

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-Third Legislature
State of Maine

Volume II

First Regular Session

June 6, 2007 – June 21, 2007

Second Regular Session

January 2, 2008 - March 31, 2008

Pages 682-1357

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
SECOND REGULAR SESSION
2nd Legislative Day
Thursday, January 3, 2008

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

Prayer by Father Stephen Concannon, St. Charles Borromeo Church, Brunswick.

National Anthem by Jim Moyer Lebanon.

Pledge of Allegiance.

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

The Journal of yesterday was read and approved.

SENATE PAPERS

Resolve, Requiring the State To Use Valid Risk and Preventive Factors for Youth Programs

(S.P. 804) (L.D. 2114)

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

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

Bill "An Act To Limit Liability for Businesses and Employees Who Work with Liquefied Petroleum Gas"

(S.P. 805) (L.D. 2115)

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 Amend Certain Laws Related to Environmental Protection"

(S.P. 809) (L.D. 2119)

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

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

Bill "An Act To Create the Starboard Water District" (EMERGENCY)

(S.P. 807) (L.D. 2117)

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.

**Pursuant to Statute
Maine Turnpike Authority**

Report of the **Maine Turnpike Authority** pursuant to the Maine Revised Statutes, Title 23, section 1961, subsection 6 asks leave to report that the accompanying Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2009"

(S.P. 808) (L.D. 2118)

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

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION** in concurrence.

COMMUNICATIONS

The Following Communication: (S.P. 742)

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

November 28, 2007

Honorable Beth Edmonds

President of the Senate

123rd Legislature

Honorable Glenn Cummings

Speaker of the House

123rd Legislature

Dear Madam President and Mr. Speaker:

On November 28, 2007, 1 bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on November 28, 2007, as follows:

Education and Cultural Affairs

Bill "An Act To Amend the Laws Regarding School Funding" (EMERGENCY) (S.P. 741) (L.D. 1932) (Sponsored by Senator BOWMAN of York) (Cosponsored by Representative NORTON of Bangor and Senators: TURNER of Cumberland, MITCHELL of Kennebec, Representatives: STRANG BURGESS of Cumberland, MILLETT of Waterford, CAIN of Orono) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

S/Michael J. Cote

Assistant Clerk of the House

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

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

The Following Communication: (S.P. 744)

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

December 10, 2007

Honorable Beth Edmonds

President of the Senate

123rd Legislature

Honorable Glenn Cummings

Speaker of the House

123rd Legislature

Dear Madam President and Mr. Speaker:

On December 10, 2007, 1 bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on December 10, 2007, as follows:

Natural Resources

Bill "An Act To Extend the Deadline for Applications for Loans Associated with the Remediation of a Waste Oil Site in Plymouth" (EMERGENCY) (S.P. 743) (L.D. 1933) (Sponsored by Senator

MARTIN of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

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.

The Following Communication: (S.P. 748)

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

December 11, 2007
Honorable Beth Edmonds
President of the Senate
123rd Legislature
Honorable Glenn Cummings
Speaker of the House
123rd Legislature

Dear Madam President and Mr. Speaker:
On December 11, 2007, 3 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 December 11, 2007, as follows:

Labor

Bill "An Act To Require the State To Divest Itself of Funds from Companies Doing Business with Iran" (S.P. 745) (L.D. 1934) (Sponsored by Senator STRIMLING of Cumberland) (Cosponsored by Representative DUPREY of Hampden and Senators: SULLIVAN of York, DOW of Lincoln, Representatives: JACKSON of Allagash, TUTTLE of Sanford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Utilities and Energy

Bill "An Act To Promote Competition in Maine's Electric Industry" (S.P. 746) (L.D. 1935) (Sponsored by Senator STRIMLING of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)
Bill "An Act To Include the Town of Nobleboro within the Service Area of the Great Salt Bay Sanitary District" (S.P. 747) (L.D. 1936) (Sponsored by Senator DOW of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

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.

