

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
23rd Legislative Day
Tuesday, March 27, 2007

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

Prayer by Reverend Jay Hodge, Wales Presbyterian Church.
National Anthem by Emily Jones, Boothbay Harbor.
Pledge of Allegiance.

Doctor of the day, Theodore Papalimberis, M.D., Portland.

The Journal of Thursday, March 22, 2007 was read and approved.

SENATE PAPERS

The following Joint Order: (S.P. 575)

ORDERED, the House concurring, that the Joint Standing Committee on Insurance and Financial Services shall submit, to the Senate, a Bill, "An Act To Amend the Banking Laws Regarding the Establishment of Branches by Financial Institutions with Affiliates That Engage in Commercial Activity."

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

READ and **PASSED** in concurrence.

Bill "An Act To Amend New Motor Vehicle Laws Regarding Emission Standards"

(S.P. 416) (L.D. 1168)

Committee on **NATURAL RESOURCES** suggested and ordered printed.

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

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

Bill "An Act To Seek Direct Voter Approval To Exceed Government Spending Limits"

(S.P. 562) (L.D. 1618)

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

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

Bill "An Act To Hold School Systems to the Same Spending Limits as Municipalities"

(S.P. 568) (L.D. 1624)

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

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

On motion of Representative NORTON of Bangor, the Bill was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in **NON-CONCURRENCE** and sent for concurrence.

Non-Concurrent Matter

Bill "An Act To Eliminate the Placement of Campaign Signs on Public Property"

(H.P. 1086) (L.D. 1561)

REFERRED to the Committee on **TRANSPORTATION** in the House on March 20, 2007.

Came from the Senate **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Restrict the Placement of Political Signs by Requiring Permission"

(H.P. 1087) (L.D. 1562)

REFERRED to the Committee on **TRANSPORTATION** in the House on March 20, 2007.

Came from the Senate **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Resolve, To Explore the Feasibility of Enrolling the Legislature as an Employer Group in Dirigo Health

(H.P. 1093) (L.D. 1568)

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in the House on March 20, 2007.

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

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (S.P. 589)

**123RD MAINE LEGISLATURE
3 STATE HOUSE STATION
AUGUSTA, ME 04333-0003**

March 20, 2007

The Honorable Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

Pursuant to Joint Rule 501, we are pleased to appoint Andrew Worcester of the Senate Republican Office to serve as Partisan Staff Assistant for Nominations.

Please let us know if you have any questions.

Sincerely,

S/Carol Weston

Senate Republican Leader

S/Richard Rosen

Assistant Senate Republican Leader

S/Joshua Tardy

House Republican Leader

S/Robert Crosthwaite

Assistant House Republican Leader

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

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

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

AGRICULTURE, CONSERVATION AND FORESTRY

Resolve, Directing the Department of Agriculture, Food and Rural Resources To Implement a Pilot Program To Preserve Agricultural Land

(H.P. 1196) (L.D. 1713)

Sponsored by Representative HOLMAN of Fayette.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: Speaker CUMMINGS of Portland, FLOOD of Winthrop, MAREAN of Hollis, MILLETT of Waterford, PIEH of Bremen, PIOTTI of Unity, WEBSTER of Freeport, Senator: HASTINGS of Oxford.

Bill "An Act To Require Veterinarians To Notify Municipalities of Rabies Vaccinations of Dogs"

(H.P. 1210) (L.D. 1727)

Sponsored by Representative HILL of York.

Cosponsored by Senator COURTNEY of York and Representatives: BLANCHETTE of Bangor, CARTER of Bethel, GERZOFKY of Brunswick, LUNDEEN of Mars Hill, PRATT of Eddington.

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Resolve, To Review the Disciplinary Process of the Board of Licensure in Medicine

(H.P. 1184) (L.D. 1701)

Sponsored by Representative PINGREE of North Haven.

Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: GROSE of Woolwich, MILLER of Somerville, MILLS of Farmington, PERRY of Calais, Senator: ROSEN of Hancock.

Bill "An Act To Allow Stores under 10,000 Square Feet To Be Open on Certain Holidays"

(H.P. 1185) (L.D. 1702)

Sponsored by Representative COTTA of China.

Cosponsored by Senator MITCHELL of Kennebec and Representatives: BOLAND of Sanford, CRAY of Palmyra, HAYES of Buckfield, LANSLEY of Sabattus, WEAVER of York, WEDDELL of Frankfort, Senator: WESTON of Waldo.

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

Bill "An Act To Protect Citizens from Identity Theft through Restriction of the Disclosure of Confidential Information"

(H.P. 1213) (L.D. 1730)

Sponsored by Representative WEBSTER of Freeport.

Cosponsored by Senator BOWMAN of York, Senator SCHNEIDER of Penobscot and Representatives: CAIN of Orono, CRAVEN of Lewiston, GERZOFKY of Brunswick, GILES of Belfast, SMITH of Monmouth, Senators: BROMLEY of Cumberland, TURNER of Cumberland.

Bill "An Act To Reduce Fraud in the Processing of Beverage Containers"

(H.P. 1225) (L.D. 1759)

Sponsored by Representative SMITH of Monmouth.

Cosponsored by Representatives: AUSTIN of Gray, CLEARY of Houlton, PRESCOTT of Topsham, RECTOR of Thomaston, SAMSON of Auburn, Senators: BROMLEY of Cumberland, SCHNEIDER of Penobscot.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Strengthen the Authority of Concealed Weapons Permits and Define the Term 'Crossbow' in Maine Law"

(H.P. 1211) (L.D. 1728)

Sponsored by Representative GERZOFKY of Brunswick.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act To Provide Additional Funding for the Regional Emergency Medical Services Councils and To Establish a Study Group To Examine Funding for the Emergency Medical Services System in Maine" (EMERGENCY)

(H.P. 1216) (L.D. 1733)

Sponsored by Representative TUTTLE of Sanford.

Cosponsored by Senator DIAMOND of Cumberland and Representatives: BABBIDGE of Kennebunk, BLANCHETTE of Bangor, Speaker CUMMINGS of Portland, FAIRCLOTH of Bangor, GERZOFKY of Brunswick, PINGREE of North Haven.

Bill "An Act To Amend the Laws Relating to Probation and Supervised Release for Sex Offenders"

(H.P. 1219) (L.D. 1736)

Sponsored by Representative PLUMMER of Windham.

Cosponsored by Representatives: GREELEY of Levant, TIBBETTS of Columbia, Senator: McCORMICK of Kennebec.

Submitted by the Department of Corrections pursuant to Joint Rule 204.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act Regarding the Sharing of Educational Costs in School Administrative Units of Multiple Municipalities"

(H.P. 1204) (L.D. 1721)

Sponsored by Representative BABBIDGE of Kennebunk.

Cosponsored by Senator SULLIVAN of York and Representatives: CARTER of Bethel, CONNOR of Kennebunk, DRISCOLL of Westbrook, Senator: BRYANT of Oxford.

Bill "An Act To Allow the Creation of a School District in Northern Franklin County"

(H.P. 1205) (L.D. 1722)

Sponsored by Representative SAVIELLO of Wilton.

Cosponsored by Representatives: BROWNE of Vassalboro, CARTER of Bethel, CLARK of Millinocket, CLEARY of Houlton, CRAY of Palmyra, GIFFORD of Lincoln, SCHATZ of Blue Hill, Senator: GOOLEY of Franklin.

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

Resolve, To Promote Alternative Schools within Existing School Systems (EMERGENCY)

(H.P. 1224) (L.D. 1758)

Sponsored by Representative MUSE of Fryeburg.

