation. This changes the Report Back Date on this important work of the Joint Select Committee on Research, Economic Development and the

Innovation Economy. It changes the Report Back Date for the Taxation Committee from April 1, 2007 to May 1, 2007, to allow the Taxation Committee more time to include this important information for economic development in their deliberations. Thank you.

Subsequently, **House Amendment "A" (H-2)** was **ADOPTED**.

Subsequently, the Joint Order was **PASSED as Amended by House Amendment "A" (H-2)** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

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

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

(Committee on **HEALTH AND HUMAN SERVICES** suggested) **TABLED** - February 1, 2007 (Till Later Today) by Representative PERRY of Calais.

**PENDING - REFERENCE**.

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

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

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

**SENATE PAPERS**

Bill "An Act To Make More Affordable the Surcharge on the Sale of Dogs and Cats That Have Not Been Neutered"

(S.P. 171) (L.D. 516)

Bill "An Act To Streamline the Regulation of Agricultural Composters"

(S.P. 176) (L.D. 564)

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 Authorize a General Fund Bond Issue To Facilitate Laboratory and Education Facility Construction for the Gulf of Maine Research Institute"

(S.P. 185) (L.D. 594)

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

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

Bill "An Act To Remove the Sunset on the Exemption of Internet Services from Auctioneer Licensure Requirements" (EMERGENCY)



(S.P. 177) (L.D. 565)

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

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

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Bill "An Act To Protect Community Safety by Amending Maine's Bail Code"

(S.P. 169) (L.D. 514)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

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Bill "An Act To Integrate the Approval of Early Childhood Education Plans for Children 4 Years of Age into Basic School Approval for Elementary Schools"

(S.P. 172) (L.D. 560)

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

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

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Bill "An Act To Conform HIV Testing to the Recommendations of the Federal Centers for Disease Control and Prevention"

(S.P. 180) (L.D. 568)

Bill "An Act To Repeal the Laws Governing Long-term Foster Care"

(S.P. 187) (L.D. 596)

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

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

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Bill "An Act To Amend Laws Relating to Persons Serving as Permanency Guardians or Receiving Permanency Guardianship Subsidies"

(S.P. 170) (L.D. 515)

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

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

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Bill "An Act To Change the Name of the Maine State Retirement System"

(S.P. 167) (L.D. 512)

Bill "An Act To Define 'Livable Wage'"

(S.P. 186) (L.D. 595)

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

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

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Bill "An Act To Move the Primary Election from June to September"

(S.P. 175) (L.D. 563)

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

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

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Bill "An Act To Adopt a Flat Corporate Income Tax"

(S.P. 174) (L.D. 562)

Bill "An Act To Increase the Property Tax Exemption for Certain Veterans and Surviving Spouses"

(S.P. 178) (L.D. 566)

Bill "An Act To Expand Tax Incentives for Conservation Easements"

(S.P. 179) (L.D. 567)

Bill "An Act To Reduce Maine's Income Tax Rates by 50 Percent"

(S.P. 181) (L.D. 569)

Bill "An Act To Authorize a Local Option Sales Tax To Reduce Property Taxes"

(S.P. 182) (L.D. 570)

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

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

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Bill "An Act To Amend the Motor Vehicle Laws"

(S.P. 168) (L.D. 513)

Resolve, To Direct the Department of Transportation To Establish a Rest Area on U.S. Route 9 between Calais and Brewer

(S.P. 173) (L.D. 561)

Bill "An Act To Waive Tolls on the Maine Turnpike for People Who Are Traveling for Treatment of Catastrophic Illnesses"

(S.P. 183) (L.D. 592)

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

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

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Resolve, To Establish a Second Public Safety Answering Point for Kennebec County (EMERGENCY)

(S.P. 184) (L.D. 593)

Came from the Senate, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

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

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Bill "An Act To Prevent Additional Housing Charges for Persons Requiring In-home Care"

(S.P. 162) (L.D. 475)

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

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

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Pursuant to his authority under House Rule 201.1(I), the Chair made the following change in appointments to the Committees of the 123rd Maine Legislature:

The appointment of Representative JOY of Crystal to the Joint Standing Committee on **LABOR** was rescinded.

Representative THOMAS of Ripley was appointed to the Joint Standing Committee on **LABOR**, replacing Representative JOY of Crystal.

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The following item was taken up out of order by unanimous consent:

**CONSENT CALENDAR**

**First Day**

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

(H.P. 186) (L.D. 215) 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) Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-3)**

On motion of Representative PINGREE of North Haven, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (H-3)** was **READ** by the Clerk.

On motion of the same Representative, **TABLED** pending **ADOPTION** of **Committee Amendment "A" (H-3)** and later today assigned.

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

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On motion of Representative MILLS of Farmington, the House adjourned at 11:42 a.m., until 10:00 a.m., Thursday, February 8, 2007 in honor and lasting tribute to Mary M. Wright, of Farmington.