The Following Communication: (S.P. 803)

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

December 18, 2007
Honorable Beth Edmonds
President of the Senate

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

Dear Madam President and Mr. Speaker:
On December 18, 2007, 54 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 December 18, 2007, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Amend the Laws Governing Agricultural Marketing and Bargaining" (S.P. 786) (L.D. 1992) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative JACKSON of Allagash and Representatives: THERIAULT of Madawaska, FISCHER of Presque Isle) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Reduce Wild Blueberry Theft" (S.P. 795) (L.D. 2001) (Sponsored by Senator WESTON of Waldo) (Cosponsored by Representative PIEH of Bremen and Senators: RAYE of Washington, SNOWE-MELLO of Androscoggin, SHERMAN of Aroostook, DIAMOND of Cumberland, Representatives: BLANCHETTE of Bangor, MAREAN of Hollis, TIBBETTS of Columbia, McFADDEN of Dennysville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Appropriations and Financial Affairs

Bill "An Act To Ensure Continued Operation of the Poison Hotline" (EMERGENCY) (S.P. 785) (L.D. 1991) (Sponsored by President EDMONDS of Cumberland) (Cosponsored by Representative WEBSTER of Freeport and Senator: MARRACHÉ of Kennebec, Representative: CAIN of Orono) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Business, Research and Economic Development

Bill "An Act Regarding the Training of Applicants for a Limited Radiographer License by Licensed Practitioners" (S.P. 757) (L.D. 1963) (Sponsored by Senator TURNER of Cumberland) (Cosponsored by Representative: MILLETT of Waterford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Strengthen the Maine Small Business and Entrepreneurship Commission" (S.P. 789) (L.D. 1995) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SMITH of Monmouth and Senators: HOBBS of York, SCHNEIDER of Penobscot, NUTTING of Androscoggin, Representatives: BEAUDETTE of Biddeford, PINGREE of North Haven, SAMSON of Auburn, SILSBY of Augusta, EBERLE of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide Accessible Higher Education Financial Assistance for Maine Families" (EMERGENCY) (S.P. 792) (L.D. 1998) (Sponsored by Senator MITCHELL of Kennebec) (Cosponsored by Speaker CUMMINGS of Portland and Senators: MILLS of Somerset, BOWMAN of York, President EDMONDS of Cumberland, Representatives: EDGEComb of Caribou, SIMPSON of Auburn, PRESCOTT of Topsham, PINGREE of North Haven, NORTON of Bangor) (Submitted by the Finance Authority of Maine pursuant to Joint Rule 204.)

Bill "An Act To Create the Southern York County Regional Development Authority" (EMERGENCY) (S.P. 797) (L.D. 2003)

(Sponsored by Senator BOWMAN of York) (Cosponsored by Representative GOULD of South Berwick and Representatives: WHEELER of Kittery, CHASE of Wells, WEAVER of York, HILL of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Criminal Justice and Public Safety

Bill "An Act To Exempt Certain Facilities from Increased Fire Sprinkler Requirements" (S.P. 775) (L.D. 1981) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Senator MITCHELL of Kennebec, Representative ANNIS of Dover-Foxcroft and Senators: WESTON of Waldo, DAMON of Hancock, SMITH of Piscataquis, Representative: JACKSON of Allagash) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Prevent Domestic Violence and Protect Our Citizens (S.P. 784) (L.D. 1990) (Sponsored by Senator SULLIVAN of York) (Cosponsored by Representative SMITH of Monmouth and Senators: BROMLEY of Cumberland, DAMON of Hancock, Representatives: GERZOFKY of Brunswick, FAIRCLOTH of Bangor, SIMPSON of Auburn, HASKELL of Portland, CHASE of Wells, EBERLE of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend Criminal Laws against Domestic Violence To Ensure Appropriate Recognition of Prior Convictions" (EMERGENCY) (S.P. 793) (L.D. 1999) (Sponsored by President EDMONDS of Cumberland) (Under suspension of the rules, cosponsored by Representative SIMPSON of Auburn and Senators: HOBBS of York, DIAMOND of Cumberland, McCORMICK of Kennebec, BENOIT of Sagadahoc, Representatives: PERCY of Phippsburg, FLOOD of Winthrop, GERZOFKY of Brunswick, Speaker CUMMINGS of Portland, BERRY of Bowdoinham, HASKELL of Portland, STRANG BURGESS of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Education and Cultural Affairs