Cosponsored by Senator BOWMAN of York and Representatives: EDGEComb of Caribou, EMERY of Cutler, SAVIELLO of Wilton, SCHATZ of Blue Hill, STRANG BURGESS of Cumberland, Senator: SCHNEIDER of Penobscot.

Bill "An Act To Amend the Authorization Procedures for Certain Municipal and School Budgets"

(H.P. 1232) (L.D. 1766)

Sponsored by Representative WOODBURY of Yarmouth.

HEALTH AND HUMAN SERVICES

Resolve, To Expand the Maine Registry of Certified Nursing Assistants

(H.P. 1197) (L.D. 1714)

Sponsored by Representative PINGREE of North Haven.

Cosponsored by President EDMONDS of Cumberland and Representatives: CAMPBELL of Newfield, LEWIN of Eliot, MILLER of Somerville, PERRY of Calais, WALCOTT of Lewiston, WALKER of Lincolnville, Senators: RAYE of Washington, WESTON of Waldo.

Bill "An Act To Increase MaineCare Reimbursement for Speech and Language Therapists and Provide Treatment for Adults with Developmental Disabilities"

(H.P. 1228) (L.D. 1762)

Sponsored by Representative CRAVEN of Lewiston.
Cosponsored by Senator DAMON of Hancock and Representatives: CAIN of Orono, CONNOR of Kennebunk, PINGREE of North Haven, SILSBY of Augusta.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Amend the Maine Certificate of Need Act of 2002" (EMERGENCY)

(H.P. 1229) (L.D. 1763)

Sponsored by Representative MILLER of Somerville.
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Bill "An Act To Ensure End-of-life Care for Children with Terminal Illnesses"

(H.P. 1231) (L.D. 1765)

Sponsored by Representative WEBSTER of Freeport.
Cosponsored by Representative: PINGREE of North Haven.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Regulate Presettlement Lawsuit Funding"

(H.P. 1186) (L.D. 1703)

Sponsored by Representative TREAT of Farmingdale.
Cosponsored by Representatives: BRAUTIGAM of Falmouth, CLEARY of Houlton, HINCK of Portland, PRIEST of Brunswick, Senators: DAMON of Hancock, MILLS of Somerset.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Reduce the Cost of Health Insurance"

(H.P. 1198) (L.D. 1715)

Sponsored by Representative McKANE of Newcastle.
Cosponsored by Representative SAVIELLO of Wilton, Senator SNOWE-MELLO of Androscoggin and Representatives: RICHARDSON of Warren, SAVAGE of Falmouth, WALKER of Lincolnville, Senator: MARRACHÉ of Kennebec.

Bill "An Act To Ensure That DirigoChoice Is Affordable"

(H.P. 1199) (L.D. 1716)

Sponsored by Representative TREAT of Farmingdale.
Cosponsored by Senator BRANNIGAN of Cumberland and Representatives: BERRY of Bowdoinham, BRAUTIGAM of Falmouth, CONOVER of Oakland, EBERLE of South Portland, FAIRCLOTH of Bangor, MIRAMANT of Camden, PINGREE of North Haven, Senator: DAMON of Hancock.

Bill "An Act To Restore Competition to Maine's Health Insurance Market"

(H.P. 1226) (L.D. 1760)

Sponsored by Representative PILON of Saco.
Cosponsored by Senator SULLIVAN of York and Representatives: FISCHER of Presque Isle, PINGREE of North Haven, Senators: BOWMAN of York, President EDMONDS of Cumberland, MARTIN of Aroostook, SNOWE-MELLO of Androscoggin, TURNER of Cumberland.

JUDICIARY

Bill "An Act To Provide Adult Adoptees Access to Information"

(H.P. 1217) (L.D. 1734)

Sponsored by Representative BRYANT of Windham.
Cosponsored by Senator BRYANT of Oxford and Representative: PATRICK of Rumford.

Bill "An Act To Amend the Conservation Easement Laws"

(H.P. 1220) (L.D. 1737)

Sponsored by Representative PIOTTI of Unity.

LABOR

Bill "An Act To Amend the Laws Relating to the Maine State Retirement System"

(H.P. 1221) (L.D. 1738)

Sponsored by Representative CLARK of Millinocket.
Cosponsored by Senator STRIMLING of Cumberland and Representatives: BURNS of Berwick, CRESSEY of Cornish, DRISCOLL of Westbrook, JACKSON of Allagash, THOMAS of Ripley, TUTTLE of Sanford, Senator: SULLIVAN of York.
Submitted by the Maine State Retirement System pursuant to Joint Rule 204.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Make Changes in the Laws Regarding Raffles"

(H.P. 1187) (L.D. 1704)

Sponsored by Representative BRYANT of Windham.
Cosponsored by Senator BRYANT of Oxford and Representative: PLUMMER of Windham, Senator: DIAMOND of Cumberland.

Bill "An Act To Streamline the Beano Laws"

(H.P. 1206) (L.D. 1723)

Sponsored by Representative BRYANT of Windham.
Cosponsored by Senator BRYANT of Oxford and Representative: PLUMMER of Windham, Senator: DIAMOND of Cumberland.

Bill "An Act To Strengthen the Maine Clean Election Act"

(H.P. 1207) (L.D. 1724)

Sponsored by Speaker CUMMINGS of Portland.
Cosponsored by President EDMONDS of Cumberland and Representatives: BERRY of Bowdoinham, CANAVAN of Waterville, CROCKETT of Augusta, DILL of Cape Elizabeth, GERZOFKY of Brunswick, HILL of York, HOTHAM of Dixfield, PATRICK of Rumford, PERRY of Calais, PINGREE of North Haven, RECTOR of Thomaston, TARDY of Newport, VALENTINO of Saco, WEBSTER of Freeport, Senators: BARTLETT of Cumberland, PLOWMAN of Penobscot, ROSEN of Hancock.

Bill "An Act To Allow Contributors to Candidates Financed by the Maine Clean Election Fund To Submit Qualifying Contributions Online"

(H.P. 1212) (L.D. 1729)

Sponsored by Representative TRINWARD of Waterville.
Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: BEAUDOIN of Biddeford, BOLAND of Sanford, CANAVAN of Waterville, CROCKETT of Augusta, PEOPLES of Westbrook, PINKHAM of Lexington Township, PRATT of Eddington, SILSBY of Augusta.

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

Bill "An Act To Establish a Pricing Formula for Liquor Sales and To Adjust Agent Discounts"

(H.P. 1223) (L.D. 1757)

Sponsored by Representative TUTTLE of Sanford.
Cosponsored by Representatives: HOLMAN of Fayette, TRINWARD of Waterville, Senators: MITCHELL of Kennebec, PLOWMAN of Penobscot.

Bill "An Act To Amend the Election Laws"

(H.P. 1227) (L.D. 1761)

Sponsored by Representative PATRICK of Rumford.
Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: Speaker CUMMINGS of Portland, FISHER of Brewer, SAMSON of Auburn, SIMPSON of Auburn.
Submitted by the Secretary of State pursuant to Joint Rule 204.

NATURAL RESOURCES

Bill "An Act To Promote Recycling of Cellular Telephones"
(H.P. 1200) (L.D. 1717)

Sponsored by Representative BABBIDGE of Kennebunk.
Cosponsored by Senator SULLIVAN of York and
Representatives: BEAUDETTE of Biddeford, BLISS of South
Portland, BRAUTIGAM of Falmouth, CANAVAN of Waterville,
CONNOR of Kennebunk, EBERLE of South Portland, HINCK of
Portland, WAGNER of Lewiston.

