

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
31st Legislative Day
Tuesday, April 24, 2007

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

Prayer by Pastor Regginal Adams, Calvary Temple Assembly of God, East Millinocket.

National Anthem by Juliette Krouse, Gardiner.

Pledge of Allegiance.

The Journal of Wednesday, April 11, 2007 was read and approved.

SENATE PAPERS
Pursuant to Public Law

Subcommittee To Study Early Childhood Special Education

Report of the **Subcommittee To Study Early Childhood Special Education** pursuant to Public Law 2005, chapter 662, Part C, section 8 asks leave to report that the accompanying Bill "An Act To Improve Efficiency and Effectiveness of Early Intervention and Early Childhood Special Education for Children from Birth to Eight Years of Age through Improved Oversight, Accountability and Interagency Coordination"

(S.P. 666) (L.D. 1850)

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

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Non-Concurrent Matter

Bill "An Act To Authorize a Tribal Commercial Track and Slot Machines in Washington County"

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

PASSED TO BE ENGROSSED in the House on April 10, 2007.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-37)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Allow Legislative Pay To Be Set by the State Compensation Commission"

(H.P. 1266) (L.D. 1814)

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and the Committee on **LABOR** in the House on April 10, 2007.

Came from the Senate **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in **NON-CONCURRENCE**.

On motion of Representative **BEAUDETTE** of Biddeford, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

Non-Concurrent Matter

Bill "An Act To Make Failure To Wear a Seat Belt a Primary Offense"

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

Minority (3) **OUGHT NOT TO PASS** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** in the House on March 22, 2007.

Came from the Senate with the Majority (10) **OUGHT TO PASS** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-35)** in **NON-CONCURRENCE**.

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

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

COMMUNICATIONS

The Following Communication: (H.P. 1299)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333

April 11, 2007

Hon. Glenn Cummings

Speaker of the House

123rd Legislature

Hon. Beth Edmonds

President of the Senate

123rd Legislature

Dear Mr. Speaker and Madam President:

On April 11, 2007, 6 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 11, 2007, as follows:

Education and Cultural Affairs

Bill "An Act To Prepare All Maine Students for College, Career and Citizenship" (H.P. 1295) (L.D. 1859) (Sponsored by Representative **NORTON** of Bangor) (Cosponsored by Senator **BOWMAN** of York and Representative: **STRANG BURGESS** of Cumberland, Senator: **MILLS** of Somerset) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Bill "An Act To Implement the Recommendations of the Task Force To Engage Maine's Youth Regarding Successful School Completion" (H.P. 1296) (L.D. 1860) (Sponsored by Representative **MARLEY** of Portland) (**GOVERNOR'S BILL**) (Cosponsored by Senator **MITCHELL** of Kennebec and Representatives: **BARSTOW** of Gorham, **NORTON** of Bangor, **PINGREE** of North Haven, Senators: **BOWMAN** of York, **MILLS** of Somerset)

Inland Fisheries and Wildlife

Bill "An Act To Protect Inland Water Access" (H.P. 1294) (L.D. 1858) (Sponsored by Representative **JACKSON** of Allagash) (Cosponsored by Senator **BRYANT** of Oxford and Representatives: **FISCHER** of Presque Isle, **LUNDEEN** of Mars Hill, **PATRICK** of Rumford, **SAVIELLO** of Wilton, **WHEELER** of Kittery, Senator: **MARTIN** of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Labor

Bill "An Act Regarding Payment of Penalties for Nonpayment of Bills for Medical or Health Care Services under the Maine

Workers' Compensation Act of 1992" (H.P. 1297) (L.D. 1861) (Submitted by the Workers' Compensation Board pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11.) Bill "An Act Regarding Fairness for Families Regarding Workers' Compensation Coverage" (H.P. 1298) (L.D. 1862) (Submitted by the Workers' Compensation Board pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11.)

Legal and Veterans Affairs

Bill "An Act To Allow Members of the Maine National Guard To Run for Office in a Partisan Public Election" (H.P. 1293) (L.D. 1857) (Sponsored by Representative TUTTLE of Sanford) (Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: Speaker CUMMINGS of Portland, GOULD of South Berwick, NASS of Acton, PATRICK of Rumford, PINKHAM of Lexington Township, TRINWARD of Waterville, WEDDELL of Frankfort, Senator: BRYANT of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Sincerely,
S/Millicent M. MacFarland
Clerk of the House
S/Joy J. O'Brien
Secretary of the Senate

READ and ORDERED PLACED ON FILE.
Sent for concurrence.

The Following Communication: (H.P. 1303)
STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
AUGUSTA, MAINE 04333

March 13, 2007
Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk MacFarland:
Enclosed please find my official certification to the 123rd Legislature of the citizen initiative petition entitled "An Act to Allow a Tax Credit for College Loan Repayments."
Sincerely,
S/Matthew Dunlap
Secretary of State

STATE OF MAINE
DEPARTMENT OF STATE

I, **Matthew Dunlap, Secretary of State, hereby certify** that written petitions bearing signatures of 63,285 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 25, 2007, requesting that the Legislature consider an act entitled, "An Act to Allow a Tax Credit for College Loan Repayments."

I **further certify** that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 55,087.

I **further certify** this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the thirteenth day of March in the year two thousand and seven.

S/MATTHEW DUNLAP
Secretary of State

READ and with accompanying papers ORDERED PLACED ON FILE.

Sent for concurrence.

On motion of Representative PIOTTI of Unity, the accompanying Bill "An Act To Allow a Tax Credit for College Loan Repayments"

(I.B. 2) (L.D. 1856)

REFERRED to the Committee on **TAXATION**, ordered printed and sent for concurrence.

The Following Communication: (H.C. 176)
STATE OF MAINE
123RD MAINE LEGISLATURE

April 5, 2007
Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk MacFarland:
Pursuant to our authority under Title 12, MRSA, Chapter 619, §6447, we are pleased to appoint the following Legislators to the Lobster Management Policy Council:
Representative Anne C. Perry of Calais, representing Zone A (reappointment)
Representative Robert N. Eaton of Sullivan, representing Zone B
Representative Hannah M. Pingree of North Haven, representing Zone C (reappointment)
Representative Edward J. Mazurek of Rockland, representing Zone D (reappointment)
Senator Paula I. Benoit of Sagadahoc, representing Zone E
Representative Leila J. Percy of Phippsburg, representing Zone F (reappointment)
Senator Nancy B. Sullivan of York, representing Zone G (reappointment)
Please let us know if you have any questions regarding these appointments.
Sincerely,
S/Beth Edmonds
President of the Senate
S/Glenn Cummings
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 182)
STATE OF MAINE
123RD MAINE LEGISLATURE

April 9, 2007
Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333-0002
Dear Clerk MacFarland:
Pursuant to our authority under Public Laws 2005, Chapter 380, Part A, we are pleased to appoint Clinton Wesley Phinney, Jr. of Waterboro to the Statewide Homeless Council, representing the Region I Homeless Council.
Please let us know if you have any questions regarding this appointment.
Sincerely,
S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 162)

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

April 10, 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. 803 An Act To Stimulate the Economy in the St. John Valley
L.D. 1057 An Act Concerning the Economic and Business Climate
L.D. 1076 An Act To Encourage Expansion and Development of Maine Tourism

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.

