

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
21st Legislative Day
Wednesday, March 21, 2007

Representative PRATT of Eddington assumed the Chair.

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

Prayer by Father Sylvio Levesque, Hallowell (retired).

Colors presented by Franco American War Veterans' Color Guard, Post 31, Lewiston.

National Anthem by Melanie Saucier, Fort Kent.

Pledge of Allegiance.

Doctor of the day, Gavin Ducker, M.D., Winslow.

The Journal of yesterday was read and approved.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

SENATE PAPERS

Bill "An Act To Regulate Fire Alarm Contractors"

(S.P. 420) (L.D. 1172)

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

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 Amend the Laws Governing Municipal Elections"

(S.P. 476) (L.D. 1362)

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.

COMMUNICATIONS

The Following Communication: (H.C. 128)

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

March 20, 2007

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Benjamin Marriner Pratt of Eddington to serve as Speaker Pro Tem to convene the House on Wednesday, March 21, 2007.

Sincerely,

S/Glenn Cummings

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 118)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

March 16, 2007

Honorable Beth Edmonds, President of the Senate

Honorable Glenn Cummings, Speaker of the House

123rd Maine Legislature

State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 400 An Act To Provide Funding to the Department of Agriculture, Food and Rural Resources for Veterinarians for Farm Animals

L.D. 406 An Act To Prohibit Aerial Spraying of Pesticides near Buildings, Roads and Bodies of Water

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

Sincerely,

S/Sen. John M. Nutting

Senate Chair

S/Rep. Wendy Pieh

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 119)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

March 15, 2007

Honorable Beth Edmonds, President of the Senate

Honorable Glenn Cummings, Speaker of the House

123rd Maine Legislature

State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 238 An Act To Require Maine To Submit DNA Samples of Sex Offenders to the National DNA Registry

L.D. 316 An Act To Reduce Bomb Threats at Public Institutions and Businesses

L.D. 696 An Act To Require Credentials for Amateur Radio Emergency Communications Volunteers

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

Sincerely,

S/Sen. Bill Diamond

Senate Chair

S/Rep. Stanley J. Gerzofsky

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 120)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 16, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 568 An Act To Conform HIV Testing to the
 Recommendations of the Federal Centers for
 Disease Control and Prevention

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

Sincerely,

S/Sen. Joseph C. Brannigan

Senate Chair

S/Rep. Anne C. Perry

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 121)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 16, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 653 An Act Regarding Proof of a Violation of the
 Laws against Hunting on Sunday

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

Sincerely,

S/Sen. Bruce Bryant

Senate Chair

S/Rep. Troy D. Jackson

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 122)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON JUDICIARY**

March 15, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 540 An Act To Authorize a Court To Appoint

Counsel in Protection from Abuse Hearings

L.D. 779 An Act To Remove Clergy as Signatories on

Marriage Licenses

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

Sincerely,

S/Sen. Barry J. Hobbins

Senate Chair

S/Rep. Deborah Simpson

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 123)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

March 15, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 563 An Act To Move the Primary Election from
 June to September

L.D. 699 Resolve, Establishing the Commission To
 Improve Certain Aspects of the Citizen Initiative
 Process

L.D. 732 An Act To Improve the Candidate Nomination
 and Replacement Process

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

Sincerely,

S/Sen. Lisa T. Marraché

Senate Chair

S/Rep. John L. Patrick

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 124)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

March 16, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 170 An Act To Permit the Landing of Lobsters Harvested by Methods other than Conventional Traps

L.D. 621 Resolve, To Establish a Lobster Trap Tag Transfer Program

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

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

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 125)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON NATURAL RESOURCES**

March 15, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 537 An Act to Protect the Machiasport Clam Flats along the Machias River from Effluent Contamination

L.D. 637 An Act To Limit Mercury Exposure

L.D. 692 An Act To Eradicate Invasive Aquatic Plants and Nuisance Species

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

Sincerely,
S/Sen. John L. Martin
Senate Chair
S/Rep. Theodore S. Koffman
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 126)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

March 15, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 204 Resolve, To Combine Payroll and Human Resources for All State Agencies into One Central Agency

L.D. 601 Resolve, To Direct the Bureau of General Services To Develop a Purchasing Pool for

Political Subdivisions of the State and School Administrative Units

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

Sincerely,
S/Sen. Elizabeth M. Schneider
Senate Chair
S/Rep. Christopher R. Barstow
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 127)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON TRANSPORTATION**

March 20, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 212 An Act Regarding Penalties for Logbook Violations

L.D. 350 An Act To Protect Citizens from Physical Injury Due to Obstructed Driveways

L.D. 532 Resolve, To Create a Plan for the Downeast Airport Authority

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

Sincerely,
S/Sen. Dennis S. Damon
Senate Chair
S/Rep. Boyd P. Marley
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.P. 558)

STATE OF MAINE

123RD MAINE LEGISLATURE

March 20, 2007

Sen. Nancy B. Sullivan
Senate Chair, Joint Standing Committee on Insurance and Financial Services
Rep. John R. Brautigam
House Chair, Joint Standing Committee on Insurance and Financial Services
123rd Legislature
Augusta, ME 04333

Dear Senator Sullivan and Representative Brautigam:

Please be advised that Governor John E. Baldacci has withdrawn his nomination of Dana Connors for appointment to the Board of Directors of Dirigo Health, pursuant to Title 3 M.R.S.A. §154. This nomination is currently pending before the Joint Standing Committee on Insurance and Financial Services.

