

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session

December 1, 2010 – June 29, 2011

pages 1 - 1067

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
FIRST REGULAR SESSION
17th Legislative Day
Tuesday, March 1, 2011

The Speaker resumed the Chair.

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

Prayer by Pastor Karen Garcia, New Sharon United Methodist Church.

National Anthem by Martin Swinger, Augusta.

Pledge of Allegiance.

Doctor of the day, Barbara Moss, D.O., Manchester.

The Journal of Thursday, February 17, 2011 was read and approved.

SENATE PAPERS

Bill "An Act To Appropriate Funds for the Maine Downtown Center"

(S.P. 176) (L.D. 584)

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

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

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

Bill "An Act To Prohibit Municipal Ordinances More Stringent than State Guidelines"

(S.P. 101) (L.D. 339)

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

Came from the Senate, with the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Bill and accompanying papers **INDEFINITELY POSTPONED** in concurrence.

Bill "An Act To Provide Reimbursement for Medication Therapy Management Services"

(S.P. 192) (L.D. 612)

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

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

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

Non-Concurrent Matter

Bill "An Act To Protect Public Safety in the Operation of the Oxford County Casino"

(H.P. 473) (L.D. 643)

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in the House on February 17, 2011.

Came from the Senate **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE**.

On motion of Representative PLUMMER of Windham, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.P. 511)

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

February 17, 2011

Hon. Robert W. Nutting

Speaker of the House

125th Legislature

Hon. Kevin L. Raye

President of the Senate

125th Legislature

Dear Mr. Speaker and Mr. President:

On February 17, 2011, 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 February 17, 2011, as follows:

Environment and Natural Resources

Resolve, Directing the Commissioner of Environmental Protection To Convene a Task Force To Study the Effect of Additives in Gasoline (H.P. 507) (L.D. 680) (Sponsored by Representative McCLELLAN of Raymond) (Cosponsored by Representatives: BLACK of Wilton, DOW of Waldoboro, DUNPHY of Embden, HARMON of Palermo)

Health and Human Services

Resolve, To Improve Health Outcomes for MaineCare Members in Managed Care (H.P. 505) (L.D. 678) (Sponsored by Representative HINCK of Portland) (Cosponsored by Representative SHAW of Standish, Senator CRAVEN of Androscoggin and Representatives: FOSSEL of Alna, GRAHAM of North Yarmouth, STRANG BURGESS of Cumberland, STUCKEY of Portland, THERIAULT of Madawaska, TREAT of Hallowell)

Bill "An Act To Enhance Long-term Care Services for Maine Citizens" (H.P. 510) (L.D. 683) (Sponsored by Representative PETERSON of Rumford) (Cosponsored by Senator McCORMICK of Kennebec and Representatives: EVES of North Berwick, FOSSEL of Alna, O'CONNOR of Berwick, SANBORN of Gorham, STRANG BURGESS of Cumberland, STUCKEY of Portland)

Inland Fisheries and Wildlife

Bill "An Act To Establish the Moose Biologist Fund To Support a Moose Biologist Position" (H.P. 509) (L.D. 682) (Sponsored by Representative WILLETTE of Presque Isle) (Cosponsored by Senator JACKSON of Aroostook and Representatives: AYOTTE of Caswell, CLARK of Millinocket, DAVIS of Sangerville, HARVELL of Farmington, THERIAULT of Madawaska)

Labor, Commerce, Research and Economic Development

Resolve, To Leverage Federal Opportunities for Job Creation in Maine (H.P. 506) (L.D. 679) (Sponsored by Representative PETERSON of Rumford) (Cosponsored by Representatives: EVES of North Berwick, HUNT of Buxton, PRESCOTT of Topsham)

State and Local Government

Bill "An Act To Clarify the Operation of the Maine Commission for Community Service" (H.P. 508) (L.D. 681) (Sponsored by Representative MOULTON of York)

Sincerely,

S/Heather J.R. Priest

Clerk of the House

S/Joseph G. Carleton, Jr.

Secretary of the Senate

READ and ORDERED PLACED ON FILE.
Sent for concurrence.

