

# 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  
28th Legislative Day  
Thursday, April 5, 2007

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

Prayer by Honorable John L. Patrick, Rumford.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.C. 146)

**STATE OF MAINE**

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

April 2, 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. 629            Resolve, To Create the Sebago Lake Village State Park

L.D. 1700          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)

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.**

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The Following Communication: (H.C. 147)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE  
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC  
DEVELOPMENT**

April 3, 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 Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 281            An Act Regarding Notification of Intent To Sell a Mobile Home Park

L.D. 479            An Act Regarding Licensure Testing by the Oil and Solid Fuel Board

L.D. 630            Resolve, Directing the Commissioner of Professional and Financial Regulation To Strengthen Safety Inspection Requirements Governing Industrial Elevators

L.D. 1026           An Act To Reduce Inspections and Operating Costs for Elevators

L.D. 1282           An Act To Allow Manicurists and Pedicurists To Do Nails for the Elderly

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

Sincerely,

S/Sen. Lynn Bromley

Senate Chair

S/Rep. Nancy E. Smith

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 148)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

April 3, 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 Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 20             Resolve, Prohibiting the Use of Carpeting in Schools

L.D. 343            An Act Regarding School Transportation

L.D. 465            An Act To Prohibit School Administrative Units from Advocating in Political Activity

L.D. 470            An Act To Add Ten Days to the School Year (EMERGENCY)

L.D. 821            Resolve, To Make University of Maine System Tuition Affordable (EMERGENCY)

L.D. 928            An Act To Make Higher Education More Efficient and More Economical

L.D. 1025           An Act To Reform Essential Programs and Services

L.D. 1042           An Act To Establish Uniformity in School Building Construction BY REQUEST

L.D. 1175           An Act To Apply Municipal Nepotism Policies to Municipal School Units

L.D. 1195           An Act To Establish a Uniform Chart of Municipal Accounts

L.D. 1220           An Act To Ensure Continued Education in Boatbuilding at the Marine Technology Center (EMERGENCY)

L.D. 1281           Resolve, Requiring the Department of Education To Issue Rules Adopting the Northwest Evaluation Association's Assessment System as an Approved Method of Meeting Learning Results

L.D. 1367           An Act To Address the Inequities of the Probationary Teacher Laws

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

Sincerely,  
S/Sen. Peter B. Bowman  
Senate Chair  
S/Rep. Jacqueline Norton  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 149)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE  
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

April 3, 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 Insurance and Financial Services has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 589            An Act To Repeal Certain Health Savings Account Provisions  
L.D. 1046          An Act To Make Changes to Maine's Homeowner Property Insurance Laws  
L.D. 1102          An Act To Lower Mandatory Group Participation Rates to 60%

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

Sincerely,  
S/Sen. Nancy B. Sullivan  
Senate Chair  
S/Rep. John R. Brautigam  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 150)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE  
COMMITTEE ON JUDICIARY**

April 2, 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. 86            An Act To Require the Collection of Information on Vehicle Accidents on Private Property  
L.D. 254          An Act To Restrict Takings under Eminent Domain

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.**

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The Following Communication: (H.C. 151)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE  
COMMITTEE ON LABOR**

April 3, 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 Labor has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1024          An Act To Address Labor Practices with On-call Workers

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

Sincerely,  
S/Sen. Ethan Strimling  
Senate Chair  
S/Rep. John L. Tuttle, Jr.  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 152)

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

April 2, 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. 309            An Act To Change the Laws Concerning Games of Chance  
L.D. 891            An Act To Allow and Regulate Additional Parimutuel Wagering at Commercial Tracks

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.**

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The Following Communication: (H.C. 153)

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

April 2, 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 bill out "Ought Not to Pass":

L.D. 1089 An Act To Create the Maine Natural Resource and Environment Efficiency Commission BY REQUEST

We have also notified the sponsors and cosponsors 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.**

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The Following Communication: (H.C. 154)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE  
COMMITTEE ON TRANSPORTATION**

April 2, 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. 8 An Act To Limit the Duration of a Legal Alien's Driver's License

L.D. 56 An Act To Allow Farm Trucks That Weigh over 9,000 Pounds To Be Eligible for Specialty License Plates