Bill "An Act To Improve the Compliance and Accountability of the Child Development Services System" (S.P. 767) (L.D. 1973) (Sponsored by Senator BOWMAN of York) (Cosponsored by Representative CAIN of Orono and Representatives: HARLOW of Portland, NORTON of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Establishing the Commission To Review the Accountability of State Cultural Agencies (EMERGENCY) (S.P. 787) (L.D. 1993) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative MILLS of Farmington and Senator: MITCHELL of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Fully Fund School Breakfast from Kindergarten to Grade 12" (S.P. 791) (L.D. 1997) (Sponsored by Senator MITCHELL of Kennebec) (Cosponsored by Representative FLOOD of Winthrop and Senators: ROTUNDO of Androscoggin, BOWMAN of York, BRANNIGAN of Cumberland, Representatives: CRAVEN of Lewiston, CAIN of Orono, MIRAMANT of Camden) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Health and Human Services

Resolve, To Expand the Case Definition of Lyme Disease for Purposes of Compiling the Annual Lyme Disease Surveillance Report (S.P. 750) (L.D. 1956) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative BRYANT of Windham, Representative CONOVER of Oakland and Representatives: GERZOFKY of Brunswick, BRIGGS of Mexico, JACKSON of Allagash, DRISCOLL of Westbrook, THERIAULT of Madawaska, PATRICK of Rumford) (Approved

for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Repeal the Ban on the Sale and Furnishing of Hard Snuff" (EMERGENCY) (S.P. 755) (L.D. 1961) (Sponsored by Senator BRANNIGAN of Cumberland) (Cosponsored by Representative CONNOR of Kennebunk and Senator: MILLS of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Establish a Consumer Council System of Maine Consistent with the AMHI Consent Decree and the State's Comprehensive Mental Health Plan" (S.P. 761) (L.D. 1967) (Sponsored by Senator BRANNIGAN of Cumberland) (Cosponsored by Representative FAIRCLOTH of Bangor and Representative: PERRY of Calais) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Require the Department of Health and Human Services To Promote Awareness of Parkinson's Disease (S.P. 769) (L.D. 1975) (Sponsored by President EDMONDS of Cumberland) (Cosponsored by Senator: MARRACHÉ of Kennebec, Representative: MILLER of Somerville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Establish a Statewide Protocol for the Early Detection and Treatment of Autism (S.P. 771) (L.D. 1977) (Sponsored by Senator MILLS of Somerset) (Cosponsored by Representative: STRANG BURGESS of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Expand the Pool of Qualified Mental Health Examiners for Purposes of Involuntary Treatment" (EMERGENCY) (S.P. 780) (L.D. 1986) (Sponsored by Senator NUTTING of Androscoggin) (Cosponsored by Representative LEWIN of Eliot and Senators: RAYE of Washington, MARRACHÉ of Kennebec, BRANNIGAN of Cumberland, Representatives: FAIRCLOTH of Bangor, SAVIELLO of Wilton, FINLEY of Skowhegan, GOULD of South Berwick, PIEH of Bremen) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Authorize the Department of Health and Human Services To Investigate Suspicious Deaths of Children" (S.P. 794) (L.D. 2000) (Sponsored by Senator HASTINGS of Oxford) (Cosponsored by Representative CONNOR of Kennebunk) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act To Establish the Department of Substance Abuse Services" (S.P. 798) (L.D. 2004) (Sponsored by Senator MARTIN of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Inland Fisheries and Wildlife