The Following Communication: (H.C. 163)

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

April 10, 2007

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

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

L.D. 946 An Act To Prevent Smoke Detector Tampering
L.D. 949 An Act To Amend the Laws Concerning Public Fighting

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

Sincerely,
S/Sen. Bill Diamond
Senate Chair
S/Rep. Stanley J. Gerzofsky
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 164)

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

April 10, 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. 984 Resolve, To Evaluate MaineCare Finances
L.D. 1527 An Act To Set Maximum Allowable Television Viewing Hours for State-licensed Child 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. 165)

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

April 6, 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. 386 An Act To Provide for Prescription Monitoring and Protection of Personal Patient Information
L.D. 724 Resolve, To Direct the Department of Health and Human Services To Provide Temporary Assistance for Needy Families Benefits to Certain Guardians of Minors
L.D. 899 Resolve, To Establish a Committee To Examine the Impacts of the 1993 Amendments to General Assistance Program Eligibility

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. 166)

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

April 10, 2007

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

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

L.D. 356 An Act Concerning Certain Hunting License Fees and Antlerless Deer Permits

L.D. 655 An Act To Change the Firearms Season on Deer

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

Sincerely,
S/Sen. Bruce Bryant
Senate Chair
S/Rep. Troy D. Jackson
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 167)

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

April 6, 2007

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

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

L.D. 379 An Act To Expand the Fall Wild Turkey Hunting Season

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

Sincerely,
S/Sen. Bruce Bryant
Senate Chair
S/Rep. Troy D. Jackson
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 168)

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

April 10, 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. 1116 An Act To Create a State-sponsored Mutual Liability Company To Underwrite Risk for Snowmobile and ATV Clubs

L.D. 1401 An Act Prohibiting Delivery of Unsolicited Credit Cards

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.

The Following Communication: (H.C. 169)

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

April 10, 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. 275 An Act To Protect Child Victims of Sexual Abuse

L.D. 1213 An Act To Establish Spousal Support Guidelines

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

Sincerely,
S/Sen. Barry J. Hobbins
Senate Chair
S/Rep. Deborah Simpson
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 170)

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

April 6, 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. 914 An Act To Extend the Hours for Sale and Delivery of Alcohol

- L.D. 1049 An Act To Require Wholesale Distributors of Alcoholic Beverages To Report the Quantity of Liquor Sold to Individual Licensees
- L.D. 1050 An Act To Prohibit Payment for the Gathering of Petition Signatures

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

Sincerely,
S/Sen. Lisa T. Marraché
Senate Chair
S/Rep. John L. Patrick
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 171)

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

April 6, 2007
Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Marine Resources has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 139 An Act To Provide Flexibility for Sea Urchin Zones

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

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

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 172)

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

April 6, 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. 1488 An Act To Reduce Contamination in the Home from the Release of Brominated Flame Retardants

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

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

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 173)

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

April 10, 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. 205 An Act To Require Regulatory Impact Estimates on Private Property
- L.D. 734 An Act To Improve Public Understanding in Rulemaking
- L.D. 1147 An Act To Impose a Modified Hiring Freeze in State Government (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.

The Following Communication: (H.C. 174)

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

April 10, 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 bill out "Ought Not to Pass":

- L.D. 901 An Act To Require Legislative Review before a Road's Designation or Classification May Be Changed (EMERGENCY)

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

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

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 175)

STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY

April 10, 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 bill out "Ought Not to Pass":

L.D. 764 An Act To Clarify Standards for Issuance of a Certificate of Public Convenience and Necessity

We have also notified the sponsor and cosponsor 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.

The Following Communication: (H.C. 177)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

April 6, 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 Appropriations and Financial Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 218 An Act To Authorize a General Fund Bond Issue To Encourage Municipal High-speed Internet Access

L.D. 432 An Act To Authorize a General Fund Bond Issue To Maintain, Improve and Develop Trails

L.D. 573 An Act To Authorize a General Fund Bond Issue for the Western Maine Creative Arts Center

L.D. 594 An Act To Authorize a General Fund Bond Issue To Facilitate Laboratory and Education Facility Construction for the Gulf of Maine Research Institute

L.D. 747 An Act To Authorize a General Fund Bond Issue for the Municipal Investment Trust Fund

L.D. 801 An Act To Authorize a General Fund Bond Issue for Infrastructure Improvements for Canton Village and To Provide Funding for the CareerCenter in Rumford

L.D. 942 An Act To Authorize a General Fund Bond Issue for Educational Facilities and Research and Development Facilities for the University of New England

L.D. 1165 An Act To Authorize a General Fund Bond Issue for Development of 2 Educational Facilities for Spurwink

L.D. 1237 An Act To Authorize a General Fund Bond Issue To Create Jobs through Enhancing Maine's Commercial Marine Resources

L.D. 1256 An Act To Authorize a General Fund Bond Issue for Community Recycling and Household Hazardous Waste Collection

L.D. 1395 An Act To Protect Maine Rivers and To Authorize a General Fund Bond Issue

L.D. 1692 An Act To Authorize a General Fund Bond Issue for Improvements to Passenger Rail Service

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

Sincerely,
S/Sen. Margaret Rotundo
Senate Chair
S/Rep. Jeremy Fischer
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 178)

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

April 11, 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 bill out "Ought Not to Pass":

L.D. 767 Resolve, Directing the Bureau of Revenue Services To Make Information Available Concerning the Amount of Revenue Received from the Companion Animal Sterilization Fund Tax Return Checkoff

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

Sincerely,
S/Sen. John M. Nutting
Senate Chair
S/Rep. Wendy Pieh
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 179)

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

April 11, 2007

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

Dear President Edmonds and Speaker Cummings:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Inland Fisheries and Wildlife has

voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 421 An Act To Improve Deer Management and Hunting

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

Sincerely,
S/Sen. Bruce Bryant
Senate Chair
S/Rep. Troy D. Jackson
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 180)

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

April 11, 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 bills out "Ought Not to Pass":

L.D. 75 An Act To Prohibit Credit Checks for Purposes of Employment

L.D. 233 An Act To Provide Funds for Voice-activated Telephones

L.D. 595 An Act To Define "Livable Wage"

L.D. 689 An Act To Facilitate MaineCare Reimbursement in Workers' Compensation Cases

L.D. 1113 An Act To Prevent Workplace Bullying

L.D. 1355 An Act Regarding the Calculation of the Livable Wage

L.D. 1416 An Act To Create a Workers' Compensation Board Appeals Process

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

The Following Communication: (H.C. 181)

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

April 11, 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. 1273 An Act To Increase Beano Revenue
L.D. 1397 An Act To Allow Nonprofit Organizations and Indian Tribes To Sponsor Texas Hold 'Em Tournaments

L.D. 1643 An Act To Clarify Alcohol Enforcement

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

Sincerely,
S/Sen. Lisa T. Marraché
Senate Chair
S/Rep. John L. Patrick
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 183)

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

April 11, 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. 985 An Act To Include Family Life Skills in the System of Learning Results

L.D. 1013 An Act To Offer Tuition Waivers for State Higher Education Facilities to Eligible Veterans

L.D. 1043 An Act Regarding Requirements for the Issuance and Renewal of Teaching Certificates

L.D. 1333 An Act To Develop an Equitable Funding Formula for the University of Maine System Campuses

L.D. 1427 Resolve, To Evaluate Parenting Education and To Develop Parenting Resources in Maine High Schools

L.D. 1465 Resolve, To Establish a Pilot Program for a Trimester Schedule at the University of Maine at Presque Isle (EMERGENCY)

L.D. 1525 An Act To Promote Compassion in Schoolchildren

L.D. 1565 Resolve, To Expand Access to Early Childhood Education to All Children 4 Years of Age and Older

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.