Sincerely,
S/Beth Edmonds
President of the Senate
S/Glenn Cummings
Speaker of the House

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

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

The Following Communication: (S.C. 134)

**MAINE SENATE
123RD LEGISLATURE
OFFICE OF THE SECRETARY**

March 20, 2007

Honorable Glenn Cummings

Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Dear Speaker Cummings:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 123rd Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Education and Cultural Affairs, the nomination of Wayne A. Newell of Princeton for appointment to the University of Maine System, Board of Trustees and the nomination of William D. Johnson of Saco for reappointment to the University of Maine System, Board of Trustees.

Upon the recommendation of the Committee on Inland Fisheries and Wildlife, the nomination of Frank M. Dunbar of Bucksport for appointment to the Inland Fisheries and Wildlife Advisory Council and the nomination of Albion D. Goodwin of Pembroke for appointment to the Inland Fisheries and Wildlife Advisory Council.

Upon the recommendation of the Committee on Agriculture, Conservation and Forestry, the nomination of John M. Jemison, Jr. of Orono for reappointment to the Board of Pesticides Control and the nomination of Carol A. Eckert of Windsor for reappointment to the Board of Pesticides Control.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills, Resolve 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 Amend the Animal Welfare Laws"

(H.P. 1137) (L.D. 1615)

Sponsored by Representative PIEH of Bremen.

Cosponsored by Senator NUTTING of Androscoggin and Representatives: EDGECOMB of Caribou, MAREAN of Hollis, PRATT of Eddington.

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Authorize a General Fund Bond Issue for Research and Development to Create Jobs in Maine's Emerging Biobased Plastics Industry"

(H.P. 1133) (L.D. 1611)

Sponsored by Representative SMITH of Monmouth.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: CAIN of Orono, CLEARY of Houlton, FISCHER of Presque Isle, JACKSON of Allagash, Senator: MARTIN of Aroostook.

Bill "An Act To Impose Reasonable Limits on the Growth of State Government"

(H.P. 1140) (L.D. 1632)

Sponsored by Representative CEBRA of Naples.

Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: AYOTTE of Caswell, JOY of Crystal, LANSLEY of Sabattus, MILLETT of Waterford, ROBINSON of Raymond, THOMAS of Ripley, VAUGHAN of Durham.

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

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

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Grant Supervisory Privileges to Qualified Independent Nurse Practitioners"

(H.P. 1120) (L.D. 1598)

Sponsored by Representative PINKHAM of Lexington Township.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: Speaker CUMMINGS of Portland, FINLEY of Skowhegan, PINGREE of North Haven.

Bill "An Act To Allocate the Number of Redemption Centers Based on Population"

(H.P. 1122) (L.D. 1600)

Sponsored by Representative RECTOR of Thomaston.

Cosponsored by Senator DAMON of Hancock and Representatives: BLANCHARD of Old Town, GOULD of South Berwick, HINCK of Portland, PRESCOTT of Topsham, RINES of Wiscasset, ROBINSON of Raymond, TARDY of Newport.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Prohibit the Use of Opposite-gender Bathrooms, Changing Rooms and Locker Rooms"

(H.P. 1111) (L.D. 1589)

Sponsored by Representative DUPREY of Hampden.

Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: CEBRA of Naples, LANSLEY of Sabattus, Senator: PLOWMAN of Penobscot.

Bill "An Act To Protect School Athletic Contest Officials"

(H.P. 1127) (L.D. 1605)

Sponsored by Representative SYKES of Harrison.

Cosponsored by Representatives: BLANCHETTE of Bangor, GERZOFISKY of Brunswick, Senators: DIAMOND of Cumberland, McCORMICK of Kennebec.

Bill "An Act To Reduce the Incidence of Incarceration for People with Mental Illness"

(H.P. 1134) (L.D. 1612)

Sponsored by Representative SIMPSON of Auburn.

Cosponsored by Representative: SMITH of Monmouth.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Clarify the Method of Education Cost Sharing among Certain Municipalities"

(H.P. 1112) (L.D. 1590)

Sponsored by Representative BABBIDGE of Kennebunk.

Cosponsored by Senator SULLIVAN of York and Representatives: CONNOR of Kennebunk, DRISCOLL of Westbrook, Senator: MITCHELL of Kennebec.

Bill "An Act To Provide Educational Opportunities for Dependents of Maine Military Personnel"

(H.P. 1113) (L.D. 1591)

Sponsored by Representative TARDY of Newport.

Cosponsored by Representatives: BROWNE of Vassalboro, RICHARDSON of Carmel, RICHARDSON of Greenville, TIBBETTS of Columbia, WALKER of Lincolnville, WHEELER of Kittery.

Bill "An Act To Require Legislative Review of Rules Governing the Requirements for Local Support Systems Required as Part of the Certification Process of Educational Personnel"

(H.P. 1130) (L.D. 1608)

Sponsored by Representative NORTON of Bangor.

Cosponsored by Senator BOWMAN of York and Representatives: FARRINGTON of Gorham, HARLOW of Portland, MUSE of Fryeburg, SUTHERLAND of Chapman.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Protect Small Businesses and Individual Health Insurance Consumers"

(H.P. 1114) (L.D. 1592)

Sponsored by Representative BRAUTIGAM of Falmouth.