Bill "An Act To Amend the Provisions for All-terrain Vehicles" (S.P. 773) (L.D. 1979) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representatives: JACKSON of Allagash, THERIAULT of Madawaska) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend Certain Provisions of the Fish and Wildlife Laws" (S.P. 776) (L.D. 1982) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative JACKSON of Allagash and Representatives: BRYANT of Windham, SAVIELLO of Wilton, WHEELER of Kittery, RICHARDSON of Carmel) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Judiciary

Resolve, To Extend to January 20, 2008 the Reporting Deadline for the Tribal-State Work Group (EMERGENCY) (S.P. 764) (L.D.

1970) (Sponsored by Senator MITCHELL of Kennebec) (Cosponsored by Representative SIMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Bill "An Act To Protect Persons Responding to an Emergency Situation Involving a Water Utility" (EMERGENCY) (S.P. 782) (L.D. 1988) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Senator HASTINGS of Oxford, Representative CARTER of Bethel and Representatives: BRYANT of Windham, DRISCOLL of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Relating to Marks, Corporations, Limited Partnerships and Limited Liability Companies" (S.P. 788) (L.D. 1994) (Sponsored by Senator HOBBS of York) (Cosponsored by Representative SIMPSON of Auburn and Senator: PERRY of Penobscot, Representatives: Speaker CUMMINGS of Portland, DILL of Cape Elizabeth, TARDY of Newport, MILLS of Farmington) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Labor

Bill "An Act To Allow Changes of Beneficiaries under the Maine Public Employees Retirement System" (S.P. 790) (L.D. 1996) (Sponsored by Senator BENOIT of Sagadahoc) (Cosponsored by Representative PRESCOTT of Topsham and Senator: SNOWMELLO of Androscoggin, Representatives: GILES of Belfast, STRANG BURGESS of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Make Technical Corrections to the Employment Security Law" (EMERGENCY) (S.P. 801) (L.D. 2007) (Sponsored by Senator STRIMLING of Cumberland) (Cosponsored by Representative DUPREY of Hampden and Senator: DOW of Lincoln, Representatives: JACKSON of Allagash, THOMAS of Ripley, HASKELL of Portland, TUTTLE of Sanford, HAMPER of Oxford) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Legal and Veterans Affairs

Resolve, To Allow John Jorgensen To Sue the State (EMERGENCY) (S.P. 760) (L.D. 1966) (Sponsored by Senator BENOIT of Sagadahoc) (Cosponsored by Representative PERCY of Phippsburg and Representative: GOULD of South Berwick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Meet the Emergency Needs of Maine Veterans" (EMERGENCY) (S.P. 779) (L.D. 1985) (Sponsored by President EDMONDS of Cumberland) (Cosponsored by Senators: TURNER of Cumberland, MITCHELL of Kennebec, BENOIT of Sagadahoc, BOWMAN of York, MARTIN of Aroostook, Representatives: WEBSTER of Freeport, Speaker CUMMINGS of Portland, PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow Direct-to-consumer Wine Sales" (S.P. 781) (L.D. 1987) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SMITH of Monmouth and Senators: DAMON of Hancock, NUTTING of Androscoggin, Representatives: DILL of Cape Elizabeth, PINGREE of North Haven, SAMSON of Auburn, SILSBY of Augusta, EBERLE of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Marine Resources

Bill "An Act To Restore Diadromous Fish in the St. Croix River" (EMERGENCY) (S.P. 751) (L.D. 1957) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative EATON of Sullivan and Representatives: PERCY of Phippsburg,