The Following Communication: (H.C. 184)

STATE OF MAINE

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

April 11, 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. 520 An Act To Ensure Access to MaineCare Services
L.D. 1574 Resolve, To Address Drug Abuse and Addiction
L.D. 1676 An Act To Ensure the Effective Management of the Behavioral Health Care Services System in Maine (EMERGENCY)

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. 185)

STATE OF MAINE

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

April 12, 2007

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

Dear President Edmonds and Speaker Cummings:

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

- L.D. 1127 An Act To Decriminalize Certain Actions
BY REQUEST

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

Sincerely,

S/Sen. Bill Diamond
Senate Chair

S/Rep. Stanley J. Gerzofsky
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 186)

STATE OF MAINE

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

April 12, 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. 370 Resolve, To Reduce the Number of School Administrative Units and Gain Administrative Efficiencies
L.D. 614 An Act To Modify the Essential Programs and Services Formula To Aid Rural School Districts
L.D. 835 An Act To Encourage School Administrative Units To Collaborate with Other School Administrative Units
L.D. 853 An Act To Encourage Efficiency in School Administration
L.D. 947 Resolve, To Prepare Students for Success in the Twenty-first Century
L.D. 976 An Act To Encourage Cost Efficiency in Administration of and Contribution to Tax Burden Reduction by School Districts
L.D. 1324 An Act To Restore Income as a Factor in the Determination of Fiscal Capacity in the School Funding Formula
L.D. 1473 An Act To Provide State Support for State-approved School Construction Projects in Certain Municipalities

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.

The Following Communication: (H.C. 187)

STATE OF MAINE

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

April 12, 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. 1054 Resolve, Directing the Department of Transportation To Repair Underground Pipes on Main Street and Church Street in Stockton Springs BY REQUEST
L.D. 1097 An Act Relating to Safe and Effective Use of Casco Bay Bridge
L.D. 1174 Resolve, To Stabilize the Naples Waterfront

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

Sincerely,

S/Sen. Dennis S. Damon

Senate Chair
S/Rep. Boyd P. Marley
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 188)

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

April 12, 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. 121 An Act To Strengthen the Home Construction Contract Laws
- L.D. 851 An Act To Facilitate the Upgrading and Preservation of Existing Building Structures
- L.D. 1139 An Act Regarding Returnable Containers

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.

The Following Communication: (H.C. 189)

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

April 12, 2007

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

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

- L.D. 504 An Act To Require the Commissioner of Inland Fisheries and Wildlife To Reserve 250 Moose Permits for Residents Who Have Never Received One
- L.D. 617 An Act To Promote Moose Hunting
- L.D. 1080 An Act To Increase Public Participation in the Maine Outdoor Heritage Fund Board

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

Sincerely,
S/Sen. Bruce Bryant
Senate Chair
S/Rep. Troy D. Jackson

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 190)

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

April 12, 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. 100 An Act To Prohibit Retail Store-operated Banks
- L.D. 635 An Act To Amend the Banking Laws Regarding Industrial Loan Company Reciprocity across State Lines

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.

The Following Communication: (H.C. 191)

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

April 12, 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 Taxation has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 81 An Act To Update the Property Tax Exemption for Parsonages

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

Sincerely,
S/Sen. Joseph C. Perry
Senate Chair
S/Rep. John F. Piotti
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 192)

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

April 12, 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 bill out "Ought Not to Pass":

L.D. 420 An Act Providing for Regulation of the Cable Television Industry by the Public Utilities Commission

We have also notified the sponsor and cosponsor 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.

The Following Communication: (H.C. 194)

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

April 12, 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 bill out "Ought Not to Pass":

L.D. 25 An Act To Change the Maine Land Use Regulation Commission's Lot Size, Coverage and Setback Requirements for Some Affordable Housing Lots on Coastal Islands

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

Sincerely,
S/Sen. John M. Nutting
Senate Chair
S/Rep. Wendy Pieh
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 195)

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

April 18, 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. 338 An Act Regarding the Labor Market Adjustment for Teacher Salary Costs under Essential Programs and Services Funding

L.D. 346 An Act To Increase State Funding of Public Education

L.D. 404 An Act To Limit Regional Adjustments to Teacher Salaries

L.D. 448 An Act To Improve Equity in School Funding
L.D. 482 Resolve, To Conduct an Objective and Independent Review of Essential Programs and Services

L.D. 979 An Act To Adjust the Calculation of the Essential Programs and Services Pupil Count to Accurately Reflect Population Change

L.D. 1366 An Act To Limit the Loss a School Administrative Unit Could Receive under the School Funding Formula

L.D. 1368 An Act To Revise the Essential Programs and Services Funding Formula To Increase Equity in School Funding

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.

The Following Communication: (H.C. 196)

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

April 17, 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 bill out "Ought Not to Pass":

L.D. 1023 An Act To Designate Special Funds To Help Support Maine Military Families

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

Sincerely,
S/Sen. Lisa T. Marraché
Senate Chair
S/Rep. John L. Patrick
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 197)

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

April 20, 2007

Honorable Beth Edmonds, President of the Senate

Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 54 An Act To Conform Maine Law with Federal Law Regarding Tax Credits for Adoptions
- L.D. 337 An Act To Exempt Certain Shipping Fees from the Sales Tax
- L.D. 829 An Act To Create a Back-to-school Sales Tax-free Weekend Each Year (EMERGENCY)
- L.D. 1482 An Act To Assist Recipients of Tax-exempt Income
- L.D. 1486 An Act To Clarify the Property Tax Exemption for Family Burial Grounds
- L.D. 1554 An Act To Assist Snowmobile Clubs with Local Property Taxes
- L.D. 1578 An Act To Encourage Municipal Cooperation
- L.D. 1633 An Act To Provide a Sales Tax Exemption for College Textbooks

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

Sincerely,
S/Sen. Joseph C. Perry
Senate Chair
S/Rep. John F. Piotti
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 193)

**STATE OF MAINE
OFFICE OF THE
SECRETARY OF STATE
AUGUSTA, MAINE 04333-0148**

April 17, 2007

The Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333-0002

Dear Clerk MacFarland:
Governor Baldacci has set Tuesday, June 12, 2007 as the date for the special election to be held in House District 83.

Please find enclosed a certified copy of the Governor's proclamation, as well as a copy of the forms to be used at the municipal caucus. Please contact the Division of Elections at 624-7650 if you have any questions regarding this election.