STATE AND LOCAL GOVERNMENT

Resolve, To Study the Enactment Procedures for Municipal
Ordinances

(H.P. 1188) (L.D. 1705)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator STRIMLING of Cumberland and
Representatives: BERUBE of Lisbon, Speaker CUMMINGS of
Portland, FAIRCLOTH of Bangor, PINGREE of North Haven,
SIMPSON of Auburn, TARDY of Newport, Senators: BARTLETT
of Cumberland, COURTNEY of York.

RESOLUTION, Proposing an Amendment to the Constitution
of Maine To Reduce the Size of the Legislature

(H.P. 1201) (L.D. 1718)

Sponsored by Representative BABBIDGE of Kennebunk.
Cosponsored by Senator SULLIVAN of York and
Representatives: BEAULIEU of Auburn, CANAVAN of Waterville,
CONNOR of Kennebunk, JOY of Crystal.

Bill "An Act To Facilitate and Promote Regional Cooperation"
(H.P. 1218) (L.D. 1735)

Sponsored by Representative SAVIELLO of Wilton.
Cosponsored by Senator ROTUNDO of Androscoggin and
Representatives: CLEARY of Houlton, GIFFORD of Lincoln,
KOFFMAN of Bar Harbor, SCHATZ of Blue Hill.

Resolve, Establishing a Commission To Review State House
and Capitol Complex Security Issues

(H.P. 1189) (L.D. 1706)

Sponsored by Representative GROSE of Woolwich.
Cosponsored by Representatives: BURNS of Berwick,
CAMPBELL of Newfield, GREELEY of Levant, LORING of the
Penobscot Nation, PRIEST of Brunswick, WALCOTT of
Lewiston.

Committee on **STATE AND LOCAL GOVERNMENT**
suggested.

On motion of Representative BARSTOW of Gorham,
TABLED pending **REFERENCE** and later today assigned.

TAXATION

Bill "An Act To Require Municipalities To Enforce the
Collection of the State Excise Tax on Motor Vehicles, Watercraft
and Certain Recreational Vehicles Owned by Maine Residents
Registered Outside the State"

(H.P. 1190) (L.D. 1707)

Sponsored by Representative WHEELER of Kittery.
Cosponsored by Senator BOWMAN of York and
Representatives: BURNS of Berwick, CHASE of Wells, HILL of
York, MARLEY of Portland, MAZUREK of Rockland, PILON of
Saco, TUTTLE of Sanford, Senator: COURTNEY of York.
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 205.

Bill "An Act To Exempt Persons 65 Years of Age or Older
Whose Income Is Below the Poverty Line from Paying Property
Taxes on Their Homes"

(H.P. 1191) (L.D. 1708)

Sponsored by Representative BEAUDOIN of Biddeford.
Cosponsored by Senator SULLIVAN of York and
Representatives: ADAMS of Portland, CONNOR of Kennebunk,
GROSE of Woolwich, HILL of York, HOGAN of Old Orchard
Beach, MILLER of Somerville, SILSBY of Augusta, WHEELER of
Kittery.

Bill "An Act To Promote Fairness in Municipal Foreclosure
Procedures"

(H.P. 1193) (L.D. 1710)

Sponsored by Representative MILLS of Farmington.

Bill "An Act To Reduce the Capital Gains Tax"

(H.P. 1194) (L.D. 1711)

Sponsored by Representative MILLS of Farmington.
Cosponsored by Senator TURNER of Cumberland.
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 205.

Bill "An Act To Amend the Amount of the Child Care Tax
Credit"

(H.P. 1195) (L.D. 1712)

Sponsored by Representative CONOVER of Oakland.
Cosponsored by Senator PERRY of Penobscot and
Representatives: CHASE of Wells, FAIRCLOTH of Bangor,
PIOTTI of Unity, RAND of Portland, WATSON of Bath, Senators:
MILLS of Somerset, NASS of York.

Bill "An Act To Modernize the Alcohol Tax by Imposing It on a
Per Drink Basis"

(H.P. 1208) (L.D. 1725)

Sponsored by Representative BARSTOW of Gorham.
Cosponsored by Senator STRIMLING of Cumberland and
Representatives: FARRINGTON of Gorham, GROSE of
Woolwich, PERRY of Calais, PINGREE of North Haven,
WATSON of Bath, WEDDELL of Frankfort, Senators: BARTLETT
of Cumberland, MARRACHÉ of Kennebec.

RESOLUTION, Proposing an Amendment to the Constitution
of Maine To Tax Nonprimary Residences at a Higher Rate

(H.P. 1214) (L.D. 1731)

Sponsored by Representative SAVIELLO of Wilton.
Cosponsored by Senators: HOBBS of York, TURNER of
Cumberland.

RESOLUTION, Proposing an Amendment to the Constitution
of Maine To Establish a Surtax on Property with a Value over
\$400,000

(H.P. 1215) (L.D. 1732)

Sponsored by Representative MacDONALD of Boothbay.

Bill "An Act Concerning Technical Changes to the Tax Laws"

(H.P. 1222) (L.D. 1739)

Sponsored by Representative PIOTTI of Unity.
Cosponsored by Senator PERRY of Penobscot.
Submitted by the Department of Administrative and Financial
Services pursuant to Joint Rule 204.

TRANSPORTATION

Resolve, To Establish a Pilot Project for the Enforcement of
Laws Regarding Traffic Control Devices (EMERGENCY)

(H.P. 1192) (L.D. 1709)

Sponsored by Representative BEAUDOIN of Biddeford.
Cosponsored by Representative MARLEY of Portland, Senator
HOBBS of York and Representatives: HOGAN of Old Orchard
Beach, PERRY of Calais, WALCOTT of Lewiston.

Resolve, To Improve Regional Transportation in Greater Portland (EMERGENCY)

(H.P. 1202) (L.D. 1719)

Sponsored by Representative BARSTOW of Gorham. Cosponsored by Senator STRIMLING of Cumberland and Representatives: Speaker CUMMINGS of Portland, DRISCOLL of Westbrook, FARRINGTON of Gorham, MARLEY of Portland, PEOPLES of Westbrook, Senator: BARTLETT of Cumberland.

Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study of Possible Western Connector Roads to Municipal Centers in Cumberland and York Counties

(H.P. 1203) (L.D. 1720)

Sponsored by Representative BARSTOW of Gorham. Cosponsored by Senator COURTNEY of York and Representatives: BOLAND of Sanford, TUTTLE of Sanford, Senators: BARTLETT of Cumberland, NASS of York.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Guarantee the Integrity of the Highway Fund

(H.P. 1209) (L.D. 1726)

Sponsored by Representative PRESCOTT of Topsham. Cosponsored by Senator COURTNEY of York and Representatives: AUSTIN of Gray, BROWNE of Vassalboro, CEBRA of Naples, GOULD of South Berwick, KNIGHT of Livermore Falls, THOMAS of Ripley, Senators: DAMON of Hancock, DIAMOND of Cumberland.