JUDICIARY

Bill "An Act To Direct Fines Collected on Tribal Lands to the Passamaquoddy Tribe and the Penobscot Nation"

(H.P. 1128) (L.D. 1606)

Sponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.

Cosponsored by Representative: LORING of the Penobscot Nation.

LABOR

Bill "An Act To Require the Consent of Union Members To Have Dues Used for Political Purposes"

(H.P. 1115) (L.D. 1593)

Sponsored by Representative LANSLEY of Sabattus.

Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: CEBRA of Naples, COTTA of China, EDGECOMB of Caribou, McKANE of Newcastle, ROBINSON of Raymond, SAMSON of Auburn, SAVIELLO of Wilton, VAUGHAN of Durham.

Bill "An Act To Allow Service Credit for Teachers in the Retirement System for Certain Educational Development"

(H.P. 1121) (L.D. 1599)

Sponsored by Representative WOODBURY of Yarmouth.

Bill "An Act To Make Actuarially Fair Adjustments in Retirement Benefits for Older Employees"

(H.P. 1125) (L.D. 1603)

Sponsored by Representative WOODBURY of Yarmouth.

Bill "An Act To End the Automatic Deduction of Union Dues from the Paychecks of Nonunion Members"

(H.P. 1126) (L.D. 1604)

Sponsored by Representative LANSLEY of Sabattus.

Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: DUPREY of Hampden, LEWIN of Eliot, McKANE of Newcastle, SAVIELLO of Wilton, TARDY of Newport,

VAUGHAN of Durham, WOODBURY of Yarmouth, Senator: TURNER of Cumberland.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Establish a Fund to Provide American Flags at Veterans' Graves"

(H.P. 1129) (L.D. 1607)

Sponsored by Representative LANSLEY of Sabattus.

Cosponsored by Representatives: CEBRA of Naples, CROSTHWAITE of Ellsworth, HOTHAM of Dixfield, KNIGHT of Livermore Falls, PILON of Saco, PIOTTI of Unity, WATSON of Bath, WOODBURY of Yarmouth.

MARINE RESOURCES

Bill "An Act To Amend the Laws Governing Closed Periods for the Hauling of Lobster Traps"

(H.P. 1116) (L.D. 1594)

Sponsored by Representative PERRY of Calais.

Cosponsored by Senator DAMON of Hancock and Representatives: EMERY of Cutler, GROSE of Woolwich, PERCY of Phippsburg.

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

Bill "An Act To Ensure the Proper Management of the Sea Urchin Industry"

(H.P. 1117) (L.D. 1595)

Sponsored by Representative EMERY of Cutler.

Cosponsored by Senator RAYE of Washington and Representatives: ADAMS of Portland, CRAY of Palmyra, CURTIS of Madison, EATON of Sullivan, GIFFORD of Lincoln, McFADDEN of Dennysville, THIBODEAU of Winterport, Senator: DAMON of Hancock.

NATURAL RESOURCES

Resolve, Directing the Department of Environmental Protection To Study Construction and Demolition Debris Recycling

(H.P. 1118) (L.D. 1596)

Sponsored by Representative DUCHESNE of Hudson.

Cosponsored by Senator BARTLETT of Cumberland and Representatives: ANNIS of Dover-Foxcroft, CARTER of Bethel, KOFFMAN of Bar Harbor, PRATT of Eddington, TREAT of Farmingdale.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Transfer All Registry of Deeds and Probate Functions to the Secretary of State and Courts"

(H.P. 1136) (L.D. 1614)

Sponsored by Representative ROBINSON of Raymond.

Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: AUSTIN of Gray, CEBRA of Naples, CROSTHWAITE of Ellsworth, DUPREY of Hampden, FITTS of Pittsfield, FLETCHER of Winslow, SAVAGE of Falmouth.

TAXATION

Bill "An Act To Enact the 2007 Tax Reform and Tax Relief Act"

(H.P. 1110) (L.D. 1588)

Sponsored by Representative WOODBURY of Yarmouth.

Cosponsored by Senator PERRY of Penobscot and Senator: MILLS of Somerset.

Bill "An Act Regarding the Service Provider Tax"
(H.P. 1119) (L.D. 1597)

Sponsored by Representative MOORE of Standish.

Cosponsored by Senator DIAMOND of Cumberland and Representatives: KAENRATH of South Portland, ROBINSON of Raymond.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Create a Longtime Resident Tax Cap Program

(H.P. 1123) (L.D. 1601)

Sponsored by Representative CHASE of Wells.

Cosponsored by Senator NASS of York and Representatives: KNIGHT of Livermore Falls, PILON of Saco, RAND of Portland.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce Homestead Property Taxes

(H.P. 1124) (L.D. 1602)

Sponsored by Representative WOODBURY of Yarmouth.

Bill "An Act To Preserve Manufacturing in Maine"
(H.P. 1132) (L.D. 1610)

Sponsored by Representative SIMPSON of Auburn.

Cosponsored by Representative: SMITH of Monmouth.

Bill "An Act To Reduce Property Taxes through a Municipal Tax Deferral Program"

(H.P. 1135) (L.D. 1613)

Sponsored by Representative GILES of Belfast.

Cosponsored by Senator SULLIVAN of York.

Bill "An Act To Cut Taxes for Working-income Mainers"
(H.P. 1139) (L.D. 1631)

Sponsored by Representative FAIRCLOTH of Bangor.