BRYANT of Windham, KOFFMAN of Bar Harbor, MAZUREK of Rockland, MacDONALD of Boothbay, PRATT of Eddington, EBERLE of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Make Marine Resources Management More Responsive" (S.P. 752) (L.D. 1958) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative EATON of Sullivan and Representatives: PERCY of Phippsburg, WHEELER of Kittery, MAZUREK of Rockland, ADAMS of Portland, MacDONALD of Boothbay) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Preserve the Cobscook Bay Scallop Fishery" (S.P. 774) (L.D. 1980) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative PERCY of Phippsburg and Senators: RAYE of Washington, President EDMONDS of Cumberland, Representatives: KOFFMAN of Bar Harbor, MAZUREK of Rockland, ADAMS of Portland, MacDONALD of Boothbay, EMERY of Cutler, PRATT of Eddington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Give Municipalities Control of Mussels Located in Intertidal Zones" (S.P. 800) (L.D. 2006) (Sponsored by Senator RAYE of Washington) (Cosponsored by Representative TIBBETTS of Columbia and Senator: DAMON of Hancock, Representatives: EMERY of Cutler, McFADDEN of Dennysville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Natural Resources

Resolve, To Determine Appropriate Buffer Zones for Landfill Construction and Expansion (S.P. 758) (L.D. 1964) (Sponsored by Senator SCHNEIDER of Penobscot) (Cosponsored by Representative DUCHESNE of Hudson and Senator: BARTLETT of Cumberland, Representatives: BLANCHARD of Old Town, KOFFMAN of Bar Harbor, BABBIDGE of Kennebunk, MAKAS of Lewiston, MIRAMANT of Camden, WAGNER of Lewiston, EBERLE of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Raise the Per Diem Rate for Members of the Board of Environmental Protection and the Maine Land Use Regulation Commission" (S.P. 763) (L.D. 1969) (Sponsored by Senator MILLS of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Concerning Gasoline Station Vapor Recovery Requirements" (S.P. 765) (L.D. 1971) (Sponsored by Senator NASS of York) (Cosponsored by Representatives: Speaker CUMMINGS of Portland, BERRY of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Public Safety, Provide for the Prudent Use of Landfill Capacity and Save Taxpayers Money" (S.P. 777) (L.D. 1983) (Sponsored by Senator SCHNEIDER of Penobscot) (Cosponsored by Representative DUCHESNE of Hudson and Senator: BARTLETT of Cumberland, Representatives: BLANCHARD of Old Town, KOFFMAN of Bar Harbor, BABBIDGE of Kennebunk, MAKAS of Lewiston, MIRAMANT of Camden, WAGNER of Lewiston, EBERLE of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

State and Local Government

Bill "An Act To Amend the Informed Growth Act" (S.P. 756) (L.D. 1962) (Sponsored by Senator HASTINGS of Oxford) (Cosponsored by Representative CROCKETT of Augusta and Senators: ROSEN of Hancock, DIAMOND of Cumberland, MITCHELL of Kennebec, McCORMICK of Kennebec,

COURTNEY of York, Representatives: BROWNE of Vassalboro, DILL of Cape Elizabeth, SILSBY of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Lucerne-in-Maine Village Corporation Charter" (S.P. 759) (L.D. 1965) (Sponsored by Senator ROSEN of Hancock) (Cosponsored by Representative PRATT of Eddington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Election of Municipal Charter Commission Members" (S.P. 762) (L.D. 1968) (Sponsored by Senator BRANNIGAN of Cumberland) (Cosponsored by Representative: Speaker CUMMINGS of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Prevent the Closing of Store Road in Somerset County (EMERGENCY) (S.P. 768) (L.D. 1974) (Sponsored by Senator MARRACHÉ of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Taxation