The Following Communication: (H.P. 549)
STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333

February 18, 2011
Hon. Robert W. Nutting
Speaker of the House
125th Legislature
Hon. Kevin L. Raye
President of the Senate
125th Legislature

Dear Mr. Speaker and Mr. President:

On February 18, 2011, 37 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 February 18, 2011, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Amend the Agricultural Working Dog Laws" (EMERGENCY) (H.P. 525) (L.D. 696) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: EDGECOMB of Caribou, FOSSEL of Alna, GIFFORD of Lincoln, Senator: WOODBURY of Cumberland)

Bill "An Act Regarding the Milk Handling Fee" (H.P. 514) (L.D. 718) (Sponsored by Representative KNIGHT of Livermore Falls) (Cosponsored by Senator SHERMAN of Aroostook and Representatives: CRAFTS of Lisbon, CROCKETT of Bethel, EDGECOMB of Caribou, FITZPATRICK of Houlton, GIFFORD of Lincoln, HARVELL of Farmington, NEWENDYKE of Litchfield, TIMBERLAKE of Turner)

Criminal Justice and Public Safety

Bill "An Act To Require Vegetable Gardens at State Prisons" (H.P. 513) (L.D. 685) (Sponsored by Representative McFADDEN of Dennysville) (BY REQUEST) (Cosponsored by Representatives: AYOTTE of Caswell, CRAY of Palmyra, GIFFORD of Lincoln, LONG of Sherman)

Bill "An Act To Amend the Laws Governing the Transfer of Prisoners to Other States" (H.P. 519) (L.D. 690) (Sponsored by Representative CHAPMAN of Brooksville)

Bill "An Act Concerning Arrests for Violating Protection from Abuse Orders" (H.P. 539) (L.D. 708) (Sponsored by Representative LAJOIE of Lewiston)

Bill "An Act To Require Probation Officers To Set a Schedule for Restitution Payment" (H.P. 545) (L.D. 714) (Sponsored by Representative NASS of Acton) (Cosponsored by Representatives: BEAULIEU of Auburn, BURNS of Whiting, CRAY of Palmyra, EDGECOMB of Caribou, HANLEY of Gardiner, McKANE of Newcastle, PLUMMER of Windham)

Bill "An Act To Increase the Penalties for Possessing and Displaying a Firearm on School Property" (H.P. 548) (L.D. 717) (Sponsored by Representative MacDONALD of Boothbay) (Cosponsored by Representatives: BEAUDOIN of Biddeford, BLODGETT of Augusta, BRIGGS of Mexico)

Education and Cultural Affairs

Resolve, To Facilitate Participation in Individualized Education Program Team Meetings and Special Education Dispute Resolution Procedures (H.P. 517) (L.D. 688) (Sponsored by Representative KENT of Woolwich) (Cosponsored by Senator ALFOND of Cumberland and Representatives: WALSH INNES of

Yarmouth, LOVEJOY of Portland, MAKER of Calais, STRANG BURGESS of Cumberland, VOLK of Scarborough, WAGNER of Lewiston, Senator: LANGLEY of Hancock)

Resolve, Requiring the Department of Education To Amend Its Rules Relating to School Administrative Unit Payments for the Costs Associated with Independent Educational Evaluations (H.P. 518) (L.D. 689) (Sponsored by Representative KENT of Woolwich) (Cosponsored by Senator ALFOND of Cumberland and Representatives: BERRY of Bowdoinham, LOVEJOY of Portland, NELSON of Falmouth, STRANG BURGESS of Cumberland, VOLK of Scarborough, WAGNER of Lewiston)

Resolve, To Ensure That Maine Teachers and Paraprofessionals Who Work with Children with Autism Spectrum Disorders Are Highly Qualified (EMERGENCY) (H.P. 546) (L.D. 715) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator ALFOND of Cumberland and Representatives: KENT of Woolwich, MAKER of Calais, PRESCOTT of Topsham, RICHARDSON of Carmel, SANBORN of Gorham, STUCKEY of Portland, VOLK of Scarborough, Senator: LANGLEY of Hancock)

Energy, Utilities and Technology

Bill "An Act To Conserve Energy in Certain Commercial Buildings" (H.P. 528) (L.D. 699) (Sponsored by Representative KNAPP of Gorham) (Cosponsored by Representatives: BERRY of Bowdoinham, BOLDUC of Auburn, DUCHESNE of Hudson, EBERLE of South Portland, WALSH INNES of Yarmouth)

Bill "An Act To Amend the Laws Governing the Duties of the Director of the Governor's Office of Energy Independence and Security" (H.P. 541) (L.D. 710) (Sponsored by Representative BEAVERS of South Berwick) (Cosponsored by Senator SAVIELLO of Franklin and Representatives: CRAY of Palmyra, DION of Portland, DUNPHY of Embden, EVES of North Berwick, FITTS of Pittsfield, LIBBY of Waterboro, LUCHINI of Ellsworth, Senator: RECTOR of Knox)