Sincerely,
S/Matthew Dunlap
Secretary of State

READ and with accompanying papers ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills, Resolve 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:

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT
Bill "An Act To Preserve Maine's Quality Places"

(H.P. 1305) (L.D. 1872)

Sponsored by Speaker CUMMINGS of Portland.
Cosponsored by President EDMONDS of Cumberland and Representatives: BARSTOW of Gorham, CONOVER of Oakland, KOFFMAN of Bar Harbor, MIRAMANT of Camden, PINGREE of North Haven, PIOTTI of Unity, RAND of Portland, RICHARDSON of Carmel, SIMPSON of Auburn, Senator: NUTTING of Androscoggin.

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative SMITH of Monmouth, **TABLED** pending **REFERENCE** and later today assigned.

HEALTH AND HUMAN SERVICES

Bill "An Act To Change the Evaluation Criteria for Those with Developmental Disabilities"

(H.P. 1300) (L.D. 1868)

Sponsored by Representative GROSE of Woolwich.
Cosponsored by Representatives: BEAUDOIN of Biddeford, BURNS of Berwick, CRAVEN of Lewiston, FAIRCLOTH of Bangor, PRIEST of Brunswick, VALENTINO of Saco, WALCOTT of Lewiston.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Protect Maine Homeowners from Predatory Lending"

(H.P. 1301) (L.D. 1869)

Sponsored by Speaker CUMMINGS of Portland.
Cosponsored by Senator DOW of Lincoln and Representatives: ADAMS of Portland, BABBIDGE of Kennebunk, BARSTOW of Gorham, BEAUDETTE of Biddeford, BEAULIEU of Auburn, BERRY of Bowdoinham, BLISS of South Portland, BOLAND of Sanford, BRAUTIGAM of Falmouth, BURNS of Berwick, CAIN of Orono, CANAVAN of Waterville, CARTER of Bethel, CASAVANT of Biddeford, CHASE of Wells, CLARK of Millinocket, CONNOR of Kennebunk, CONOVER of Oakland, CROCKETT of Augusta, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUNN of Bangor, EBERLE of South Portland, FINCH of Fairfield, FINLEY of Skowhegan, FISHER of Brewer, FLETCHER of Winslow, FLOOD of Winthrop, GERZOFKY of Brunswick, GILES of Belfast, GROSE of Woolwich, HAMPER of Oxford, HANLEY of Gardiner, HASKELL of Portland, HILL of York, HINCK of Portland, HOTHAM of Dixfield, JACKSON of Allagash, JACOBSEN of Waterboro, KNIGHT of Livermore Falls, KOFFMAN of Bar Harbor, LORING of the Penobscot Nation, MacDONALD of Boothbay, MAKAS of Lewiston, MARLEY of Portland, McKANE of Newcastle, McLEOD of Lee, MILLER of Somerville, MILLS of Farmington, MIRAMANT of Camden, NORTON of Bangor, PATRICK of Rumford, PERCY of Phippsburg, PERRY of Calais, PIEH of Bremen, PILON of Saco, PINGREE of North Haven, PINKHAM of Lexington Township, PIOTTI of Unity, PLUMMER of Windham, PRATT of Eddington, PRESCOTT of Topsham, PRIEST of Brunswick, RAND of Portland, RECTOR of Thomaston, RICHARDSON of Carmel, RICHARDSON of Warren, RINES of Wiscasset, SAMSON of Auburn, SAVAGE of Falmouth, SILSBY of Augusta, SIROIS of Turner, SMITH of Monmouth, STRANG BURGESS of Cumberland, TREAT of Farmingdale, TRINWARD of Waterville, TUTTLE of Sanford, VAUGHAN of Durham, WATSON of Bath, WEBSTER of Freeport, WEDDELL of Frankfort, WHEELER of Kittery, WOODBURY of Yarmouth, Senators: BENOIT of Sagadahoc, BOWMAN of York, President EDMONDS of Cumberland, HASTINGS of Oxford, MARRACHÉ of Kennebec,

MARTIN of Aroostook, MILLS of Somerset, MITCHELL of Kennebec, ROSEN of Hancock, ROTUNDO of Androscoggin, SAVAGE of Knox, SCHNEIDER of Penobscot, SNOWE-MELLO of Androscoggin, STRIMLING of Cumberland, SULLIVAN of York, TURNER of Cumberland.

LEGAL AND VETERANS AFFAIRS

Resolve, Authorizing Municipalities To Consolidate Voting Districts for a Special Election (EMERGENCY)

(H.P. 1304) (L.D. 1871)

Sponsored by Representative CROCKETT of Augusta.

Cosponsored by Senator PERRY of Penobscot and Representatives: BRAUTIGAM of Falmouth, FAIRCLOTH of Bangor, PATRICK of Rumford, SILSBY of Augusta, Senators: MITCHELL of Kennebec, ROSEN of Hancock.

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

MARINE RESOURCES

Bill "An Act To Provide Flexibility within the Monhegan Island Lobster Conservation Area To Ensure the Viability of the Island Community" (EMERGENCY)

(H.P. 1302) (L.D. 1870)

Sponsored by Representative PERCY of Phippsburg.

Cosponsored by Senator DAMON of Hancock and Representative: McKANE of Newcastle, Senator: DOW of Lincoln.

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

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

Under suspension of the rules, members were allowed to remove their jackets.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Keith Van Scotter, of Lincoln, who has been named 2007 Executive of the Year by the Paper Industry Management Association. This award is the highest award the Association bestows in its annual program and is traditionally presented to senior-level executives in the pulp, paper or converting industry for excellence in management and outstanding contributions to the industry. Mr. Van Scotter has spent 28 years in the industry with companies including MeadWestvaco, Fraser, Boise Cascade and Weyerhaeuser. He has served as President and Chief Executive Officer of Lincoln Paper and Tissue since 2004 and was instrumental in constructing and starting a new tissue machine in 2006, the first new paper machine in Maine in nearly 20 years. We commend Mr. Van Scotter for his unwavering dedication to the industry and wish him years of continued success;

(HLS 320)

Presented by Representative GIFFORD of Lincoln.

Cosponsored by Senator SCHNEIDER of Penobscot, Representative McLEOD of Lee.

On **OBJECTION** of Representative GIFFORD of Lincoln, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Lincoln, Representative Gifford.

Representative **GIFFORD**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today to present Keith Van Scotter with this sentiment. The first time I met Keith was in May 2004, after the mill had been shut down in January of that year. I was one of the nine people that were able to stay employed that year, to keep the mill warm and keep it running.

The day that I met Keith and his partner John Wissmann, was the day that they had signed the paper from Augusta, here, to buy Lincoln Paper and Tissue. At the time I was employed at the mill, I was also Chair of the Town Council. Keith and I had a fairly long conversation regarding what he and John had plans for at Lincoln Paper and Tissue. When you go from a plant that was shut down in January, to plans to build a new tissue machine in 18 months and have it running—well that was a big turn in the right direction for our town.

In the years to follow, I was able to meet and talk with Keith and John at anytime I wanted and we have discussed many issues in that time. Keith has always had a positive, straightforward attitude, never varying from that approach. It is always, "What can we do to make Lincoln Paper and Tissue better?" I am sure Keith drives his partner, John Wissmann, a little crazy sometimes because he has a new project going and John has to find a way to finance him, but it is no surprise to me, to see the award that Keith Van Scotter has received from his peers in the pulp and paper industry.