L.D. 84 An Act To Standardize Documentation Requirements for a Driver's License or Nondriver Identification Card

L.D. 209 An Act To Require That a Person Be a Maine Resident in Order To Be Issued a Maine Driver's License

L.D. 642 An Act to Clarify Certain Laws Concerning Posted Speed Limit

L.D. 873 An Act To Require Economic Analysis and Public Comment for Road Construction Projects

L.D. 922 An Act To Permit a Noncommercial Agricultural Designation for Certain License Plates

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.**

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The Following Communication: (H.C. 155)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE  
COMMITTEE ON UTILITIES AND ENERGY**

April 2, 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 Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":  
L.D. 1012 Resolve, To Require the Emergency Services Communication Bureau To Send E-9-1-1 Changes of Address Information to State Licensing Agencies (EMERGENCY)

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

Sincerely,  
S/Sen. Philip L. Bartlett II  
Senate Chair  
S/Rep. Lawrence Bliss  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 156)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

April 4, 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 Education and Cultural Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 930 An Act To Regionalize Supervision of Students in the Unorganized Territory

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

Sincerely,  
S/Sen. Peter B. Bowman  
Senate Chair  
S/Rep. Jacqueline Norton  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 157)

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

April 3, 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 bills out "Ought Not to Pass":

- L.D. 50            Resolve, Regarding Costly Computer Processes at the Department of Health and Human Services
- L.D. 943         Resolve, To Create a Look-back Rule for Residential Care Facilities

We have also notified the sponsors and cosponsors of each bill listed 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. 158)

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

April 3, 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. 953            An Act To Provide for Nonpartisan Elections for Sheriffs
- L.D. 1247         Resolve, To Establish a Study Commission To Explore the Creation of a Department of Peace BY REQUEST (EMERGENCY)

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.**

**PETITIONS, BILLS AND RESOLVES REQUIRING  
 REFERENCE**

The following Bills 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:

**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act To Further the Implementation of the Essential Programs and Services Funding Act"

(H.P. 1282) (L.D. 1839)

Sponsored by Representative NORTON of Bangor.  
 Cosponsored by Senator BOWMAN of York and Representative: EDGECOMB of Caribou, Senator: MILLS of Somerset.  
 Submitted by the Department of Education pursuant to Joint Rule 204.

**LABOR**

Bill "An Act To Amend the Unemployment Compensation Laws"

(H.P. 1279) (L.D. 1832)

Sponsored by Representative DUPREY of Hampden.  
 Cosponsored by Senator STRIMLING of Cumberland and Representatives: BURNS of Berwick, CLARK of Millinocket, DRISCOLL of Westbrook, HASKELL of Portland, ROBINSON of Raymond, THOMAS of Ripley, TUTTLE of Sanford, Senator: DOW of Lincoln.

**TAXATION**

Bill "An Act To Provide Property Tax and Income Tax Relief"

(H.P. 1280) (L.D. 1833)

Sponsored by Representative HOTHAM of Dixfield.  
 Cosponsored by Senator NASS of York and Representatives: CHASE of Wells, PIOTTI of Unity, Senator: STRIMLING of Cumberland.

**TRANSPORTATION**

Bill "An Act To Ensure Safety on Freshwater Ferry Vessels"

(H.P. 1281) (L.D. 1838)

Sponsored by Representative ROBINSON of Raymond.  
 Cosponsored by Senator DIAMOND of Cumberland and Representatives: BROWNE of Vassalboro, BRYANT of Windham, CEBRA of Naples, FARRINGTON of Gorham, MOORE of Standish, PLUMMER of Windham, SYKES of Harrison, Senator: HASTINGS of Oxford.