Bill "An Act To Regulate Noise from Wind Turbines in Residential Developments" (H.P. 542) (L.D. 711) (Sponsored by Representative HARMON of Palermo) (BY REQUEST) (Cosponsored by Representatives: BRYANT of Windham, CHIPMAN of Portland, DUNPHY of Embden, KESCHL of Belgrade)

Environment and Natural Resources

Bill "An Act Concerning Solid Waste Facility Citizen Advisory Committees" (H.P. 522) (L.D. 693) (Sponsored by Representative DUCHESNE of Hudson) (Cosponsored by Representatives: DILL of Old Town, WALSH INNES of Yarmouth, KNAPP of Gorham, MITCHELL of the Penobscot Nation, Senator: SCHNEIDER of Penobscot)

Bill "An Act To Improve the Recycling Rate of Mercury-added Motor Vehicle Components" (H.P. 547) (L.D. 716) (Sponsored by Representative WALSH INNES of Yarmouth) (Cosponsored by Senator GOODALL of Sagadahoc and Representatives: CHIPMAN of Portland, DUCHESNE of Hudson, HARLOW of Portland, HINCK of Portland)

Health and Human Services

Bill "An Act To Encourage Transparency in Disclosing the Ingredients in Vaccinations for Children to Parents and Guardians" (H.P. 523) (L.D. 694) (Sponsored by Representative BOLAND of Sanford) (Cosponsored by Senator PLOWMAN of Penobscot and Representatives: DION of Portland, ESPLING of New Gloucester, GUERIN of Glenburn, HARLOW of Portland, MORRISON of South Portland, O'CONNOR of Berwick, Senator: PATRICK of Oxford)

Bill "An Act To Prevent HIV Transmission from a Pregnant Mother to a Child" (H.P. 532) (L.D. 702) (Sponsored by Representative STRANG BURGESS of Cumberland)

(Cosponsored by Senator CRAVEN of Androscoggin and Representatives: BERRY of Bowdoinham, KRUGER of Thomaston, SANBORN of Gorham, SIROCKI of Scarborough, STUCKEY of Portland, Senators: BRANNIGAN of Cumberland, PLOWMAN of Penobscot, SAVIELLO of Franklin)

Bill "An Act To Amend the Laws Governing Licensure Compliance Methods for Camping Areas, Recreational Camps, Youth Camps and Eating Establishments" (H.P. 533) (L.D. 703) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator McCORMICK of Kennebec, Senator CRAVEN of Androscoggin and Representatives: BEAULIEU of Auburn, CLARK of Millinocket, FOSSEL of Alna, KRUGER of Thomaston, PETERSON of Rumford, STUCKEY of Portland, Senators: RECTOR of Knox, WOODBURY of Cumberland)

Bill "An Act To Make Certain Prescription Drug Disclosure Laws Consistent with Federal Law" (H.P. 530) (L.D. 719) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator McCORMICK of Kennebec and Representatives: FOSSEL of Alna, O'CONNOR of Berwick, PETERSON of Rumford, SIROCKI of Scarborough, Senators: RECTOR of Knox, SNOWE-MELLO of Androscoggin, SULLIVAN of York)

Inland Fisheries and Wildlife

Bill "An Act To Reduce Nonresident Hunting and Fishing License Fees and To Add Archery Hunting to Combination Licenses" (H.P. 521) (L.D. 692) (Sponsored by Representative RICHARDSON of Warren) (Cosponsored by Representative: DAVIS of Sangerville)

Bill "An Act To Adjust the Rules Governing Subpermittees on Moose Hunting Permits" (H.P. 540) (L.D. 709) (Sponsored by Representative DAVIS of Sangerville) (Cosponsored by Senator THIBODEAU of Waldo and Representatives: BLACK of Wilton, CLARK of Millinocket, CLARK of Easton, CRAFTS of Lisbon, FREDETTE of Newport, JOHNSON of Eddington, TIMBERLAKE of Turner, WILLETTE of Mapleton)

Insurance and Financial Services

Bill "An Act To Expand Access to Clinical Trials" (H.P. 543) (L.D. 712) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator SAVIELLO of Franklin and Representatives: BEAUDOIN of Biddeford, BEAULIEU of Auburn, DILL of Cape Elizabeth, FOSSEL of Alna, PETERSON of Rumford, RICHARDSON of Warren, SANBORN of Gorham, Senator: SULLIVAN of York)

Bill "An Act To Mandate Insurance Coverage for Infertility Treatment" (H.P. 534) (L.D. 720) (Sponsored by Representative KNIGHT of Livermore Falls) (BY REQUEST) (Cosponsored by Representatives: BEAUDOIN of Biddeford, BECK of Waterville, CUSHING of Hampden, DILL of Cape Elizabeth, GRAHAM of North Yarmouth, WALSH INNES of Yarmouth, RUSSELL of Portland, SHAW of Standish)