Keith and his wife Andrea live in Lincoln and have been very active with mill employees, putting on barbecues for the employees for milestones that the company has made. They have also included retired employees, as well. At Christmas, they along with the union people, have a Christmas party for all children and grandchildren of the employees. To wrap this up, I would just like to publicly so thank you to Keith and Andrea, for all he has done for the Lincoln community and congratulate him on his prestigious award.

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

In Memory of:

Pauline Caouette-Moore, of Auburn, a graduate of Edward Little High School who earned a bachelor of arts degree in math and French at the University of Maine at Orono and an MBA from the University of Southern Maine. She taught math for 25 years at the Walton School and Edward Little High School. She was also a part-time faculty member of the University of Maine at Augusta, where she taught applied math courses. She was a member of the Community Little Theatre and served as its treasurer for 17 years. She and her husband owned and operated Moore Than A Cookie Jar. They were well known for their whoopie pies. She was a member of St. Philip's Parish in Auburn and served as a lector. She will be sadly missed by her loving family, friends and community;

(HLS 313)

Presented by Representative MAKAS of Lewiston.

Cosponsored by Senator SNOWE-MELLO of Androscoggin, Representative BEAULIEU of Auburn, Representative SIMPSON of Auburn, Representative SAMSON of Auburn.

On **OBJECTION** of Representative MAKAS of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Makas.

Representative **MAKAS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. For those of you not fortunate enough to know Pauline Caouette-Moore, Pauline was not a physically large person, but she had lots and lots of energy and a huge heart. She made a great contribution to our Lewiston-Auburn community and to our state. Pauline taught for many years in Auburn, both in the Elementary School and in the High School. As it says in the sentiment, she also taught and was loved by her students at the University of Maine at Augusta. It is not surprising that she and her husband had a cookie business because Pauline was very, very sweet.

I knew Pauline best from her many years of work, as a volunteer at the Community Little Theatre, to which she contributed greatly. So, for her very many contributions and for her wonderful personality, Pauline will be greatly missed, not only by her loving husband Bob, but by her many, many friends. Thank you.

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Modify the Boundaries of Maine's Lobster Fishing Zones"

(S.P. 41) (L.D. 92)

Signed:

Senators:

DAMON of Hancock
DOW of Lincoln

Representatives:

PENDLETON of Scarborough
EATON of Sullivan
FLETCHER of Winslow
MacDONALD of Boothbay
McDONOUGH of Scarborough
MAZUREK of Rockland
EMERY of Cutler
ADAMS of Portland

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

Signed:

Senator:

SNOWE-MELLO of Androscoggin

Representative:

PERCY of Phippsburg

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

On motion of Representative PERCY of Phippsburg, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Make Lobster Trap Molesting a Civil Offense"

Signed:

Senators:

DOW of Lincoln
SNOWE-MELLO of Androscoggin

Representatives:

EATON of Sullivan
FLETCHER of Winslow
MacDONALD of Boothbay
McDONOUGH of Scarborough
MAZUREK of Rockland
EMERY of Cutler

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-74)** on same Bill.

Signed:

Senator:

DAMON of Hancock

Representatives:

PENDLETON of Scarborough
PERCY of Phippsburg
ADAMS of Portland

READ.

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

CONSENT CALENDAR

First Day

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

(S.P. 142) (L.D. 441) Bill "An Act To Restructure the Board of Commissioners of the Maine State Housing Authority To Closely Match Local Authorities" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-33)**

(S.P. 292) (L.D. 904) Bill "An Act To Make Technical and Supervisory Amendments to the Banking Laws" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-34)**

(H.P. 41) (L.D. 40) Resolve, Regarding Legislative Review of Portions of Chapter 100: Enforcement Procedures, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 537) (L.D. 716) Resolve, Regarding Legislative Review of Chapter 324: ConnectME Tax Reimbursements, a Major Substantive Rule of Maine Revenue Services (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass**

(H.P. 643) (L.D. 844) Bill "An Act To Change the Name of the Division of Labor Market Information Services to the Center for Workforce Research and Information" Committee on **LABOR** reporting **Ought to Pass**

(H.P. 928) (L.D. 1320) Bill "An Act Requiring the Development of Codes of Ethics by Component Units and Other Related Organizations of State Government" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(H.P. 1172) (L.D. 1663) Bill "An Act To Modify Daylight Savings Time According to Federal Statute" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(H.P. 24) (L.D. 21) Resolve, To Provide Access for Persons with Disabilities to Great Ponds Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-82)**

(H.P. 60) (L.D. 62) Bill "An Act To Recognize Gold Star Parents and Family Members" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-84)**

(H.P. 74) (L.D. 76) Bill "An Act To Eliminate the Fee To Operate High-stakes Beano" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-83)**

(H.P. 101) (L.D. 109) Bill "An Act To Require a Model Radon Standard for New Residential Construction" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-78)**

(H.P. 119) (L.D. 127) Bill "An Act To Amend the Laws Pertaining to Beano" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-115)**

(H.P. 132) (L.D. 150) Bill "An Act To Amend and Improve the Education Laws Concerning Portable Space and Rule-making Authority" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-92)**

(H.P. 191) (L.D. 220) Bill "An Act To Clarify and Expand Maine Criminal Laws Related to Sexual Assault" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-93)**

(H.P. 345) (L.D. 429) Bill "An Act To Improve Access to HIV Testing in Health Care Settings" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-90)**

(H.P. 379) (L.D. 495) Bill "An Act To Add the Combat Infantryman Badge to the Special Commemorative Decals for Veterans License Plates" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-107)**

(H.P. 401) (L.D. 523) Bill "An Act To Provide for Enforcement of Land Use Limitations Relating to Cemeteries" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-109)**

(H.P. 469) (L.D. 620) Bill "An Act Relating to Liquor Samples" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-101)**

(H.P. 512) (L.D. 663) Bill "An Act To Update Absentee Ballot Procedures" (EMERGENCY) Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-102)**

(H.P. 526) (L.D. 695) Bill "An Act Concerning Applications Processed by the Maine Land Use Regulation Commission" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-95)**

(H.P. 561) (L.D. 740) Bill "An Act To Promote the Safety of Deaf or Hard-of-hearing Drivers" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-98)**

(H.P. 586) (L.D. 765) Resolve, Regarding Legislative Review of Portions of ConnectME Authority, Chapter 101, a Major Substantive Rule of the Governor's Office (EMERGENCY)

Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-79)**

(H.P. 594) (L.D. 776) Bill "An Act To Establish the Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2008" (EMERGENCY) Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-100)**

(H.P. 612) (L.D. 812) Bill "An Act To Amend the Driver's License Laws" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-99)**

(H.P. 613) (L.D. 813) Bill "An Act To Provide an Energy Allowance to At-home Patients Using Ventilators" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-89)**

(H.P. 731) (L.D. 971) Bill "An Act To Amend Certain Animal Health Laws" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-80)**

(H.P. 734) (L.D. 974) Bill "An Act To Amend the Certification Requirements for Special-purpose School Teachers" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-103)**