**Pursuant to Statute**

**Department of Education**

Representative NORTON for the **Department of Education** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel Part I and II, Requirements for Specific Certificates and Endorsements, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 1278) (L.D. 1831)

Be REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute**

**Department of Environmental Protection**

Representative KOFFMAN for the **Department of Environmental Protection** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 872: Exemptions from the Ban on Sale of Mercury-added Switches, Relays and Measuring Devices, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 1277) (L.D. 1830)

Be **REFERRED** to the Committee on **NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**ORDERS**

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 21)

ORDERED, that Representative Patsy Garside Crockett of Augusta be excused March 29 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Stacey Allen Fitts of Pittsfield be excused March 21 and March 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Charles William Harlow of Portland be excused April 2 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Roberta M. Muse of Fryeburg be excused March 21 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Anne C. Perry of Calais be excused April 2 and April 3 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Christopher W. Rector of Thomaston be excused March 27 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas B. Saviello of Wilton be excused April 2 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Richard M. Sykes of Harrison be excused March 20, March 22 and March 27 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Charles Ken Theriault of Madawaska be excused April 2 for health reasons.

**READ** and **PASSED**.

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Stephanie Dunton, of Winterport, for being named one of the 2007 top 2 youth volunteers in Maine as part of the 12th annual Prudential Spirit of Community Awards. This honor is bestowed upon Stephanie by Prudential Financial in partnership with the National Association of Secondary School Principals. The award acknowledges young volunteers across America who have demonstrated an extraordinary commitment to serving their communities. Stephanie, a seventh grader at Samuel L. Wagner Middle School, earned this distinction by conducting a monthly collection drive called the "Food Shuttle." Because of her efforts, more than 1,000 pounds of donated food items have been collected for a local food pantry. Her outstanding record of volunteer service and community spirit is admirable and noteworthy. We congratulate Stephanie for the selfless work she has performed, and we join with Stephanie's friends and family in wishing her well as she is given consideration for national awards by a distinguished national selection committee;

(HLS 176)

Presented by Representative THIBODEAU of Winterport.  
Cosponsored by Senator WESTON of Waldo.

On **OBJECTION** of Representative THIBODEAU of Winterport, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

**Recognizing:**

Julia Ginn, of Winterport, who teaches 7th-grade language arts at Samuel L. Wagner Middle School, on her excellence in teaching. Ms. Ginn has taught for 16 years, the last 5 at Wagner Middle School. Three of her students from Wagner Middle School have received the prestigious Prudential Spirit of Community Award, which honors young people in middle schools and high schools for their outstanding volunteer service to their communities. Ms. Ginn is the advisor to the student council and is committed to inspiring students to contribute to their communities by volunteering. We commend her for her strong skills and abilities in education and we send her our appreciation;

(HLS 268)

Presented by Representative THIBODEAU of Winterport.  
Cosponsored by Senator WESTON of Waldo.

On **OBJECTION** of Representative THIBODEAU of Winterport, was **REMOVED** from the Special Sentiment Calendar.

The **SPEAKER**: The Chair recognizes the Representative from Winterport, Representative Thibodeau.

Representative **THIBODEAU**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise this morning, to tell you how proud I am to have constituents like Stephanie Dunton. This young lady, who is a seventh grader at the Wagner Middle School, has taken it upon herself to collect over 1,400 pounds of food for local food banks. She is going to be representing the entire State of Maine in Washington, DC this May, at the National competition. But I also think it is worth mentioning that Stephanie's sister, her name is Samantha, also won this award just two years ago. I think it speaks very highly of the community for which I represent. I am extremely proud of both of these young ladies, but the story does not end there.

As you heard recently, we have a teacher at Wagner Middle School, by the name of Ms. Ginn. Ms. Ginn and I actually were kids together. This is, I believe, her fifth student that has won this very prestigious award. I am extremely proud of her, Stephanie, and Samantha for their ability to care about the community the way that they do. Thank you, Mr. Speaker.

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

**REPORTS OF COMMITTEE**

**Change of Committee**

Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Resolve, To Regulate Blasting Operators

(S.P. 189) (L.D. 597)

Reporting that it be **REFERRED** to the Committee on **NATURAL RESOURCES**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **NATURAL RESOURCES**.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **NATURAL RESOURCES** in concurrence.

Report of the Committee on **MARINE RESOURCES** on Bill "An Act To Protect Native Diadromous Fish during Their Migration"

(S.P. 551) (L.D. 1528)

Reporting that it be **REFERRED** to the Committee on **MARINE RESOURCES** and the Committee on **NATURAL RESOURCES**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **MARINE RESOURCES** and the Committee on **NATURAL RESOURCES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **MARINE RESOURCES** and the Committee on **NATURAL RESOURCES** in concurrence.