Pursuant to Joint Order

Joint Standing Committee on Agriculture, Conservation and Forestry

Representative PIEH for the **Joint Standing Committee on Agriculture, Conservation and Forestry** pursuant to Joint Order 2006, H.P. 1055 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 103: Board of Pesticides Control Regulatory Agenda, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources (EMERGENCY)

(H.P. 1183) (L.D. 1700)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

ORDERS

On motion of Representative BLISS of South Portland, the following Joint Resolution: (H.P. 1182) (Cosponsored by Representatives: BABBIDGE of Kennebunk, BEAUDETTE of Biddeford, BERRY of Bowdoinham, BLANCHARD of Old Town, BRAUTIGAM of Falmouth, BURNS of Berwick, CAIN of Orono, CARTER of Bethel, CASAVANT of Biddeford, CLARK of Millinocket, CRAVEN of Lewiston, CROCKETT of Augusta, Speaker CUMMINGS of Portland, CURTIS of Madison, DRISCOLL of Westbrook, DUNN of Bangor, EATON of Sullivan, EBERLE of South Portland, FINLEY of Skowhegan, FLETCHER of Winslow, GROSE of Woolwich, HARLOW of Portland,

HASKELL of Portland, HOGAN of Old Orchard Beach, MARLEY of Portland, McDONOUGH of Scarborough, MILLER of Somerville, PEOPLES of Westbrook, PINGREE of North Haven, RINES of Wiscasset, SAMSON of Auburn, SAVAGE of Falmouth, SCHATZ of Blue Hill, SIROIS of Turner, SOCTOMAH of the Passamaquoddy Tribe, THERIAULT of Madawaska, TREAT of Farmingdale, TRINWARD of Waterville, TUTTLE of Sanford, WAGNER of Lewiston, WEBSTER of Freeport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO FULFILL THE INTENT TO FUND 60% OF THE COSTS OF SPECIAL EDUCATION AND TO END UNFUNDED MANDATES

WE, your Memorialists, the Members of the One Hundred and Twenty-third Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the Congress of the United States as follows:

WHEREAS, the Congress of the United States has found that all children deserve a high-quality education, including children with disabilities; and

WHEREAS, the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., provides that the Federal Government and state and local governments are to share in the expense of education for children with disabilities and commits the Federal Government to provide funds to assist with the excess expenses of education for children with disabilities; and

WHEREAS, the Congress of the United States has committed to contribute up to 40% of the average per-pupil expenditure of educating children with disabilities and the Federal Government has failed to meet this commitment to assist the states; and

WHEREAS, the Federal Government has never contributed more than a fraction of the national average per-pupil expenditure to assist with the excess expenses of educating children with disabilities under the Individuals with Disabilities Education Act; and

WHEREAS, this failure of the Federal Government to meet its commitment to assist with the excess expenses of educating a child with a disability contradicts the goal of ensuring that children with disabilities receive a high-quality education; and

WHEREAS, the imposition of unfunded mandates by the Federal Government on state governments interferes with the separation of powers between the 2 levels of government and the ability of each state to determine the issues and concerns of that state and what resources should be directed to address these issues and concerns; and

WHEREAS, the Federal Government recognized the inequalities of unfunded mandates on state governments when it passed the Unfunded Mandates Reform Act of 1995; and

WHEREAS, since the passage of the Unfunded Mandates Reform Act of 1995, however, the Federal Government continues to impose unfunded mandates on state governments, including in areas such as special education requirements; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the Congress of the United States either provide 60% of the national average per-pupil expenditure to assist states and local education agencies with the excess costs of educating children with disabilities or amend the Individuals with Disabilities Education Act to allow the states more flexibility in implementing its mandates; and be it further

RESOLVED: That We, your Memorialists, respectfully urge and request that the Congress of the United States revisit and reconfirm the Unfunded Mandate Reform Act of 1995 and put the intent and purpose of the Act into practice by ending the imposition of unfunded federal mandates on state governments; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States and to each Member of the Maine Congressional Delegation.

READ.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Bliss.

Representative **BLISS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. In 1975, the federal Individuals with Disabilities Education Act promised to free quality education to all children, including those with disabilities. The Federal Government pledged to pay 40 percent of the cost of educating disabled students, in their words. States, including Maine, had been waiting for the Feds to live up to that promise ever since.

The average cost of educating a "normal" child, is \$7,552 a year, according to the National Education Association; for those with special needs, the average cost is \$16,921. In fact, the Federal Government has never contributed more than 13 to 20 percent of the national average per-pupil expenditure to assist with these excess expenses of educating children with disabilities, under the Individuals with Disabilities Education Act.

I sponsored a Joint Order that some of you might remember, in 2001, memorializing Congress and the President to remember this promise; I had nine cosponsors. At that time, the federal grant funds in the state for children 5 to 7 years of age represented only 8 percent of the cost of serving children, 5 to 7 years of age in the state. If the federal grants were at the 40 percent level, the award to the state would have increased by \$10,086,000 and that is just for children 5 to 7 years old. The total increase would have been closer to \$68 million. I sponsored a similar Joint Order, in 2003, making that same request of Congress and the President—at that time, I had 43 sponsors. The award to the state was proportionally even lower.

When Congress debated the Act's renewal, in 2004, it recommitted the Federal Government to paying 40 percent of special education costs, by 2011. The law contained a formula, but no appropriations to fund it. On April 24, 2005, I again, sponsored a Joint Order, making the same request. That time, 47 of you agreed to sign on as cosponsors—I thank you for your support. Sadly, even though almost a dozen states passed similar reminders to the Federal Government, there was no increase in funding for special education, in this state or any other.

So Mr. Speaker and colleagues, I am trying again one last time. This Memorial may also fall on deaf ears in Washington DC, but that does not make this request any less valid. This year, once again, over 40 of you chose to sign on this as cosponsors. I am deeply indebted to you for your willingness to add your names to this statement.

We are, of course, committed to providing a quality education to all of our students. Every district in this state covers the cost of providing special education to students, either by providing instruction, or covering the cost of instruction in a neighboring district. And yet, we have never seen anything close to 40 percent from the Federal Government—or 30 percent—or 20 percent.

Mr. Speaker, this is my final term in this body. It is my sincere hope that some other legislator will pick up this quest, and continue to remind our federal legislators and Chief Executive of their promise to us, to our children, and to all of the children in the country. Mr. Speaker, I appreciate the time you have given me, and hope that my colleagues will support me in passing this Joint Order. Thank you.

Subsequently, the Joint Resolution was **ADOPTED**.
Sent for concurrence.

On motion of Speaker CUMMINGS of Portland, the following Joint Resolution: (H.P. 1230) (Cosponsored by President EDMONDS of Cumberland)

JOINT RESOLUTION RECOGNIZING MAINE'S CREDIT UNIONS

WHEREAS, Maine's credit unions are locally owned and governed financial cooperatives dedicated and committed to serving the needs of their members. The not-for-profit structure of credit unions provides each member with an equal voice and representation in the operations of the credit union. Serving members in all 16 Maine counties and in every community, Maine's credit unions are devoted to the more than 600,000 Maine consumers who use credit unions; and

WHEREAS, Maine's credit unions are consistently recognized for serving their members, as indicated by the consistently high performance and satisfaction that consumers assign to Maine's credit unions. Since 1983, credit unions have ranked first in consumer satisfaction out of all financial institutions. With lower and fewer fees and an unmatched level of member service, Maine's credit unions are prominent in the State's financial services industry and continue to grow; and

WHEREAS, Maine is once again ranked as the nation's 5th strongest credit union state based on the percentage of population that uses a credit union, a position Maine has held for 6 consecutive years. Nearly one in every 2 Maine residents uses a credit union; and

WHEREAS, the 1,950 full-time and part-time employees of Maine's credit unions and the hundreds of unpaid volunteers who serve on credit union boards and committees demonstrate the core credit union values, philosophy and mission of Maine people helping Maine people by contributing to the communities they serve; and

WHEREAS, Maine's credit unions and their members have raised more than \$2,300,000 to help end hunger in Maine since 1990. One hundred percent of all money that is raised through the Maine Credit Unions' Campaign for Ending Hunger stays in Maine and goes directly to assist thousands of Maine families and individuals who otherwise would go hungry. Because of the commitment of Maine's credit unions to the cause of ending hunger in Maine, the State is recognized nationally for its leadership role in raising awareness of, funds for and solutions to the problem of hunger not only in Maine but in a growing number of other states as well; and

WHEREAS, in addition to working to end hunger, Maine's credit unions also provide hundreds of thousands of dollars to positively affect the lives of Maine people. The lives of Maine's citizens are positively affected every day because of the efforts of Maine's credit unions, which voluntarily contribute time and financial resources to organizations and agencies in their own communities, such as the Red Cross and the Special Olympics; and

WHEREAS, since 1921, Maine's credit unions have been a source of economic stability and assistance in helping thousands of people in communities across Maine realize financial success.