Cosponsored by Senator PERRY of Penobscot and Representatives: BRAUTIGAM of Falmouth, PINGREE of North Haven, PIOTTI of Unity, WATSON of Bath, Senator: STRIMLING of Cumberland.

Bill "An Act To Provide a Sales Tax Exemption for College Textbooks"

(H.P. 1141) (L.D. 1633)

Sponsored by Representative CANAVAN of Waterville.

Cosponsored by Representatives: CRESSEY of Cornish, DUNN of Bangor, Senator SNOWE-MELLO of Androscoggin and Representatives: BERRY of Bowdoinham, CRAVEN of Lewiston, MAKAS of Lewiston, McKANE of Newcastle, MILLER of Somerville, VAUGHAN of Durham, WALCOTT of Lewiston, Senator: MARRACHÉ of Kennebec.

TRANSPORTATION

Bill "An Act To Require the Review of Utility Pole Placement during Road Improvement"

(H.P. 1131) (L.D. 1609)

Sponsored by Representative SMITH of Monmouth.

Cosponsored by Representatives: CAIN of Orono, CLEARY of Houlton, SIMPSON of Auburn, VALENTINO of Saco.

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

ORDERS

On motion of Representative HANLEY of Gardiner, the following Joint Resolution: (H.P. 1109) (Cosponsored by Senator McCORMICK of Kennebec and Representatives: HARLOW of

Portland, PERRY of Calais, ADAMS of Portland, AYOTTE of Caswell, CONNOR of Kennebunk, TREAT of Farmingdale)

JOINT RESOLUTION HONORING EDWIN ARLINGTON ROBINSON

WHEREAS, Edwin Arlington Robinson was born in the village of Head Tide on December 22, 1869 and spent the first 28 years of his life in Gardiner, Maine, which he immortalized in his "Tilbury Town" poems; and

WHEREAS, Edwin Arlington Robinson is recognized as one of the greatest writers in the English language in the first half of the 20th century; and

WHEREAS, Edwin Arlington Robinson was awarded the Pulitzer Prize in 1922 for his "Collected Poems," in 1925 for "The Man Who Died Twice" and in 1928 for "Tristram"; and

WHEREAS, Edwin Arlington Robinson was awarded the degree of Doctor of Literature from Bowdoin College in 1925; and

WHEREAS, Colby College maintains the world's largest collection of the manuscripts of Edwin Arlington Robinson in its library's Special Collections department; and

WHEREAS, the Gardiner Library Association in 2006 created an Internet website entitled "A Virtual Tour of Robinson's Gardiner; Maine"; and

WHEREAS, the United States Department of the Interior, National Park Service has named the Robinson family residence at 67 Lincoln Avenue, Gardiner, Maine a National Historic Landmark in recognition of the literary accomplishments of Edwin Arlington Robinson; and

WHEREAS, Edwin Arlington Robinson's significant contribution to American letters has been recently confirmed by the publication of 3 major books about his life and work: "An Edwin Arlington Robinson Encyclopedia"; "Poems of Edwin Arlington Robinson"; and "Edwin Arlington Robinson: A Poet's Life"; and

WHEREAS, the Patten Free Library in Bath; the Kennebec Historical Society in Augusta; Colby College in Waterville; and the Gardiner Library Association in Gardiner are hosting throughout the first week of April 2007 celebrations in the form of lectures, symposia, walking tours and receptions in honor of the new biography of Edwin Arlington Robinson; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-third Legislature, now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to honor this fine Maine poet and declare the first week of April 2007 Edwin Arlington Robinson Week in Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Gardiner Library Association, the Patten Free Library in Bath, the Kennebec Historical Society in Augusta and Colby College in Waterville as a token of our esteem.

READ and ADOPTED.

Sent for concurrence.

On motion of Speaker CUMMINGS of Portland, the following Joint Resolution: (H.P. 1138) (Cosponsored by President EDMONDS of Cumberland)

JOINT RESOLUTION TO RECOGNIZE MANUFACTURING IN MAINE ON MARCH 21, 2007

WHEREAS, manufacturing employs 58,000 of Maine's citizens, 12% of Maine's private sector work force; and

WHEREAS, manufacturing is the 3rd largest sector of Maine's gross domestic product, ranking behind only government and real estate; and

WHEREAS, Maine's manufacturing output continues to grow at a steady pace, rising 6-fold between 1947 and 2005; and

WHEREAS, Maine has a long history in manufacturing, including one of the first paper mills in North America; and

WHEREAS, manufacturing served as a magnet, drawing a rich diversity of cultures that form a social fabric of the fine qualities of Maine people; and

WHEREAS, manufacturing has the highest multiplier effect of any sector of Maine's economy, generating over \$6 billion of economic activity in other sectors of the economy; and

WHEREAS, Maine's manufacturing workers earn an average of \$42,000 per year, with generous health care and other benefits; and

WHEREAS, Maine's paper industry alone, just one part of Maine's manufacturing community, pays more than \$500 million in direct wages to its employees; and

WHEREAS, 67% of workers engaged in goods production jobs in Maine are located in rural areas of the State, and manufacturing jobs are critical to maintaining the economic vitality of rural communities; and

WHEREAS, thousands of jobs in the manufacturing industry in Maine are expected to become available in the next 10 years through job growth and the aging workforce; and

WHEREAS, manufacturing productivity consistently outpaces productivity growth in other areas, and Maine's economic health is tied to the viability and competitiveness of Maine's manufacturers; and

WHEREAS, Maine manufacturers are facing increasing competition from global markets, and it is in the best interests of the State to promote and encourage the health and competitiveness of Maine manufacturers; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-third Legislature, now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to express our support for the manufacturing industry in Maine and to recognize the contributions of Maine manufacturers and their employees on March 21, 2007 at the State House.