Labor, Commerce, Research and Economic Development

Bill "An Act To Establish Continuing Education Requirements for Manufactured Housing Installers" (H.P. 520) (L.D. 691) (Sponsored by Representative HAMPER of Oxford) (Cosponsored by Senator HASTINGS of Oxford and Representative: WINSOR of Norway, Senator: THOMAS of Somerset)

Bill "An Act To Bring Wage Equity to the Workplace" (H.P. 527) (L.D. 698) (Sponsored by Representative GOODE of Bangor) (Cosponsored by Senator CRAVEN of Androscoggin and Representatives: BOLDUC of Auburn, BRYANT of Windham, KUMIEGA of Deer Isle, MORRISON of South Portland, O'BRIEN of Lincolnville, RUSSELL of Portland, STUCKEY of Portland, Senator: PATRICK of Oxford)

Resolve, Directing the Finance Authority of Maine To Create a Microfinance Loan Program Entitled 'Believe in ME' for Entrepreneurs under 30 Years of Age (H.P. 529) (L.D. 700) (Sponsored by Representative DION of Portland) (Cosponsored by Representatives: DRISCOLL of Westbrook, HARLOW of Portland, HERBIG of Belfast, RUSSELL of Portland, TUTTLE of Sanford)

State and Local Government

Bill "An Act To Contract Out the State Single Audit" (H.P. 516) (L.D. 687) (Sponsored by Representative McKANE of Newcastle) (Cosponsored by Senator TRAHAN of Lincoln and Representatives: CASAVANT of Biddeford, CEBRA of Naples, COTTA of China, CUSHING of Hampden, HARVELL of Farmington, RICHARDSON of Warren, WINSOR of Norway, Senator: THOMAS of Somerset)

Bill "An Act To Amend Certain Laws Governing County Sheriffs" (H.P. 531) (L.D. 701) (Sponsored by Representative DION of Portland)

Taxation

Bill "An Act To Clarify the Taxing of Property of Quasi-municipal Organizations" (H.P. 512) (L.D. 684) (Sponsored by Representative CROCKETT of Bethel) (Cosponsored by Representative: KNIGHT of Livermore Falls, Senators: HASTINGS of Oxford, HILL of York, PATRICK of Oxford)

Bill "An Act To Promote Small Business in Maine" (H.P. 515) (L.D. 686) (Sponsored by Representative CORNELL du HOUX of Brunswick) (Cosponsored by Senator RECTOR of Knox and Representatives: BERRY of Bowdoinham, CAREY of Lewiston, COTTA of China, FLEMINGS of Bar Harbor, HERBIG of Belfast, HUNT of Buxton, KNIGHT of Livermore Falls, PILON of Saco)

Bill "An Act To Reduce Taxes and Promote Employment" (H.P. 524) (L.D. 695) (Sponsored by Representative FLEMINGS of Bar Harbor) (Cosponsored by Senator ALFOND of Cumberland and Representatives: BERRY of Bowdoinham, CORNELL du HOUX of Brunswick, GOODE of Bangor, HARLOW of Portland, HINCK of Portland, McCABE of Skowhegan, ROCHELO of Biddeford, STUCKEY of Portland)

Bill "An Act To Reduce the Income Tax for Low-income Families" (H.P. 536) (L.D. 705) (Sponsored by Representative CHIPMAN of Portland) (Cosponsored by Representatives: BERRY of Bowdoinham, GOODE of Bangor, HARLOW of Portland, HARMON of Palermo, KNIGHT of Livermore Falls, VALENTINO of Saco)

Bill "An Act To Base the Motor Vehicle Excise Tax on Ninety Percent of the Maker's List Price" (H.P. 537) (L.D. 706) (Sponsored by Representative HARMON of Palermo) (Cosponsored by Representatives: BENNETT of Kennebunk, DUNPHY of Embden, GILLWAY of Searsport, JOHNSON of Greenville, KESCHL of Belgrade, McCLELLAN of Raymond, RICHARDSON of Carmel, RIOUX of Winterport)

Bill "An Act To Increase the State Earned Income Credit" (H.P. 538) (L.D. 707) (Sponsored by Representative STUCKEY of Portland) (Cosponsored by Senator PATRICK of Oxford and Representatives: BERRY of Bowdoinham, BRYANT of Windham, FLEMINGS of Bar Harbor, Senators: ALFOND of Cumberland, CRAVEN of Androscoggin, JACKSON of Aroostook)