Throughout Maine, credit unions continue to play a vital economic and socially responsible role in the lives of individuals and remain a local, significant and stable presence in the communities they serve; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-third Legislature, now assembled in the First Regular Session, take this occasion to recognize the Maine Credit Union League and Maine's credit unions for their positive contributions and the significant role they have played in the lives of Maine citizens and their communities for more than 85 years. Their service and dedication to this State is a tribute to many of those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Credit Union League and its 69 affiliated credit unions.

READ and ADOPTED.

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Waterville Senior High School Girls Track and Field Team, on its winning the 2007 Class B State Championship, its first Class B state title. The school won Class A titles in 1980, 2000, 2001 and 2002. We extend our congratulations and best wishes to the members of the team on their remarkable achievement;

(HLS 177)

Presented by Representative TRINWARD of Waterville. Cosponsored by Representative CANAVAN of Waterville, Senator MARRACHÉ of Kennebec.

On **OBJECTION** of Representative TRINWARD of Waterville, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER:** The Chair recognizes the Representative from Waterville, Representative Trinward.

Representative **TRINWARD:** Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise today with great pride to recognize the Waterville Senior High School Girls Track and Field Team, for their first place finish at the State Track Class B Meet.

These young women practiced every day, by running the halls of the Waterville High School and the High School cafeteria and the gymnasium. They have little opportunity to actually work out at a track, and share a track one day a week at Colby. The Panthers had at least two athletes place in three different events, and the strength of this team was the depth of their team—they actually only had one first place finish, so the whole team worked very hard for this title.

I would be remised not to mention the coach, Ian Wilson, who has coached the Waterville Girls to Class A Title, in 2000, 2001, and 2002. Again, I congratulate these young women for their tremendous effort, and their strength and fortitude of working so hard at this event. Thank you.

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

Recognizing:

the Waterville Senior High School Golf Team on its winning the 2006 State Championship Golf Match. We extend our

congratulations and best wishes to the members of the team on their remarkable achievement;

(HLS 178)

Presented by Representative TRINWARD of Waterville. Cosponsored by Representative CANAVAN of Waterville, Senator MARRACHÉ of Kennebec.

On **OBJECTION** of Representative TRINWARD of Waterville, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER:** The Chair recognizes the Representative from Waterville, Representative Trinward.

Representative **TRINWARD:** Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Again, I rise to congratulate the Waterville Senior High School Golf Team, for their victory for Class A Championship.

This victory was held on a rain-soaked course, on a very windy, wild day. They beat Cheverus by one stroke, after losing to Cheverus last year by three strokes. It was a wonderful victory for these young men. We are very proud of them and I extend my congratulations to them. Thank you.

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

Recognizing:

the Waterville Senior High School Girls Basketball Team, on its winning the 2007 Class B State Championship. The team had a perfect record of 22-0. We extend our congratulations and best wishes to the team for this remarkable achievement;

(HLS 179)

Presented by Representative CANAVAN of Waterville. Cosponsored by Senator MARRACHÉ of Kennebec, Representative TRINWARD of Waterville, Representative BROWNE of Vassalboro.

On **OBJECTION** of Representative CANAVAN of Waterville, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER:** The Chair recognizes the Representative from Waterville, Representative Canavan.

Representative **CANAVAN:** Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Up in my hometown of Waterville, there is something contagious going on around these days. It is called, "purple panther pride." We are not going to get over it right away.

The symptoms of "purple panther pride" vary; they are a bit different for everyone. For example, if you are a coach, you tilt your head a bit higher than you normally would. You have this compulsion to repeat to anyone that will listen, "I told you so. I told you these kids have what it takes to win. Was I right, or not?"

If you are a parent, you find yourself smiling unexpectedly, while you are washing the car or folding the laundry. You bite your tongue a lot more when folks offer congratulations because you do not want to appear too prideful, even though you are.

If you are a member of the Waterville Boys Golf Team or Girls Indoor Track Team, or a member of the Waterville Girls Basketball Team, or one of the other young athletes from Waterville that we will be recognizing in the balcony today, you walk with a slightly bolder step now. Your shoulders straighten when you remember that moment that you finally made it to center circle, and accepted that trophy for first place, after days and weeks and months of grueling work that finally paid off.

I describe my own symptoms of "purple panther pride" like this. First of all, my eyes glaze over and my mind goes back in time to my senior year in high school, and do not expect me to

say when that was. My friends and I played intramural basketball and it was a much different game then. Back then, girls did not train for sports because they were considered too fragile, and for the same reason we were not allowed to play full court basketball; we played what was known then as, "girls' rules basketball," at just one end of the court.

Time and again, we begged our coach, Ms. Thompson, to let us play by boy's rules and every time she refused. Until finally, on the last day of gym class, she tossed the ball out to us and said, "You go". We whooped joyously and charged wildly up and down the court. In 10 minutes time, with no training of course, we were drenched in sweat and gasping for air. Ms. Thompson smiled, twirled the ball on the end of her finger, and said smugly, "That's why you can't play by boys' rules."

So now to you, Ms. Thompson—wherever you are—I hope you got to watch the 2007 Waterville High School Girls Basketball Team, burn up the full court at the Class B State Title game. I hope you were watching, as they rocked the crowd of the Cumberland County Civic Center with their talent, their power, their grace and their class. It truly is a new day.

Up in my hometown of Waterville, we have all caught "purple panther pride," and thanks to all the great, young athletes at Waterville High School for not getting over it for a while. Thank you.

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

Recognizing:

First Lieutenant Jonathan W. Worth, of Belfast, on the completion of his mission in Iraq with the United States Army First Armored Division. After graduating from Belfast Area High School in 2001, First Lieutenant Worth went on to earn a bachelor's degree in history from the United States Military Academy at West Point. He earned one of his class's 7 awards with his thesis on General Henry Knox's post-Revolutionary War career. While deployed, First Lieutenant Worth, with his battalion, transitioned to Ramadi and then to Hit, in the Sunni Triangle, which is part of Anbar Province. He later served as a platoon leader and was responsible for his men, 4 Humvees and 4 Abrams tanks. First Lieutenant Worth earned his promotion to First Lieutenant through his leadership and demonstrated military prowess. It was in February 2006 that First Lieutenant Worth's division left Iraq and returned to Germany after a yearlong operation. We commend First Lieutenant Worth for his exemplary performance. It is an honor to extend our gratitude to him for his service and dedication to state and country;

(HLS 183)

Presented by Representative GILES of Belfast.

Cosponsored by Senator WESTON of Waldo, Representative TARDY of Newport, Representative CROSTHWAITE of Ellsworth.

On **OBJECTION** of Representative GILES of Belfast, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Belfast, Representative Giles.

Representative **GILES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am please to have with me today as a guest, Lieutenant Jon, or "Jake" as we know him at home, Worth, and his mother, Judge Patricia Worth.

In Belfast, we are extremely proud of Jake and his service this past year in Iraq. I have known Jake and his family for many years—and a little family connection here—my mother had him for student in second grade, my sister had him as a high school

English teacher, and my son played soccer with him on the Belfast Area High School soccer field. I can remember, being in the stands being a soccer mom, cheering on these young men. Jake was always a front line player. He would be first down the field. He would grab the soccer ball at the best time and lead the team on.