READ and ADOPTED.

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Rosaire Pelletier, of Madawaska, on the occasion of his retirement after more than 30 years of distinguished service in the paper industry and with Fraser Papers, Inc. Mr. Pelletier, a graduate of Wisdom High School, has extensive educational training in many aspects of business, including budgeting, accounting, auditing, negotiations, human behavior and management and computer science. His work experience with the company has been a remarkable rise from cost clerk to business manager for pulp and paper operations. Mr. Pelletier has also been active in community service and is currently Chairman of the Board for the Maine Chamber of Commerce. We acknowledge his long and exemplary career and his service to his community. We send him our congratulations on his retirement and extend our best wishes on his future endeavors;

(HLS 151)

Presented by Representative CLARK of Millinocket.

Cosponsored by Representative AYOTTE of Caswell, Representative CLEARY of Houlton, Representative EDGECOMB of Caribou, Representative FISCHER of Presque

Isle, Representative JACKSON of Allagash, Representative JOY of Crystal, Representative LUNDEEN of Mars Hill, Representative SUTHERLAND of Chapman, Representative THERIAULT of Madawaska, Senator MARTIN of Aroostook, Senator SHERMAN of Aroostook.

On **OBJECTION** of Representative CLARK of Millinocket, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I am honored to rise today and speak on this special day, and special occasion. Particularly, for me, my grandparents, Arthur and Loretta Caron, of Waterville, and recognize this great Franco American, Rosaire Pelletier.

"Rosi", as we call him, retired from Fraser Paper Company, on December 31, 2006, after 42 years of employment at Fraser Paper Company. Rosi was hired in 1964. He started out as a clerk, held a number of positions in the company, as well as Manager of Accounting, Controller, Family Business Manager, for the Pulp and Paper group.

I think if anyone knows Rosaire Pelletier, you know a true worker and a true gentleman. He gives 24-7, 365 days a year. If you are a legislator from his district, you definitely know where Mr. Pelletier stands. He is from the old school, like my grandfather. I told him one day, "Rosaire, you remind me so much of my grandfather, it's unbelievable." A lot of times we did not agree, but most times we did and usually it worked out to the best.

Can you imagine coming down here from Madawaska—a 12-hour round trip, day in and day out—for a job that you loved, working with pulp and paper, the Legislative process, and everybody involved? Rosaire, no doubt, is a true gentleman. It is only appropriate that we have this occasion today for him, honoring Franco Americans, with all of the work that he has given through his nationality. Mr. Speaker, I would like to have Mr. Pelletier rise today and have the Chamber recognize his achievement. And with that, I'd like to sit down. Thank you very much, Mr. Speaker.

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

Recognizing:

the Skowhegan High School Field Hockey Team, for winning the 2006 Class A State Championship. The Skowhegan Field Hockey Team has won 12 Eastern Maine Championships, including the last 6 years, and 9 State Championships, including 6 straight from 2001-2006. The team has produced 16 high school All-Americans. Coach Paula Doughty has been coaching for 26 years and was named the National Coach of the Year in 2003-2004. Skowhegan High School and the team are fortunate to have such an inspirational and dedicated coach. We extend our congratulations to the Skowhegan High School Field Hockey Team and Coach Doughty for their outstanding achievement;

(HLS 152)

Presented by Representative FINLEY of Skowhegan.

Cosponsored by Senator MILLS of Somerset, Representative CRAY of Palmyra.

On **OBJECTION** of Representative FINLEY of Skowhegan, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Finley.

Representative **FINLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am honored today to present to you the Skowhegan Area High School Field Hockey Team. They have won nine Class A State Championships, and have held that title for the past six years.

These young women are not only All-Americans, but also hold the honor of being 14th scholastically. Over the years, 21 of the outstanding young women have won scholarships to our nation's best colleges and universities. The team also mentors the young players in Skowhegan, who start playing as early as second grade. The Rec Department has a strong program, and the young aspire to be just like the young women we are honoring today.

Coach Paula Doughty has coached for 31 years, 5 years JV and 26 Varsity. Paula was chosen as the National Coach of the Year for 2003-2004. Congratulations to the team, Coach Doughty, and her assistants Tammie Veinotte, Fawn Haynie, Norma Herlbutt, and Lauren Stevens. Speaking from myself and the Skowhegan area, we are all proud of you and your accomplishments.

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

Recognizing:

Maine People's Alliance, on the occasion of its 25th anniversary. Since 1982, Maine People's Alliance has been empowering and uniting Maine's underrepresented citizens so they can identify common concerns and develop skills and resources necessary to represent themselves effectively in decision-making forums. Through participation in Maine People's Alliance, thousands of Maine citizens have realized the strategies and leadership capacity to influence public policy and win social, political, environmental and economic justice throughout the State. We congratulate and extend our gratitude to Maine People's Alliance and its 30,000 members for this important work and recognize their extraordinary commitment to the citizens and communities of our State over the last 25 years;

(HLS 154)

Presented by Representative BURNS of Berwick.