Bill "An Act To Provide Property Tax Relief" (S.P. 766) (L.D. 1972) (Sponsored by Senator BARTLETT of Cumberland) (Cosponsored by Representative PINGREE of North Haven and Senators: MARRACHÉ of Kennebec, MITCHELL of Kennebec, PERRY of Penobscot, MARTIN of Aroostook, President EDMONDS of Cumberland, Representatives: FAIRCLOTH of Bangor, Speaker CUMMINGS of Portland, BERRY of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Enhance Economic Development in Maine's Aviation Industry" (S.P. 770) (L.D. 1976) (Sponsored by President EDMONDS of Cumberland) (Cosponsored by Representative PINGREE of North Haven and Senators: BENOIT of Sagadahoc, COURTNEY of York, Representatives: GERZOFKY of Brunswick, WATSON of Bath, WEBSTER of Freeport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide a State Income Tax Credit to Dentists for Military Pensions" (EMERGENCY) (S.P. 778) (L.D. 1984) (Sponsored by Senator TURNER of Cumberland) (Cosponsored by Representative WEBSTER of Freeport and Senator: President EDMONDS of Cumberland, Representative: GILES of Belfast) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Sales Tax on Prepared Meals" (S.P. 799) (L.D. 2005) (Sponsored by Senator HASTINGS of Oxford) (Cosponsored by Representative SYKES of Harrison and Senators: RAYE of Washington, NASS of York, DIAMOND of Cumberland, PERRY of Penobscot, Representatives: SARTY of Denmark, CAIN of Orono, MILLETT of Waterford, HAMPER of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide Ongoing Funding for the Historic Preservation Tax Credit" (S.P. 802) (L.D. 2008) (Sponsored by Senator COURTNEY of York) (Cosponsored by Representative KOFFMAN of Bar Harbor, Senator HOBBS of York and Senators: MARRACHÉ of Kennebec, NASS of York, Representatives: FAIRCLOTH of Bangor, RECTOR of Thomaston, PILON of Saco, SAMSON of Auburn, NASS of Acton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Transportation

Bill "An Act To Promote Tourism in Maine and the Purchase of Products Made in Maine" (S.P. 753) (L.D. 1959) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative

MARLEY of Portland and Senators: BROMLEY of Cumberland, President EDMONDS of Cumberland, Representatives: CEBRA of Naples, MAZUREK of Rockland, HOGAN of Old Orchard Beach, PEOPLES of Westbrook, CROCKETT of Augusta, EBERLE of South Portland) (Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.)

Bill "An Act Regarding Axle Weight on Tri-axle Farm Trucks" (S.P. 754) (L.D. 1960) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative THERIAULT of Madawaska and Senator: MARTIN of Aroostook, Representatives: MARLEY of Portland, CEBRA of Naples, FISHER of Brewer, MAZUREK of Rockland, HOGAN of Old Orchard Beach, PEOPLES of Westbrook, CLEARY of Houlton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require the Department of Transportation To Recover for the Highway Fund Any Money Recovered from Those Responsible for Doing Damage to State Roads and Bridges" (S.P. 772) (L.D. 1978) (Sponsored by Senator MILLS of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Utilities and Energy

Bill "An Act Regarding Certain Positions at the Public Utilities Commission" (S.P. 749) (L.D. 1955) (Sponsored by Senator BARTLETT of Cumberland) (Cosponsored by Representative BLISS of South Portland) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Bill "An Act To Clarify Maine's 'Do Not Call' Laws" (S.P. 783) (L.D. 1989) (Sponsored by Senator BARTLETT of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Electricity Consumers of Northern Maine" (S.P. 796) (L.D. 2002) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative JACKSON of Allagash and Representative: THERIAULT of Madawaska) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

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.

At this point, the Speaker recognized the Representative from Kennebunk, Representative BABBIDGE, the Representative from Lisbon, Representative BERUBE, the Representative from Falmouth, Representative BRAUTIGAM, the Representative from Berwick, Representative BURNS the Representative from Augusta, Representative CROCKETT, the Representative from Portland, Representative HASKELL, and the Representative from Jay, Representative PINEAU, and they were added to the quorum call of the Second Regular Session of the 123rd Legislature.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Prevent the Theft of Certain Metals"
(H.P. 1504) (L.D. 2124)

Sponsored by Representative BERRY of Bowdoinham.
Cosponsored by Representative KOFFMAN of Bar Harbor and Representatives: BLISS of South Portland, BOLAND of Sanford, Speaker CUMMINGS of Portland, RECTOR of Thomaston, Senators: BARTLETT of Cumberland, SMITH of Piscataquis.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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

Sent for concurrence.