He continues to lead today as a Platoon Leader in Iraq, and as he goes on to his new assignment in Germany. I feel like I am still a soccer mom today, cheering him from the House. I want to thank you, Jake. I want to thank your family. I want to thank you for your continued commitment to our town, our state, and our country. Thank you.

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

In Memory of:

Pauline M. Gwadosky, of Fairfield, a prominent lifelong citizen of the town. Mrs. Gwadosky was a graduate of Lawrence High School and she was the proud manager of the 1939 State Championship girls basketball team. She married Joseph Gwadosky in 1947 and they resided in her childhood home. She is the mother of Bonnie Adams and Dan Gwadosky, who is a former Speaker of the House of Representatives and Maine Secretary of State. She was first employed as a secretary for the Superintendent of Schools in Fairfield and later served as a legal secretary. She was active in the Fairfield United Methodist Church and served for 21 years as the Mother Advisor for the area Rainbow for Girls Association. She was a life member of Merrymeeting Chapter Order of the Eastern Star and was the holder of the Grand Cross of Color. She received the "Bulldog Award" from the Lawrence High School Alumni Association and served as cochair of the Fairfield Bicentennial celebration in 1990. She and her son, Dan, served as cochairs of the Fairfield Community Festival for 10 years. Mrs. Gwadosky was treasurer of the Fairfield Democratic Party and served for years on the board of voter registration. We acknowledge her exemplary dedication to her community and to the State of Maine. She will be greatly missed and long remembered by her loving family and many friends;

(HLS 181)

Presented by Representative FINCH of Fairfield.

Cosponsored by Speaker CUMMINGS of Portland, Senator MILLS of Somerset, Representative PINGREE of North Haven, Representative FAIRCLOTH of Bangor, Representative TARDY of Newport, Representative CROSTHWAITE of Ellsworth, President EDMONDS of Cumberland, Senator MARTIN of Aroostook, Senator MITCHELL of Kennebec, Senator WESTON of Waldo, Senator ROSEN of Hancock.

On **OBJECTION** of Representative FINCH of Fairfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Fairfield, Representative Finch.

Representative **FINCH**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In thinking about speaking on this sentiment today, I started to write a few comments. Then I could hear Polly behind me saying do not make a fuss, because I do not know how many times I have heard her say that. By the way, I never heard anyone refer to her other than "Polly." Pauline, I guess, was just a little too formal for her.

I am kind of standing up here this morning with no prepared remarks because I think that is the way she would have wanted

it. It is very mixed feelings because on the one hand, I am very pleased to give honor to an outstanding member of our community, and a great personal friend of my family, as well as many others in the Town of Fairfield. On the other hand, it is very hard to speak about Polly because she is no longer here and we will miss her greatly.

Many of you note on the sentiment that she is the mother, or still is the mother of, our former Speaker and Secretary of State. However, had Dan never chosen to enter public life, this sentiment would be no less deserving.

Polly left a tremendous mark on the Town of Fairfield. I think the last two sentences in this sentiment express it very well: "Her exemplary dedication to her community," and, "She will be greatly missed and long remembered by her loving family and many friends." In relation to the "many friends", my wife and I are proud to include ourselves in that number.

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

CONSENT CALENDAR

First Day

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

(H.P. 221) (L.D. 265) Bill "An Act To Allow a Weight Tolerance for Vehicle Auxiliary Power Units" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-36)**

(H.P. 665) (L.D. 875) Bill "An Act To Continue the Protection of Marine Waters and Organisms from the Risks Posed by the Applications of Pesticides" (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-38)**

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

(H.P. 743) (L.D. 983) Bill "An Act To More Clearly Define Maple Syrup" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-39)**

On motion of Representative PIEH of Bremen, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-39)** was **READ** by the Clerk and **ADOPTED**

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence. **ORDERED SENT FORTHWITH**.

CONSENT CALENDAR

Second Day

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

(S.P. 80) (L.D. 243) Bill "An Act To Establish November as Lung Cancer Awareness Month" (C. "A" S-13)

(S.P. 86) (L.D. 249) Bill "An Act To Establish May as Missing Persons Month" (EMERGENCY) (C. "A" S-14)

(S.P. 161) (L.D. 474) Resolve, To Direct the Department of Transportation To Rename State Bridge Number 5278 the Ryan Quirion Guthrie Bridge (C. "A" S-15)

(H.P. 35) (L.D. 34) Resolve, Regarding Legislative Review of Portions of Chapter 28: Closing a School in the Unorganized Territory, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 647) (L.D. 848) Bill "An Act To Encourage Greater Public Input into the State Environmental Licensing Process"

(H.P. 668) (L.D. 878) Bill "An Act To Amend the Charter of the Harrison Water District" (EMERGENCY)

(H.P. 716) (L.D. 941) Bill "An Act To Amend the Charter of the Long Pond Water District" (EMERGENCY)

(H.P. 135) (L.D. 153) Bill "An Act To Improve the Control and Prevention of Invasive Plant Infestations" (C. "A" H-28)

(H.P. 213) (L.D. 257) Bill "An Act To Allow Expense Reimbursement for the Commercial Fishing Safety Council" (C. "A" H-32)

(H.P. 332) (L.D. 416) Bill "An Act To Protect Seniors and the Public from Unfair Health Insurance Sales Practices" (C. "A" H-29)

(H.P. 476) (L.D. 627) Bill "An Act To Ensure Uniform Emergency Medical Dispatch Services in Maine" (EMERGENCY) (C. "A" H-30)

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

ENACTORS

Emergency Measure

Resolve, To Ensure More Comprehensive Investigation and Prosecution of Computer Crimes

(S.P. 105) (L.D. 322)
(C. "A" S-10)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 139 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Strengthen "Permissible Inference" in the Law Concerning Dissemination of Sexually Explicit Material

(H.P. 4) (L.D. 3)
(C. "A" H-20)

An Act Regarding the Enforcement of Penalties under the Maine Workers' Compensation Act of 1992

(S.P. 44) (L.D. 136)
(S. "A" S-18)

An Act To Increase the Value of an Estate Collectible by Affidavit in Probate Law to \$20,000

(H.P. 169) (L.D. 198)

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

(H.P. 190) (L.D. 219)
(C. "A" H-19)

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

(H.P. 394) (L.D. 511)
(C. "A" H-17)

An Act To Create the Endangered or Threatened Marine Species Fund

(S.P. 245) (L.D. 796)
(C. "A" S-12)

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 Encourage the Use of Solar Energy

(S.P. 42) (L.D. 134)
(C. "A" S-11)

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. 12

YEA - Adams, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Bliss, Boland, Brautigam, Browne W, Bryant, Burns, Canavan, Carter, Casavant, Cebra, Chase, Clark, Cleary, Connor, Conover, Cotta, Craven, Crockett, Crosthwaite, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fischer, Fitts, Fletcher, Flood, Gerzofsky, Giles, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Holman, Jackson, Kaenrath, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, Miller, Millett, Miramant, Moore, Muse, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Pratt, Priest, Rand, Richardson W, Rines, Robinson, Rosen, Samson, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Tardy, Theriault, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walcott, Walker, Watson, Weaver, Webster, Weddell, Wheeler.

NAY - Annis, Cray, Cressey, Curtis, Gifford, Gould, Jacobsen, Joy, McLeod, Prescott, Richardson D, Richardson E, Thibodeau, Thomas.

ABSENT - Cain, Campbell, Emery, Fisher, Hotham, Knight, Mills, Rector, Sykes, Woodbury, Mr. Speaker.

Yes, 126; No, 14; Absent, 11; Excused, 0.