Cosponsored by Senator NASS of York, Senator BARTLETT of Cumberland, Representative BRAUTIGAM of Falmouth, Representative ADAMS of Portland, Representative CANAVAN of Waterville, Representative FAIRCLOTH of Bangor, Speaker CUMMINGS of Portland, Representative PINGREE of North Haven.

On **OBJECTION** of Representative BURNS of Berwick, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the Honorable Constance D. Cote, of Auburn, on her induction into the Franco-American Hall of Fame. Ms. Cote served 6 terms in the Maine House of Representatives and is into her 5th decade of hosting a top-rated French review show aired weekly on CNN Radio 1240. Among her many commitments, she was instrumental in the Franco-American Festival Committee that promoted all aspects of French language and culture, and she promoted the renaissance of Franco-American culture in the Lewiston and Auburn area. We acknowledge her extensive contributions to her community and to the State of Maine and we congratulate her on her receiving this high honor;

(HLS 155)

Presented by Representative SIMPSON of Auburn.

Cosponsored by Senator ROTUNDO of Androscoggin, Senator SNOWE-MELLO of Androscoggin, Representative BEAULIEU of Auburn, Representative SAMSON of Auburn, Representative MAKAS of Lewiston, Representative WALCOTT of Lewiston, Representative WAGNER of Lewiston, Representative CRAVEN of Lewiston.

On **OBJECTION** of Representative SIMPSON of Auburn, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Simpson.

Representative **SIMPSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is a pleasure to speak on this occasion, for the Honorable Constance Cote, of Auburn, on being inducted into the Franco-American Hall of Fame. She has earned this honor, not only for her role in the Franco-American Festival in Lewiston-Auburn and her weekly French radio program she has had for 42 years, but also for how she distinguished herself in service to all of the people of the State of Maine.

She is a former County Commissioner, and she served in this body for 12 years. In fact, she was my Representative. As a Representative from Auburn, she had the distinguished honor of being the first non-lawyer Chair of the Judiciary Committee, which paved the way for my being able to serve in that capacity, as well. And I thank her for that.

I was speaking with a committee clerk about Connie earlier today, and she said what she did was she brought a higher level of elegance to the Committee. She always treated people with honesty and respect. She leads with a certain style and grace. A former member always referred to her to me as, "Mother Cote". I think that is because she always made sure everyone was taken care of. So it is an honor to honor today, Connie Cote, in the presence of her son, Bill Cote, and her daughter, Elaine. Thank you.

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

Recognizing:

Norman Beaupre, of Biddeford, on his induction into the Franco-American Hall of Fame for his contributions to French language and culture in Maine. Dr. Beaupre was born in Maine and grew up speaking French in Biddeford. He received his Ph.D. in French literature in 1974 and is the author of several books. He became Professor Emeritus after 30 years of teaching at the University of New England, where he taught both francophone literature and world literature. We extend our congratulations to Dr. Beaupre on his receiving this high honor;

(HLS 156)

Presented by Representative BEAUDOIN of Biddeford.

Cosponsored by Senator HOBBS of York, Senator SULLIVAN of York, Representative BEAUDETTE of Biddeford, Representative CASAVANT of Biddeford.

On **OBJECTION** of Representative BEAUDOIN of Biddeford, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **BEAUDOIN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is a pleasure to speak for Dr. Beaupre. He is well known in both the City of Biddeford and University of New England. He is very well versed

in the French language, and has been very active in all facets of dissertation sectors, going to New Mexico, London, Berlin, Paris, he has worn many hats.

He was also the Director and was involved with the Elderhostel at UNE, Pastoral Care provider. He was Chairman, Department of Humanities. He was Director of the Division of Liberal Learning. He was also an Administrator/Registrar at the University of New England, of course. He is a Professor Emeritus at UNE. He is instrumental for the Francophone. He took a Sabbatical and went to Paris for this project.

He is being inducted into the Franco-American Hall of Fame. It is a large honor, both for Dr. Beaupre, his wife, and the City of Biddeford, as a whole. We are very proud of him and from myself, I congratulate him wholeheartedly. Thank you, Mr. Speaker.

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

Recognizing:

Cleo Paradis Ouellette, of Frenchville, on her induction into the Franco-American Hall of Fame for her many years of activism in support of French language and culture in Maine. Mrs. Ouellette taught high school French for 33 years, and also taught French at the University of Maine at Fort Kent. Among her many contributions to the community, she has served as a board member of the Maine Acadian Heritage Council and has given a series of lectures for the Maine Humanities Council on the Franco-American experience. We extend our congratulations and best wishes to Mrs. Ouellette on her receiving this high honor;

(HLS 157)

Presented by Representative THERIAULT of Madawaska.

Cosponsored by Senator MARTIN of Aroostook.

On **OBJECTION** of Representative THERIAULT of Madawaska, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative Theriault.

Representative **THERIAULT**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is indeed an honor and a privilege to be here today, to recognize Mrs. Cleo Ouellette, of Frenchville, Maine, as a member of the Franco-American Hall of Fame.

For many years, she has worked tirelessly to advance the cause of the French language and culture. She taught her children to be proud of their Franco-American heritage, and in her 33 years—as was said before of teaching the schools, the high schools, and in the colleges—she always had her students keep a positive attitude towards the French language.