Bill "An Act Relating to Mortgage Lending and Credit Availability" (EMERGENCY)

(H.P. 1505) (L.D. 2125)

Sponsored by Speaker CUMMINGS of Portland.
Cosponsored by Senator SULLIVAN of York and Representatives: BRAUTIGAM of Falmouth, SAMSON of Auburn.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested.

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

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

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

Bill "An Act To Minimize Carbon Dioxide Emissions from New Coal-powered Industrial and Electrical Generating Facilities in the State"

(H.P. 1506) (L.D. 2126)

Sponsored by Representative MacDONALD of Boothbay.
Cosponsored by Senator STRIMLING of Cumberland, Senator MARTIN of Aroostook and Representatives: ADAMS of Portland, BEAUDETTE of Biddeford, BLISS of South Portland, DUCHESNE of Hudson, EBERLE of South Portland, FAIRCLOTH of Bangor, HOGAN of Old Orchard Beach, KOFFMAN of Bar Harbor, MILLER of Somerville, MIRAMANT of Camden, PIEH of Bremen, PINGREE of North Haven, SCHATZ of Blue Hill, TREAT of Hallowell, WATSON of Bath, Senators: BARTLETT of Cumberland, BROMLEY of Cumberland, BRYANT of Oxford, DAMON of Hancock, NUTTING of Androscoggin, SCHNEIDER of Penobscot.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

REFERRED to the Committee on **NATURAL RESOURCES** and ordered printed.

Sent for concurrence.

Pursuant to Statute

Department of Education and the State Board of Education

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

(H.P. 1501) (L.D. 2121)

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

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

Sent for concurrence.

Pursuant to Statute

Department of Education

Representative NORTON for the **Department of Education** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 1502) (L.D. 2122)

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

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

Sent for concurrence.

Pursuant to Statute

Department of Education and the State Board of Education

Representative NORTON for the **Department of Education and the State Board of Education** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education and the State Board of Education (EMERGENCY)

(H.P. 1503) (L.D. 2123)

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

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

Sent for concurrence.

**Pursuant to Statute
Workers' Compensation Board**

Representative TUTTLE for the **Workers' Compensation Board** pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11 asks leave to report that the accompanying Bill "An Act To Increase the Per Diem for Members of the Workers' Compensation Board"

(H.P. 1507) (L.D. 2127)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

REPORTS OF COMMITTEE

Change of Committee

Report of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Health Insurance Coverage for Front-line Direct Care Workers Providing Long-term Care"

(S.P. 594) (L.D. 1687)

Reporting that it be **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Divided Report

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-633)** on Bill "An Act To Recouple Maine Estate Tax with Federal Estate Tax"

(H.P. 1081) (L.D. 1556)

Signed:

Senator:

NASS of York

Representatives:

PIOTTI of Unity

KNIGHT of Livermore Falls

CLARK of Millinocket

WOODBURY of Yarmouth

CHASE of Wells

PILON of Saco

LANSLEY of Sabattus

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

Signed:

Senators:

PERRY of Penobscot

STRIMLING of Cumberland

Representatives:

RAND of Portland

WATSON of Bath

READ.

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

CONSENT CALENDAR

Second Day

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

(H.P. 558) (L.D. 737) Bill "An Act To Promote Forest Management Planning and Certification" (C. "B" H-634)

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

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

SENATE PAPERS

The following Joint Order: (S.P. 810)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 8, 2008 at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

At this point, the Speaker recognized the Representative from Bangor, Representative DUNN, and he was added to the quorum call of the Second Regular Session of the 123rd Legislature.

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

On motion of Representative NORTON of Bangor, the House adjourned at 10:35 a.m., until 10:00 a.m., Tuesday, January 8, 2008 pursuant to the Joint Order (S.P. 810).