126 having voted in the affirmative and 14 voted in the negative, with 11 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 Thursday, March 22, 2007, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Amend the Process for Making Certain Changes to State-owned Land"

(H.P. 738) (L.D. 978)

(Committee on **INLAND FISHERIES AND WILDLIFE** suggested) TABLED - March 6, 2007 (Till Later Today) by Representative JACKSON of Allagash.
PENDING - REFERENCE.

Subsequently, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

Bill "An Act To Fund a Southern Maine Regional Applied Technology Center in Sanford"

(H.P. 1057) (L.D. 1532)

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

TABLED - March 20, 2007 (Till Later Today) by Representative BEAUDETTE of Biddeford.

PENDING - REFERENCE.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Length of Legislative Terms to 4 Years

(H.P. 1078) (L.D. 1553)

(Committee on **STATE AND LOCAL GOVERNMENT** suggested)

TABLED - March 20, 2007 (Till Later Today) by Representative BARSTOW of Gorham.

PENDING - REFERENCE.

Subsequently, the RESOLUTION was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, ordered printed and sent for concurrence.

Bill "An Act To Adopt a Regional Cost Differential for State Salaries, School Funding and Contracted Services"

(S.P. 502) (L.D. 1435)

- In Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

TABLED - March 20, 2007 (Till Later Today) by Representative BRYANT of Windham.

PENDING - REFERENCE IN CONCURRENCE.

Subsequently, the Bill was **REFERRED** to the Committee on **LABOR**, in **NON-CONCURRENCE** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass** - Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Enhance Land Use Opportunities for Landowners"

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

TABLED - March 21, 2007 (Till Later Today) by Representative JACKSON of Allagash.

PENDING - Motion of same Representative to ACCEPT the Majority OUGHT NOT TO PASS Report.

Representative FITTS of Pittsfield **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Fitts.

Representative FITTS: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in opposition to the pending motion. I introduced LD 307 as a way to give something back to landowners who provide a place for people to recreate. Private landowners today are encouraged to keep their

land open. But what do they get in return? It is no wonder that they post their land.

I am a landowner; I pay taxes and make payments on land that is a playground for others. This bill would allow those who own land, and their immediate family, to register their land so that they could, if they so choose, hunt on it on Sunday. This would be according to rules established by the Commissioner of Inland, Fisheries and Wildlife. It does not infringe on others' rights. Nor does it necessarily apply to deer season specifically. The extent that this bill would enhance opportunities is entirely dependent on the rulemaking process.

I ask you to consider landowning hunters in your districts and give them access to their own land to use as they so choose. Vote No on the pending motion, so that we made advance the Minority Ought to Pass Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Saviello.

Representative **SAVIELLO**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In the spirit of full disclosure, I do not own 20 acres of land; I only own two, so this is not applicable to me.

There are some that describe this as just a foot in the door so we can start Sunday hunting. I disagree. It is a bill about landowners. For those, if they desire—and I want to emphasize the words "if they desire"—can hunt on their land with their family on Sunday.

We as legislators and regulators are often easy to take away from landowners. We take away buffers for eagle nests. We take away buffers for vernal pools. We protect the shore lands. We tell them how to harvest their wood. These are all good things. I do not disagree with them. However, we also then turn around and ask them to pay taxes and keep the land open for people's use.

This bill simply extends them a privilege, again, if they want to take it—if they want to take it—and in exchange, we ask them to continue to keep their land open into the future. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Watson.

Representative **WATSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this motion. Sunday hunting is a very divisive issue, as you know. We have battled this out at least once a session for the last 30 sessions that I know of.

The one problem with this approach to Sunday hunting, allowing an owner of property to hunt on Sunday on his own property, is that it ignores the rights of abutting property owners. Hunting on a 20-acre parcel of land is very easy for—well it is very easy to affect the activities on the adjacent landowners' property. You cannot walk your dogs. You cannot ride your horses. You cannot farm. You cannot do anything else as long as your land abuts someone who is hunting on Sunday. You may as well try to extend Sunday hunting to the entire state, and that in fact, is what this is an effort to do.

What this bill will create are a few happy property owners who have property and would like to hunt on their own land on Sunday, and far more property owners who are going to be forced to post their land to prevent people from trespassing that land while they are getting to somewhere where they can hunt on Sunday and avoiding the possibility of being shot, frankly, from activity on a neighboring property.

It is a bad idea. It has always been a bad idea. We killed it when it appeared in the budget last time and it should go down in defeat again. I encourage you to support the motion of Ought Not to Pass. Thank you.

The SPEAKER: The Chair recognizes the Representative from Monmouth, Representative Smith.

Representative **SMITH**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. If I could address this briefly from the perspective of a landowner: My family owns a couple of hundred acres in Monmouth.

This is not what we are looking for. This is not the "thank you" that would be helpful to us. What we look for is two things: Respect when you use our lands—close the gates, take care of the fences when you go by—and ask first. Those are the basics.

Later in the session, you will have an opportunity to vote on improvements to the Current Use Taxation Laws, which will be very helpful to landowners. So, I encourage you to accept the Majority Ought Not to Pass on the pending motion. Thank you.

Representative **CLARK** of Millinocket **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 13

YEA - Adams, Annis, Austin, Babbidge, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Bliss, Boland, Brautigam, Browne W, Bryant, Burns, Campbell, Canavan, Casavant, Chase, Clark, Conover, Cotta, Craven, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Faircloth, Farrington, Finch, Finley, Fischer, Flood, Gerzofsky, Gifford, Giles, Greeley, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Jackson, Joy, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McKane, McLeod, Miller, Millett, Miramant, Muse, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pingree, Piotti, Plummer, Pratt, Priest, Rand, Richardson D, Rines, Rosen, Samson, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Wagner, Walcott, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Ayotte, Carter, Cebra, Cleary, Connor, Cray, Cressey, Edgecomb, Fitts, Fletcher, Gould, Hamper, Holman, Jacobsen, Lansley, Lewin, McFadden, Moore, Pineau, Pinkham, Prescott, Richardson E, Richardson W, Robinson, Savage, Saviello, Tardy, Vaughan.

ABSENT - Barstow, Cain, Emery, Fisher, Hogan, Hotham, Knight, Mills, Rector, Sykes, Woodbury.

Yes, 112; No, 28; Absent, 11; Excused, 0.

112 having voted in the affirmative and 28 voted in the negative, with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

ENACTORS Emergency Measure

An Act To More Clearly Define Maple Syrup

(H.P. 743) (L.D. 983)
(C. "A" H-39)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 137 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

SENATE PAPERS

Bill "An Act To Create the Maine Agriculture Protection Act"
(S.P. 591) (L.D. 1684)

Bill "An Act To Provide for Public Notification of Indoor Pesticide Applications"
(S.P. 605) (L.D. 1698)

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 for Improvements to Passenger Rail Service"
(S.P. 599) (L.D. 1692)

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.