Representative BLISS from the Committee on **UTILITIES AND ENERGY** on Resolve, To Encourage Increased Use of Biodiesel Fuels in Maine

(H.P. 852) (L.D. 1159)

Reporting that it be **REFERRED** to the Committee on **TRANSPORTATION**.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **TRANSPORTATION**.

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. 149) (L.D. 167) Bill "An Act To Allow Military Personnel Stationed in Maine To Register All-terrain Vehicles As Residents" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-58)**

(H.P. 184) (L.D. 213) Bill "An Act To Establish an Airport Managers Training Program" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-53)**

(H.P. 192) (L.D. 221) Resolve, Requiring the Maine Community College System To Return Real Property and Buildings to the City of Eastport Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-54)**

(H.P. 250) (L.D. 306) Bill "An Act To Provide Medically Necessary Speech Therapy Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-52)**

(H.P. 296) (L.D. 366) Bill "An Act To Make Additions and Deletions to the List of State Endangered and Threatened Species" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-59)**

(H.P. 425) (L.D. 547) Bill "An Act To Create Fairness in E-9-1-1 Funding" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-57)**

(H.P. 548) (L.D. 727) Bill "An Act To Expand the Definition of Health Care Facility under the Maine Health and Higher Educational Facilities Authority Act" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-55)**

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:

(S.P. 121) (L.D. 377) Bill "An Act To Fund a Joint Appointment for a Groundfish Ecologist"

(H.P. 365) (L.D. 481) Resolve, Directing the Department of Education To Review and Assess Distance Learning Opportunities for High School Students

(H.P. 480) (L.D. 631) Bill "An Act To Strengthen OUI Laws As They Pertain to Drugs"

(H.P. 859) (L.D. 1178) Bill "An Act To Update and Clarify Laws Relating to Maine's Community Colleges"

(H.P. 10) (L.D. 9) Bill "An Act To Continue the Axle Weight Law Changes beyond September 15, 2007" (C. "A" H-48)

(H.P. 381) (L.D. 497) Bill "An Act To Allow Funeral Processions To Use Certain Lights" (C. "A" H-47)

(H.P. 454) (L.D. 587) Bill "An Act To Protect and Improve Lake Water Quality" (C. "A" H-49)

(H.P. 494) (L.D. 645) Bill "An Act To Promote Municipal Energy Conservation" (C. "A" H-45)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was **PASSED TO BE ENGROSSED** 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

An Act To Continue To Allow Public Retiree Organizations Access to the Maine State Retirement System's List of All State Retirees

(S.P. 229) (L.D. 712)

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. 113 voted in favor of the same and 9 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

##### Emergency Measure

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

(H.P. 35) (L.D. 34)

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. 117 voted in favor of the same and 6 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH**.



**Acts**

An Act To Allow a Weight Tolerance for Vehicle Auxiliary Power Units

(H.P. 221) (L.D. 265)  
(C. "A" H-36)

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2008

(S.P. 102) (L.D. 319)  
(C. "A" S-23)

An Act To Reauthorize the Community Preservation Advisory Committee

(S.P. 108) (L.D. 336)  
(C. "A" S-22)

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

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

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.

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.

Expression of Legislative Sentiment Recognizing Catherine "Kay" Bell, of Houlton, recipient of the 2007 Greater Houlton Chamber of Commerce Community Service Award

(HLS 213)

TABLED - April 2, 2007 (Till Later Today) by Representative CLEARY of Houlton.

PENDING - **PASSAGE**.

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

HOUSE DIVIDED REPORT - Majority (12) **Ought to Pass** - Minority (1) **Ought Not to Pass** - Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Authorize a Tribal Commercial Track and Slot Machines in Washington County"

(I.B. 1) (L.D. 805)

TABLED - April 3, 2007 (Till Later Today) by Representative PATRICK of Rumford.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS** Report.

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

The Bill was **READ ONCE** and was assigned for **SECOND READING** Tuesday, April 10, 2007.

**SENATE PAPERS**

The following Joint Order: (S.P. 658)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, April 10, 2007, at 10:00 in the morning.