The skills that have to be with the language to be fluent are one of the things that she has always strived for. She has taught French at the University of Maine at Fort Kent, as was stated, and was involved in training the French immersion program for many of the schools in the St. John Valley. In 1997, she gave a series of lectures for the Maine Humanities Council, on the Franco-American experience. She served as Secretary of Le Club Français, of the St. John Valley, which strives to safeguard the linguistic heritage of its citizens. As Coordinator of the annual Concours Oratoire, for several years, she has gone from school to school, to ensure that the students that are going to be giving these oratory examples are practicing their French.

She also is a board member of the Maine Acadian Heritage Council. As a member of its Education Committee, she has

helped to keep the French cultural materials and pass them on to many of the schools and libraries in our area. In the 90's, she was the State Winner in La Dictée des Amériques, an International French Competition. A real deal—that's what I call that.

Cleo is married to Jean Paul Ouellette. They are the proud parents of five children: Andre, Charles, Thomas, Celina, and Catherine. They are also the very proud grandparents, of ten. Thank you, Cleo Ouellette, for all of your work, for keeping the French language and culture alive. Merci beaucoup, Madame Ouellette. Thank you.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative Edgecomb.

Representative **EDGEComb**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is an honor to be able to support this sentiment, to Cleo Ouellette. My mother was an Ouellette, and I was named for Pete Levesque.

During her early years, Cleo lived with my grandmother in Limestone, where she taught school. Also, later, we spent six years in Frenchville, and I lived there with my family, and my daughter was in her French class. Mr. and Mrs. Ouellette, I don't know if this is good or bad, but for a period of time, my son dated your daughter, or one of your daughters. Is she here? I think Mr. and Mrs. Ouellette had a positive influence on my son, and I am sure your daughter did too.

But I offer my personal congratulations to you, Cleo, for your induction into the Franco-American Hall of Fame. I know that you are a distinguished and respected member of the community in Frenchville. Congratulations.

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass** on Bill "An Act To Make Failure To Wear a Seat Belt a Primary Offense"

(S.P. 22) (L.D. 24)

Signed:

Senators:

DAMON of Hancock
DIAMOND of Cumberland
SAVAGE of Knox

Representatives:

MARLEY of Portland
FISHER of Brewer
HOGAN of Old Orchard Beach
MAZUREK of Rockland
PEOPLES of Westbrook
BROWNE of Vassalboro
ROSEN of Bucksport

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

Signed:

Representatives:

THERIAULT of Madawaska
THOMAS of Ripley
CEBRA of Naples

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

READ.

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

Majority Report of the Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-11)** on Bill "An Act To Encourage the Use of Solar Energy"

(S.P. 42) (L.D. 134)

Signed:

Senators:

BARTLETT of Cumberland
HOBBINS of York
SMITH of Piscataquis

Representatives:

BLANCHARD of Old Town
RINES of Wiscasset
BLISS of South Portland
FLETCHER of Winslow
ADAMS of Portland
FITTS of Pittsfield
BERRY of Bowdoinham
HINCK of Portland

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

Signed:

Representatives:

THIBODEAU of Winterport
CURTIS of Madison

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-11)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-11)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, March 22, 2007.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Require a Test for Operating under the Influence for a Driver Involved in an Accident That Caused Bodily Injury"

(H.P. 88) (L.D. 96)

Signed:

Senators:

DIAMOND of Cumberland
McCORMICK of Kennebec

Representatives:

GREELEY of Levant
HILL of York
HANLEY of Gardiner
PLUMMER of Windham
KAENRATH of South Portland
HASKELL of Portland
SYKES of Harrison

TIBBETTS of Columbia

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

Signed:

Senator:

SHERMAN of Aroostook

Representatives:

GERZOFKY of Brunswick
BLANCHETTE of Bangor

READ.

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

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

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Enhance Land Use Opportunities for Landowners"

(H.P. 251) (L.D. 307)

Signed:

Senators:

PERRY of Penobscot
GOOLEY of Franklin

Representatives:

JACKSON of Allagash
FINCH of Fairfield
McLEOD of Lee
EBERLE of South Portland
RICHARDSON of Carmel
WHEELER of Kittery
LUNDEEN of Mars Hill
RICHARDSON of Greenville
BRYANT of Windham

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

Signed:

Senator:

BRYANT of Oxford

Representative:

SAVIELLO of Wilton

READ.

Representative JACKSON of Allagash moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Improve Landowner Relations"

(H.P. 277) (L.D. 347)

Signed:

Senators:

BRYANT of Oxford
PERRY of Penobscot
GOOLEY of Franklin

Representatives:

JACKSON of Allagash
RICHARDSON of Carmel
SAVIELLO of Wilton
FINCH of Fairfield
McLEOD of Lee
WHEELER of Kittery
LUNDEEN of Mars Hill
RICHARDSON of Greenville
BRYANT of Windham

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

Signed:

Representative:
EBERLE of South Portland

READ.

Representative JACKSON of Allagash moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-26)** on 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)

Signed:

Senator:
DAMON of Hancock

Representatives:

BROWNE of Vassalboro
FISHER of Brewer
MAZUREK of Rockland
THOMAS of Ripley
CEBRA of Naples
ROSEN of Bucksport
THERIAULT of Madawaska
PEOPLES of Westbrook

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

Signed:

Senators:
DIAMOND of Cumberland
SAVAGE of Knox

Representatives:

MARLEY of Portland
HOGAN of Old Orchard Beach

READ.