(H.P. 747) (L.D. 987) Bill "An Act To Provide Gambling Addiction Counseling Services through the Office of Substance Abuse" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-110)**

(H.P. 754) (L.D. 1036) Bill "An Act To Appropriate Funds To Restore Clam Flats in Stockton Harbor" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-88)**

(H.P. 758) (L.D. 1040) Bill "An Act To Increase College Attainment" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-104)**

(H.P. 781) (L.D. 1063) Bill "An Act Regarding Cable Television Service Outages" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-111)**

(H.P. 809) (L.D. 1091) Resolve, To Establish the Maine Civil War Sesquicentennial Commission Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-85)**

(H.P. 817) (L.D. 1124) Bill "An Act To Create an Ownership Interest in Agency Liquor Store Licenses" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-116)**

(H.P. 828) (L.D. 1135) Bill "An Act To Allow Municipal Cost Sharing for County Services" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-81)**

(H.P. 876) (L.D. 1234) Bill "An Act To Require Clear Warnings on Light Bulbs Containing Mercury" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-97)**

(H.P. 885) (L.D. 1257) Bill "An Act Regarding the Terms of Members of the Maine State Museum Commission" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-105)**

(H.P. 921) (L.D. 1303) Bill "An Act To Establish the Columbia Falls Village Water District" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-112)**

(H.P. 974) (L.D. 1382) Bill "An Act To Create a Utility District in Edgecomb" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-113)**

(H.P. 1016) (L.D. 1447) Resolve, Directing the Department of Agriculture, Food and Rural Resources To Study Invasive Terrestrial Plant Species Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-91)**

(H.P. 1165) (L.D. 1656) Bill "An Act To Amend the Fryeburg Water District Charter" (EMERGENCY) Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-114)**

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

**CONSENT CALENDAR
Second Day**

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

(H.P. 464) (L.D. 615) Bill "An Act To Authorize the Use of the Department of Health and Human Services Staff as Hearing Officers"

(H.P. 751) (L.D. 991) Bill "An Act To Clarify the Security Requirements for Self-insurers"

(H.P. 198) (L.D. 227) Bill "An Act To Allow the Reimbursement of Motor Vehicle Excise Taxes in Certain Cases" (C. "A" H-76)

(H.P. 217) (L.D. 261) Bill "An Act To Define More Clearly Procedures by Which a Municipality Assesses Property" (C. "A" H-75)

(H.P. 270) (L.D. 340) Bill "An Act To Require the Replacement of Trees Cut in Shoreland Areas" (C. "A" H-77)

(H.P. 399) (L.D. 521) Bill "An Act To Amend the Laws Relating to Juveniles" (C. "A" H-73)

No objections having been noted at the end of the Second Legislative Day, 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 the Axle Weight Law Changes beyond September 15, 2007

(H.P. 10) (L.D. 9)
(C. "A" H-48)

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. 135 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.

Emergency Measure

An Act To Remove the Sunset on the Exemption of Internet Services from Auctioneer Licensure Requirements

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

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. 130 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.

Acts

An Act To Include Undeveloped Archeological Sites in the Acquisition Criteria for the Land for Maine's Future Fund

(H.P. 127) (L.D. 145)
(C. "A" H-44)

An Act To Allow Funeral Processions To Use Certain Lights

(H.P. 381) (L.D. 497)
(C. "A" H-47)

An Act To Amend the Charter of the Winterport Water District

(S.P. 310) (L.D. 993)

An Act To Update and Clarify Laws Relating to Maine's Community Colleges

(H.P. 859) (L.D. 1178)

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.

Resolves

Resolve, To Develop and Promote Enhanced Humane Livestock Handling and Slaughtering Practices

(H.P. 55) (L.D. 57)
(C. "A" H-43)

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

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

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

An Act To Protect and Improve Lake Water Quality by Reducing Phosphorus in Lawn Care Fertilizer

(H.P. 454) (L.D. 587)
(C. "A" H-49)

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. 28

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Beaudette, Beaudoin, Beaulieu, Berry, Blanchette, Bliss, Boland, Brautigam, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Casavant, Cebra, Chase, Clark, Cleary, Connor, Conover, Cotta, Craven, Cray, Cressey, Crockett, Crosthwaite, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Emery, Faircloth, Farrington, Finch, Finley, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hotham, Jackson, Jacobsen, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, Miller, Millett, Mills, Miramant, Moore, Muse, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon,

Pineau, Pingree, Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson D, Richardson W, Rines, Robinson, Rosen, Samson, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Curtis, Joy, McLeod, Pinkham, Tibbetts.

ABSENT - Barstow, Berube, Blanchard, Carter, Fischer, Greeley, McKane, Rand, Richardson E, Walcott.

Yes, 135; No, 5; Absent, 10; Vacant, 1; Excused, 0.

135 having voted in the affirmative and 5 voted in the negative, 1 vacancy, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Strengthen OUI Laws As They Pertain to Drugs

(H.P. 480) (L.D. 631)

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. 29

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Beaudette, Beaudoin, Beaulieu, Berry, Blanchard, Blanchette, Bliss, Boland, Brautigam, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Casavant, Cebra, Chase, Clark, Cleary, Connor, Conover, Cotta, Craven, Cray, Cressey, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Giles, Gould, Grose, Hamper, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Jacobsen, Joy, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McLeod, Miller, Millett, Mills, Miramant, Moore, Muse, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson D, Richardson W, Rines, Robinson, Rosen, Samson, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walcott, Walker, Watson, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Gifford.

ABSENT - Barstow, Berube, Carter, Emery, Fischer, Greeley, Hanley S, Hotham, McKane, Rand, Richardson E.

Yes, 138; No, 1; Absent, 11; Vacant, 1; Excused, 0.

138 having voted in the affirmative and 1 voted in the negative, 1 vacancy, with 11 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Promote Municipal Energy Conservation

(H.P. 494) (L.D. 645)

(C. "A" H-45)

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. 30

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Beaudette, Beaudoin, Beaulieu, Berry, Blanchard, Blanchette, Bliss, Boland, Brautigam, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Casavant, Cebra, Chase, Clark, Cleary, Connor, Conover, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Emery, Faircloth, Farrington, Finch, Finley, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hotham, Jackson, Jacobsen, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McLeod, Miller, Millett, Mills, Miramant, Muse, Nass, Norton, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson D, Richardson W, Rines, Robinson, Rosen, Samson, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walcott, Walker, Watson, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Cressey, Joy, Weaver.

ABSENT - Barstow, Berube, Carter, Fischer, McKane, Moore, Patrick, Rand, Richardson E.

Yes, 138; No, 3; Absent, 9; Vacant, 1; Excused, 0.

138 having voted in the affirmative and 3 voted in the negative, 1 vacancy, with 9 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Amend the Banking Laws Regarding the Establishment of Branches by Financial Institutions with Affiliates That Engage in Commercial Activity

(S.P. 651) (L.D. 1829)

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. 31

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Beaudette, Beaudoin, Beaulieu, Berry, Blanchard, Blanchette, Bliss, Boland, Brautigam, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Casavant, Cebra, Chase, Clark, Cleary, Connor, Conover, Cotta, Craven, Cray, Cressey, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Emery, Faircloth, Farrington, Finch, Finley, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hotham, Jackson, Jacobsen, Joy, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McLeod, Miller, Millett, Mills, Muse, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh,

Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson D, Rines, Robinson, Rosen, Samson, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walcott, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - NONE.