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

**READ** and **PASSED** in concurrence.

Bill "An Act To Authorize the Use of Timber Harvesting Revenues for Land Management"

(S.P. 652) (L.D. 1834)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act To Define the Process for a Municipality To Secede from a County"

(S.P. 656) (L.D. 1840)

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 Save Money for Maine Energy Consumers through Enhanced Energy Efficiency"

(S.P. 654) (L.D. 1836)

Bill "An Act To Harmonize State and Federal Laws on Do-not-call Lists"

(S.P. 655) (L.D. 1837)

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.

**CONSENT CALENDAR**

**First Day**

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

(S.P. 177) (L.D. 565) Bill "An Act To Remove the Sunset on the Exemption of Internet Services from Auctioneer Licensure Requirements" (EMERGENCY) Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(S.P. 310) (L.D. 993) Bill "An Act To Amend the Charter of the Winterport Water District" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass**

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

The following Joint Resolution: (S.P. 657)

**JOINT RESOLUTION RECOGNIZING MAINE'S BANKING INDUSTRY AND THE MAINE BANKERS ASSOCIATION**

WHEREAS, the membership of the Maine Bankers Association has been serving the banking and financial services needs of Maine's communities and citizens for over 150 years; and

WHEREAS, the banking industry's commitment to its communities has been recognized by consistently high evaluations under the federal Community Reinvestment Act; and

WHEREAS, the members of the Maine Bankers Association are giving back to their communities through a commitment to providing financial literacy programs to Maine's youth and young adults, including the joint American Bankers Association's and Maine Bankers Association's annual Teach Children to Save Day program, which will teach students in elementary schools throughout the State on April 24, 2007 about the importance of saving and how to save; and

WHEREAS, the banking industry's members and their employees annually demonstrate their commitment to children

and the communities that they serve by donating thousands of volunteer hours and millions of dollars in community contributions; and

WHEREAS, the commitment to volunteerism and assisting in particular Maine's youth is represented here today by the 2007 Maine Bankers Association America's Promise Volunteers:

Lynne Spooner	Merrill Bank
Leanna Targett	Camden National Bank
Melissa Babineau	Maine Bank & Trust
Steven Flynn	Maine Bank & Trust
Sarah Martin	Bank of America
Molly Foley	Acadia Trust, N.A.
David Doolittle	Bar Harbor Bank & Trust
Alina Burke	Northeast Bank
Joline Daigle	Northeast Bank
Lynn Hamper	Northeast Bank
Leslie Couper, CFP	Northeast Bank
Debora Hillier, CIC	Northeast Bank
Jill Roy	Northeast Bank
Pender Lazenby	Northeast Bank
Trish Merrill	Northeast Bank
Kris Powell	Northeast Bank
Jim Delamater	Northeast Bank
Cathy McKelway	Northeast Bank
Shelley Smith	Northeast Bank
Christian Bishop, CFP	Northeast Bank
Kevin Carbin, CFP	Northeast Bank
Sean Doucette	Northeast Bank
Liza Crenshaw	Northeast Bank
Sandy Harmon	Northeast Bank
Craig Staples	Katahdin Trust

On motion of Representative THERIAULT of Madawaska, the House adjourned at 11:43 a.m., until 10:00 a.m., Tuesday, April 10, 2007 pursuant to the Joint Order (S.P. 658) and in honor and lasting tribute to John Glenroy Sinclair, of Fort Kent and Mary Madore, of Madawaska.

WHEREAS, the members of the Maine Bankers Association continue to demonstrate their financial support for Maine's high school graduates attending universities and community colleges in Maine individually through their own institutional scholarship programs and together through the Maine Higher Education Assistance Foundation's scholarship program; and

WHEREAS, the State's banking industry is an important supporter of the Maine Bar Association's IOLTA program, which provides legal services for Maine's disadvantaged citizens; 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 occasion to recognize Maine's banking industry and the Maine Bankers Association for their continued commitment and contributions to their communities and for supporting Maine's long tradition of service to others and to recognize the industry's commitment to providing needed financial literacy programs, educational scholarships for Maine's high school graduates and support for the IOLTA legal services program; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Bankers Association and the 2007 America's Promise Volunteers.

Came from the Senate, **READ** and **ADOPTED**.  
**READ** and **ADOPTED** in concurrence.

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

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