Resolve, Directing the Department of Professional and Financial Regulation To Study the Necessity and Feasibility of Regulating Certain Mechanical Trades
(S.P. 597) (L.D. 1690)

Bill "An Act To Amend Maine's Bottle Laws"
(S.P. 603) (L.D. 1696)

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 Create Indeterminate Sentencing and a Forensic Review Board for Repeat Sexual Assault Offenders and Sexually Violent Offenders"
(S.P. 616) (L.D. 1749)

Bill "An Act To Clarify the Law for Failing To Comply with the Requirements of the Sex Offender Registration and Notification Act of 1999"
(S.P. 619) (L.D. 1752)

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

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

Bill "An Act To Establish the Town Academy Advisory Council"
(S.P. 601) (L.D. 1694)

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

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

Bill "An Act To Reduce Administrative Costs in Programs Delivered to People with Mental Retardation"
(S.P. 593) (L.D. 1686)

Resolve, To Improve Maine's Homemaker Services Program
(S.P. 606) (L.D. 1699)

Bill "An Act To Improve Continuity of Care within Maine's Community-based Mental Health Services"
(S.P. 612) (L.D. 1745)

Bill "An Act To Improve MaineCare and Promote Employment"
(S.P. 613) (L.D. 1746)

Bill "An Act To Address Smoking in Senior Housing"
(S.P. 618) (L.D. 1751)

Bill "An Act To Increase the Wages of Direct Support Professional Staff Based on Increases in the State Minimum Wage"
(S.P. 625) (L.D. 1764)

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

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

Bill "An Act To Permit Greater Flexibility in the Design of Affordable Health Insurance"
(S.P. 609) (L.D. 1742)

Bill "An Act Regarding Health Insurance Coverage for Persons under the Influence of Alcohol or Narcotics"
(S.P. 620) (L.D. 1753)

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

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

Bill "An Act To Amend the Child and Family Services and Child Protection Act"
(S.P. 596) (L.D. 1689)

Bill "An Act To Update the Maine Business Corporation Act"
(S.P. 608) (L.D. 1741)

Bill "An Act To Enact the Uniform Power of Attorney Act"
(S.P. 614) (L.D. 1747)

Bill "An Act To Amend the Statute of Limitations for Actions against Professional Land Surveyors"
(S.P. 617) (L.D. 1750)

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

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

Bill "An Act To Improve the Independent Medical Examiner System"
(S.P. 598) (L.D. 1691)

Bill "An Act To Restore Equity to the Maine State Retirement System"
(S.P. 600) (L.D. 1693)

Bill "An Act To Ensure Fair Wages"
(S.P. 604) (L.D. 1697)

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

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

Bill "An Act To Allow the Use of Credit Cards To Purchase Wine, Beer and Spirits from Distributors"
(S.P. 595) (L.D. 1688)

Bill "An Act To Amend the Maine Clean Election Act"
(S.P. 607) (L.D. 1740)

Bill "An Act To Join the Interstate Compact on the National Popular Vote"

(S.P. 611) (L.D. 1744)

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.

Resolve, To Develop a Comprehensive Water Use Plan for Maine

(S.P. 592) (L.D. 1685)

Bill "An Act To Create the Freshwater Resource Board"

(S.P. 610) (L.D. 1743)

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

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

Bill "An Act To Make Real Estate Taxation Stable, Equitable and Predictable"

(S.P. 624) (L.D. 1756)

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

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

Bill "An Act Regarding Street Rods and Custom Vehicles"

(S.P. 615) (L.D. 1748)

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

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

Bill "An Act To Incorporate the Greater Augusta Utility District"

(S.P. 621) (L.D. 1754)

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.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Protect Holders of Small Bank Accounts"

(H.P. 355) (L.D. 456)

Signed:

Senators:

SULLIVAN of York
SNOWE-MELLO of Androscoggin
BOWMAN of York

Representatives:

CANAVAN of Waterville
CROCKETT of Augusta
VAUGHAN of Durham
RICHARDSON of Warren
McKANE of Newcastle

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-40)** on same Bill.

Signed:

Representatives:

BRAUTIGAM of Falmouth
TREAT of Farmingdale
SAVAGE of Falmouth
CONOVER of Oakland
PRIEST of Brunswick

READ.

Representative BRAUTIGAM of Falmouth 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 **LEGAL AND VETERANS AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Limit Campaigning at Polling Places"

(H.P. 231) (L.D. 287)

Signed:

Senators:

MARRACHÉ of Kennebec
BRYANT of Oxford
PLOWMAN of Penobscot

Representatives:

PATRICK of Rumford
MOORE of Standish
WEDDELL of Frankfort
PINKHAM of Lexington Township
TRINWARD of Waterville
TUTTLE of Sanford
NASS of Acton
GOULD of South Berwick
HOLMAN of Fayette

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

Signed:

Representative:

BLANCHETTE of Bangor

READ.

Representative PATRICK of Rumford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Patrick.

Representative **PATRICK**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. We have had several of these bills before the Committee as such. This was one of the bills that was voted Ought Not to Pass Reports, 12-1—and the one descending member that said that because of her beliefs, she was voting against it, but would probably not speak.

This issue has been before the Committee several times over the last six years. There has been a lot of discussion on the issue as to the extent of the problem. There is a problem in some of the areas of the state, but in the vast majority of the state, most of the Committee realizes that there is not a problem. So, we decided to vote the bill out Ought Not to Pass.

There will be, I think, one or two other similarly worded bills coming before you as well. I urge you to also follow my light and vote Ought Not to Pass.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Savage.

Representative **SAVAGE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. We will see if we can address the right bill this time. I urge you to vote against the pending motion.

To explain my bill a little bit, what it does is when candidates run for office and they are in the receiving line, there should be only, in my opinion, the candidate or the candidate stand-in—not the boyfriends or girlfriends or husbands or wives or influential people that someone might know—standing in that receiving line. I saw instances of five, six, or seven people standing in that line that should not have been there.

So my bill is really quite simple. It simply says the candidate or candidate stand-in should be in the receiving line and no one else, and I request a Roll Call.

Representative SAVAGE of Falmouth **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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 Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 14

YEA - Adams, Austin, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Blanchard, Bliss, Boland, Brautigam, Browne W, Bryant, Cain, Campbell, Carter, Casavant, Clark, Cleary, Connor, Conover, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Edgcomb, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hanley S, Harlow, Haskell, Hill, Holman, Hotham, Jackson, Joy, Kaenrath, Koffman, Lewin, Lundeen, MacDonald, Makas, Marley, Mazurek, McDonough, Miller, Miramant, Moore, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rand, Richardson D, Richardson E, Richardson W, Rines, Robinson, Rosen, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Sutherland, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walcott, Walker, Watson, Weaver, Webster, Weddell, Wheeler.

NAY - Annis, Ayotte, Berube, Blanchette, Canavan, Cebra, Chase, Cressey, Duprey, Finley, Flood, Hayes, Hinck, Hogan, Jacobsen, Lansley, Marean, McFadden, McKane, McLeod, Millett, Muse, Samson, Savage, Strang Burgess.

ABSENT - Burns, Emery, Fletcher, Hamper, Knight, Mills, Rector, Sykes, Woodbury, Mr. Speaker.

Yes, 116; No, 25; Absent, 10; Excused, 0.

116 having voted in the affirmative and 25 voted in the negative, with 10 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require a 2/3 Vote of Each House of the Legislature To Enact or Increase a Tax or License Fee

(H.P. 283) (L.D. 353)

Signed:

Senators:

SCHNEIDER of Penobscot
BRANNIGAN of Cumberland

Representatives:

BARSTOW of Gorham
BOLAND of Sanford
BEAUDETTE of Biddeford
SIROIS of Turner
HAYES of Buckfield
SCHATZ of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-34)** on same RESOLUTION.

Signed:

Senator:

BENOIT of Sagadahoc

Representatives:

WEAVER of York
CURTIS of Madison
JOY of Crystal
COTTA of China

READ.

Representative BARSTOW of Gorham 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 to Pass as Amended by Committee Amendment "A" (H-35)** on Bill "An Act Regarding the Authority of the Commissioner of Inland Fisheries and Wildlife To Issue Permits to Beagle Clubs To Trap Snowshoe Hares" (EMERGENCY)

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

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 Not to Pass** on same Bill.

Signed:

Representative:

EBERLE of South Portland

READ.

Representative JACKSON of Allagash 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.

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

On motion of Representative FINCH of Fairfield, the House adjourned at 11:56 a.m., until 10:00 a.m., Thursday, March 29, 2007 in honor and lasting tribute to Pauline M. Gwadosky, of Fairfield.