ABSENT - Barstow, Berube, Carter, Fischer, McKane, Miramant, Moore, Rand, Richardson E, Richardson W.

Yes, 140; No, 0; Absent, 10; Vacant, 1; Excused, 0.

140 having voted in the affirmative and 0 voted in the negative, 1 vacancy, with 10 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 matter, in the consideration of which the House was engaged at the time of adjournment Wednesday, April 11, 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 Allow Bayville Village To Separate from the Town of Boothbay Harbor and Affiliate with the Town of Boothbay"

(H.P. 1286) (L.D. 1846)

(Committee on **STATE AND LOCAL GOVERNMENT** suggested) TABLED - April 11, 2007 (Till Later Today) by Representative BARSTOW of Gorham.

PENDING - **REFERENCE**.

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

COMMUNICATIONS

The Following Communication: (S.P. 671)

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

April 11, 2007

Hon. Beth Edmonds
President of the Senate
123rd Legislature
Hon. Glenn Cummings
Speaker of the House
123rd Legislature

Dear Madam President and Mr. Speaker:

On April 11, 2007, 2 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 11, 2007, as follows:

Judiciary

Bill "An Act To Clarify Involuntary Admissions for Psychiatric Hospitalizations" (S.P. 669) (L.D. 1855) (Sponsored by Senator NUTTING of Androscoggin) (Cosponsored by Representative CANAVAN of Waterville) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Legal and Veterans Affairs

Bill "An Act Regarding Campaign Finance Reporting and the Maine Clean Election Act" (S.P. 668) (L.D. 1854) (Submitted by

the Commission on Governmental Ethics and Election Practices pursuant to the Maine Revised Statutes, Title 1, section 1009.)

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

S/Millicent M. MacFarland

Clerk of the House

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

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

SENATE PAPERS

Bill "An Act To Allow Pressure Boiler Inspections by National Board-certified Inspectors" (EMERGENCY)

(S.P. 676) (L.D. 1863)

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

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

Bill "An Act To Amend the Long-term Care Insurance Law"

(S.P. 678) (L.D. 1865)

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 Prevent Disclosure of Certain Identifying Information in Child Protective Proceedings"

(S.P. 677) (L.D. 1864)

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 Clarify the Intergovernmental Relationship between the Town of Boothbay Harbor and Bayville Village Corporation"

(S.P. 680) (L.D. 1867)

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 Revise Maine's Utility Reorganization Laws"

(S.P. 679) (L.D. 1866)

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.

The following Joint Resolution: (S.P. 670)

JOINT RESOLUTION RECOGNIZING PARKINSON'S DISEASE AWARENESS MONTH

WHEREAS, Parkinson's disease is estimated to affect approximately 7,000 individuals and their numerous care providers in Maine each day; and

WHEREAS, Parkinson's disease symptoms are not well understood by the general public, which is a source of distress and potential danger for Parkinson's patients; and

WHEREAS, the American Parkinson Disease Association, the Maine Parkinson Society and the MaineHealth Learning Resource Center are all established at a central resource in Falmouth; and

WHEREAS, the need to train, inform and educate emergency workers, police and fire prevention and other public safety personnel is urgent; and

WHEREAS, there is a need to train hospital emergency room personnel statewide in the proper assessment of incoming Parkinson's patients; and

WHEREAS, there exists a network of 11 Parkinson's disease support groups statewide; and

WHEREAS, there is but one movement disorder neurologist specializing in Parkinson's disease in Maine, making access limited for prospective patients; and

WHEREAS, World Parkinson's Awareness Day is April 11th, and April is Parkinson's Awareness Month; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-third Legislature, now assembled in the First Regular Session, on behalf of the people we represent take this opportunity to express our support for all efforts being made by the Parkinson's disease community to close the gaps in services, training, education and care that currently exist; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Parkinson Society and the Maine Chapter of the American Parkinson Disease Association and the MaineHealth Learning Resource Center.

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

REPORTS OF COMMITTEE Divided Report

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Permit Archery Hunters the Opportunity To Take an Additional Deer"

(H.P. 228) (L.D. 284)

Signed:

Senators:

BRYANT of Oxford
GOOLEY of Franklin
PERRY of Penobscot

Representatives:

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

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

Signed:

Representative:

SAVIELLO of Wilton

READ.

On motion of Representative JACKSON of Allagash, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

CONSENT CALENDAR First Day

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

(S.P. 55) (L.D. 144) Bill "An Act To Support Maine's Free Clinics" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-36)**

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

REPORTS OF COMMITTEE Divided Report

Majority Report of the Committee on **NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act Concerning Deductibles for Underground Oil Storage Facilities and Tanks"

(H.P. 554) (L.D. 733)

Signed:

Senators:

MARTIN of Aroostook
SMITH of Piscataquis

Representatives:

HAMPER of Oxford
WAGNER of Lewiston
ANNIS of Dover-Foxcroft
MIRAMANT of Camden
EBERLE of South Portland
KOFFMAN of Bar Harbor
DUCHESNE of Hudson
BABBIDGE of Kennebunk
McDONOUGH of Scarborough

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-96)** on same Bill.

Signed:

Representative:

AYOTTE of Caswell

READ.

Representative PINGREE of North Haven moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative JACKSON of Allagash **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 Allagash, Representative Jackson.

Representative **JACKSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Thank you for indulging me. This was my bill, for a constituent of mine in Eagle Lake. Thankfully, the good Representative from Caswell, Representative Ayotte, has given me a vote, so I can at least bring the issue up. I will try to be quick.

What happened here, is this gentleman moved to Maine quite a number of years ago. He bought a piece of land, there was a building on it and limestone. At the time he bought it, it was a doctor's office, but before that without him knowing, it was a gas station. After he had it for a couple of years, the house burned and he and his family moved to Eagle Lake. He still owned the property and basically just paid the taxes on it, had no huge interest in it, but someone found out that there were still tanks on the property and that they were leaking. The DEP came in, looked it over, told them that they would clean it up and that he would be grandfathered and there would be no cost to him. For nine years, he heard nothing of it and in that nine-year period, the laws changed to where not only was there a \$2,500 cleanup fee, there was actually an extra \$10,000 that was imposed, with the law change in that nine year period. So now, he was looking at a \$12,500 cleanup fee, whereas he had been told that he would be grandfathered. So I agreed to put the bill in.

First off, in his mind and in my mind also, the DEP could have gone to the source who actually was responsible for this. They could have gone to the previous landowner, the doctor's office, who probably knew the tanks were there, but it seems like they went to the person that had the least ability to pay for this, who had absolutely no knowledge of this and he was told that. They knew he did not have any knowledge of it. I think it is extremely unfair. We wanted the Department to come to some conclusion on the matter and at this point, nothing has, so I understand that it opens up a whole lot of cans of worms, to a lot of people. The Committee could have, maybe, made it just for this one individual, but there certainly was a wrong done here to this landowner, who had no knowledge at all of this going on and that is why I brought this bill forward. So, I am going to vote Ought Not to Pass because there is no way that anyone in Maine should get caught in this type of situation.