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

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

CONSENT CALENDAR

First Day

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

(S.P. 105) (L.D. 322) Resolve, To Ensure More Comprehensive Investigation and Prosecution of Computer Crimes (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-10)**

(S.P. 245) (L.D. 796) Bill "An Act To Create the Endangered or Threatened Marine Species Fund" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-12)**

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

CONSENT CALENDAR

Second Day

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

(H.P. 142) (L.D. 160) Bill "An Act To Provide Safe All-terrain Vehicle Access on Public Ways" (C. "A" H-25)

(H.P. 256) (L.D. 312) Bill "An Act To Allow Residents of a Township in the Unorganized Territory To Enact a Noise Ordinance for That Township" (C. "A" H-23)

(H.P. 331) (L.D. 415) Bill "An Act To Enhance Consumer Awareness of Insurance Sales Activity" (C. "A" H-24)

No objections having been noted at the end of the Second Legislative Day, the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

ENACTORS

Acts

An Act To Designate the Arctic Charr as a State Heritage Fish
(H.P. 147) (L.D. 165)
(C. "A" H-14)

An Act To Promote Mandatory Assignments and Training for Assistant Game Wardens
(H.P. 208) (L.D. 274)
(C. "A" H-15)

An Act To Correct an Inconsistency in Unemployment Insurance Tax Law
(S.P. 129) (L.D. 382)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Provide for Minimum Wage and Overtime Coverage for Certain Domestic Workers
(H.P. 195) (L.D. 224)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative FAIRCLOTH of Bangor, was **SET ASIDE.**

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED.**

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 Enactment. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 8

YEA - Annis, Austin, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Boland, Brautigam, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Carter, Casavant, Cebra, Chase, Clark, Cleary, Connor, Conover, Cotta, Cray, Cressey, Crockett, Crosthwaite, Curtis, Driscoll, Duchesne, Eaton, Edgecomb, Emery, Faircloth, Farrington, Finch, Finley, Fisher, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Hayes, Hill, Hinck, Hogan, Holman, Hotham, Jackson, Knight, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Mazurek, McFadden, McKane, Miller, Millett, Mills, Miramant, Nass, Norton, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pineau, Pingree, Pinkham, Plummer, Pratt, Prescott, Priest, Rand, Rector, Richardson E, Richardson W, Robinson, Rosen, Samson, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Strang Burgess, Sutherland, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Wagner, Walcott, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Woodbury.

NAY - Ayotte, Jacobsen, Joy, McLeod, Richardson D.

ABSENT - Adams, Bliss, Craven, Dill, Dunn, Duprey, Eberle, Fischer, Fitts, Haskell, Kaenrath, Koffman, Marley, McDonough, Moore, Muse, Patrick, Piotti, Rines, Smith N, Sykes, Valentino, Vaughan, Mr. Speaker.

Yes, 122; No, 5; Absent, 24; Excused, 0.

122 having voted in the affirmative and 5 voted in the negative, with 24 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate

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 yesterday, 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 Protect against Discrimination in Housing"

(S.P. 454) (L.D. 1306)

- In Senate, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS**.

TABLED - March 20, 2007 (Till Later Today) by Representative PATRICK of Rumford.

PENDING - REFERENCE IN CONCURRENCE.

Subsequently, the Bill was **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

Bill "An Act To Increase the Safety of Hospital Patients"

(H.P. 1063) (L.D. 1538)

(Committee on **HEALTH AND HUMAN SERVICES** suggested)

TABLED - March 20, 2007 (Till Later Today) by Representative WALKER of Lincolnville.

PENDING - REFERENCE.

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

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

HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-26)** - Minority (4) **Ought Not to Pass** - Committee on **TRANSPORTATION** on 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)

Which was **TABLED** by Representative BROWNE of Vassalboro pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-26)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, March 22, 2007.

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

Expression of Legislative Sentiment recognizing Maine People's Alliance.

(HLS 154)

Which was **TABLED** by Representative BURNS of Berwick pending **PASSAGE**.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Burns.

Representative **BURNS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. The Maine People's Alliance had intended to be up in the Gallery today for the presentation of this sentiment, but our business has moved along at such a rapid pace. Theirs, as they engage in lessons on lobbying and the people's interest, has evidently delayed them. In all fairness, I wish that they were up there, but they cannot be.

I think it is important that we recognize them on the 25th Anniversary of their presence in this state. I frequently refer to them as an "Alliance of Maine's People", rather than the Maine People's Alliance, because I think it connotes something different. These are folks that rise up from the ranks of working people. They are busy people, but yet they take the time to come here and testify before us at public hearings, at their expense. They take days off from work to do that.

I think it is important that we pay tribute to them because they are doing what our founding fathers expected from us all. They are keeping themselves informed and they are being diligent in the protection of their democracy. We owe them a debt of gratitude for that. So, for the Maine People's Alliance, I say, "Happy 25th Birthday." Thank you, Men and Women of the House.

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

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

On motion of Representative CLARK of Millinocket, the House adjourned at 10:33 a.m., until 10:00 a.m., Thursday, March 22, 2007 in honor and lasting tribute to Ernest T. "Ernie" Thompson, of Medway and Leon R. "Stubby" Truman, of Norway.