The SPEAKER: The Chair recognizes the Representative from Bar Harbor, Representative Koffman.

Representative **KOFFMAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This piece of legislation deals with one particular individual, who was given the opportunity and took the opportunity, to register his belowground storage tanks, in 1994, to be consistent with the law that was passed to encourage removal of all of these tanks, many of which had been leaking over time and causing taxpayers and landowners great problems and expenses.

The gentleman in question did register his tanks and he was advised at that time, to apply to the fund that has been established to cover the costs of cleanup. He did not file an application, in 1994, to participate. Then the Department contacted him, again, in 2003. He still did not want to participate and he took his deductible fee issued, to the Fund Insurance Review Board, and he appealed it. That ten member Board, which was established for the purpose of hearing appeals from fund coverage decisions made by the Department—that Board which is made up of five public members, appointed by the Chief Executive. They upheld the Department's assignment of a \$10,000 deductible. Now, the Department had already paid \$38,000 towards the cleanup of this individual's tanks. Then the gentleman took the case to the Superior Court, where the judge also upheld the Department's assessment of the deductible, a decision that was ultimately affirmed in the Maine Law Court.

We understand why any individual might seek relief, but it would be really unjust, to all of those hundreds of people who have already filed for this program, paid their deductible, got the state to spend a good deal of money helping them remove their tanks and protecting the public health and drinking water supplies. So, I really urge you to support the Majority Report, it is

eminently reasonable. Other institutions, including the courts, have found it to be so and I hope you will as well.

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. 32

YEA - Adams, Annis, Austin, Babbidge, Beaudette, Beaudoin, Beaulieu, Berry, Blanchard, Bliss, Boland, Brautigam, Bryant, Burns, Cain, Campbell, Canavan, Casavant, Connor, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Emery, Faircloth, Farrington, Fischer, Fisher, Flood, Gerzofsky, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Kaenrath, Koffman, MacDonald, Makas, Marley, Mazurek, McDonough, Miller, Millett, Mills, Miramant, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pineau, Pingree, Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson D, Rines, Robinson, Samson, Savage, Saviello, Silsby, Simpson, Smith N, Strang Burgess, Sykes, Tardy, Treat, Trinward, Valentino, Wagner, Walcott, Walker, Watson, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Ayotte, Blanchette, Browne W, Cebra, Chase, Clark, Cleary, Cotta, Cray, Cressey, Crosthwaite, Curtis, Edgecomb, Finch, Finley, Fitts, Fletcher, Gifford, Hotham, Jackson, Jacobsen, Joy, Knight, Lansley, Lewin, Lundeen, Marean, McFadden, McLeod, Muse, Pinkham, Richardson W, Rosen, Schatz, Sirois, Sutherland, Theriault, Thibodeau, Thomas, Tibbetts, Tuttle, Vaughan, Weaver.

ABSENT - Barstow, Berube, Carter, McKane, Moore, Rand, Richardson E.

Yes, 100; No, 43; Absent, 7; Vacant, 1; Excused, 0.

100 having voted in the affirmative and 43 voted in the negative, 1 vacancy, with 7 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Encourage Landowners To Allow Hunting"

(H.P. 483) (L.D. 634)

Signed:

Senators:

BRYANT of Oxford
PERRY of Penobscot
GOOLEY of Franklin

Representatives:

JACKSON of Allagash
FINCH of Fairfield
EBERLE of South Portland
RICHARDSON of Carmel
WHEELER of Kittery
RICHARDSON of Greenville
BRYANT of Windham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-94)** on same Bill.

Signed:

Representatives:

SAVIELLO of Wilton
McLEOD of Lee

LUNDEEN of Mars Hill

READ.

On motion of Representative JACKSON of Allagash, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **UTILITIES AND ENERGY** reporting **Ought Not to Pass** on Resolve, To Protect the Future of the Sebago Lake Water Supply

(H.P. 715) (L.D. 940)

Signed:

Senators:

BARTLETT of Cumberland
SMITH of Piscataquis
HOBBINS of York

Representatives:

THIBODEAU of Winterport
BLANCHARD of Old Town
CURTIS of Madison
BLISS of South Portland
FLETCHER of Winslow
ADAMS of Portland
BERRY of Bowdoinham
HINCK of Portland

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

Signed:

Representatives:

RINES of Wiscasset
FITTS of Pittsfield

READ.

On motion of Representative BLISS of South Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Koffman, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, McDonough, McFadden, McLeod, Miller, Millett, Moore, Muse, Patrick, Pendleton, Peoples, Perry, Pieh, Pineau, Pingree, Pinkham, Pratt, Richardson W, Rines, Robinson, Rosen, Saviello, Schatz, Simpson, Sykes, Tardy, Theriault, Tibbetts, Trinward, Tuttle, Vaughan, Walcott, Walker, Weddell, Mr. Speaker.

NAY - Adams, Babbidge, Beaudette, Beaudoin, Beaulieu, Blanchette, Brautigam, Casavant, Cebra, Connor, Craven, Cressey, Crosthwaite, Curtis, Dill, Dunn, Duprey, Finch, Fisher, Gerzofsky, Gould, Hamper, Hanley S, Hayes, Hill, Hogan, Hotham, Kaenrath, Knight, Lansley, Mazurek, Mills, Miramant, Nass, Norton, Percy, Pilon, Plummer, Prescott, Priest, Rector, Richardson D, Samson, Savage, Silsby, Sirois, Smith N, Strang Burgess, Sutherland, Thibodeau, Thomas, Treat, Valentino, Wagner, Watson, Weaver, Webster, Wheeler, Woodbury.

ABSENT - Barstow, Berube, Carter, McKane, Piotti, Rand, Richardson E.

Yes, 84; No, 59; Absent, 7; Vacant, 1; Excused, 0.

84 having voted in the affirmative and 59 voted in the negative, 1 vacancy, with 7 being absent, 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**.

On motion of Representative MAKAS of Lewiston, the House adjourned at 11:52 a.m., until 10:00 a.m., Wednesday, April 25, 2007 in honor and lasting tribute to Pauline Caouette-Moore, of Auburn, Louis A. Cyr, of Madawaska, Mary Lou Colbath, of Orono, Emile S. Chasse, of St. Agatha, Barry Sturtevant Timson, of Hallowell, Edgar N. Landry, of Millinocket and the Honorable Michael Sockalexis of the Penobscot Nation.

ENACTORS

Acts

An Act To Authorize a Tribal Commercial Track and Slot Machines in Washington County

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

(S. "A" S-37)

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

On motion of Representative TARDY of Newport, 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. 33

YEA - Annis, Austin, Ayotte, Berry, Blanchard, Bliss, Boland, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Chase, Clark, Cleary, Conover, Cotta, Cray, Crockett, Driscoll, Duchesne, Eaton, Eberle, Edgcomb, Emery, Faircloth, Farrington, Finley, Fischer, Fitts, Fletcher, Flood, Gifford, Giles, Greeley, Grose, Harlow, Haskell, Hinck, Jackson, Jacobsen, Joy,