Bill "An Act To Amend the Definition of 'Retail Sale' for Purposes of the Sales and Use Tax Law" (H.P. 544) (L.D. 713) (Sponsored by Representative KNIGHT of Livermore Falls) (Cosponsored by Senator MASON of Androscoggin and Representatives: AYOTTE of Caswell, CROCKETT of Bethel, GIFFORD of Lincoln, HARMON of Palermo, MALABY of Hancock, PICCHIOTTI of Fairfield, TIMBERLAKE of Turner, VOLK of Scarborough)

Transportation

Bill "An Act To Provide Funding for the Maine Gateway Bridges" (H.P. 526) (L.D. 697) (Sponsored by Representative BEAVERS of South Berwick) (Cosponsored by Representative BELIVEAU of Kittery, Senator HILL of York and Representatives: BOLAND of Sanford, BURNS of Alfred, CASAVANT of Biddeford, MOULTON of York, O'CONNOR of Berwick, VALENTINO of Saco, Senators: COURTNEY of York, SULLIVAN of York)

Bill "An Act To Repeal the Motorcycle Inspection Law" (H.P. 535) (L.D. 704) (Sponsored by Representative HARVELL of Farmington) (Cosponsored by Representatives: GIFFORD of Lincoln, LIBBY of Waterboro, O'CONNOR of Berwick, PARKER of Veazie, SIROCKI of Scarborough)

Sincerely,
S/Heather J.R. Priest
Clerk of the House
S/Joseph G. Carleton, Jr.
Secretary of the Senate

READ and ORDERED PLACED ON FILE.
Sent for concurrence.

The Following Communication: (H.C. 75)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

February 17, 2011

Honorable Robert W. Nutting
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Nutting:

This is to inform you that, pursuant to Title 3 M.R.S.A., §154, I am withdrawing my nomination of Cheryl H. Russell of Chester for appointment as the Commissioner of the Department of Labor.

This nomination is currently pending before the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Thank you for your assistance in this matter.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 76)

**UNIVERSITY OF MAINE
MARGARET CHASE SMITH POLICY CENTER
5784 YORK COMPLEX, BLDG. #4
ORONO, MAINE 04469-5784**

February 16, 2011

Honorable Heather J.R. Priest
Clerk of the House
2 State House Station
Augusta, Maine 04333

RE: Maine State Government Summer Internship Program

Dear Clerk Priest:

In accordance with 1967 Public Law, Chapter 493, Section 294, Item 8, I am enclosing copies of the 2010 Maine State Government Summer Internship Report for distribution to the Members of the Maine House of Representatives.

The Maine State Government Summer Internship Program is a full-time paid work experience in a state agency. The Program

combines work experience with an educational program designed to provide talented Maine college students the opportunity to participate in and contribute to Maine State Government. We are now accepting all applications through our website at: <http://mcspolicycenter.umaine.edu/?q=MSGSSIP>.

Thank you for your assistance in making this report available to the Members of the House.

Yours truly,

S/Charles E. Morris, Director
Senior Research Associate

Maine State Government Summer Internship Program

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 77)

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

March 1, 2011

Honorable Robert W. Nutting
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Nutting:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass":

Education and Cultural Affairs

L.D. 130 Resolve, Directing the Department of Education To Explore Options To Increase Participation in the University of Southern Maine's Extended Teacher Education Program

Energy, Utilities and Technology

L.D. 68 Resolve, Directing the Public Utilities Commission To Examine the Purchase of Low-cost Electric Power from Quebec

L.D. 183 An Act Relating To Net Energy Billing for Solar Energy Users (EMERGENCY)

Environment and Natural Resources

L.D. 132 Resolve, Directing the Department of Environmental Protection To Convene a Task Force To Develop Initiatives To Reduce Unnecessary Packaging

Inland Fisheries and Wildlife

L.D. 133 An Act To Extend Native American Hunting Rights

Insurance and Financial Services

L.D. 53 An Act To Extend Fair Trade Practice to Automobile Rentals Provided When Insured Automobiles Are Damaged

State and Local Government

L.D. 122 An Act To Change Health Care Provisions for Retired Legislators

L.D. 189 An Act To Achieve Cost Savings by Eliminating Deputy Commissioner Positions throughout State Government (EMERGENCY)

Taxation

L.D. 88 An Act To Streamline Purchasing by Entities Exempt from Sales Tax

L.D. 131 An Act To Change the Threshold for Qualification for a Sales Tax Resale Certificate

Transportation
L.D. 4 Resolve, To Establish Training Routes for School Bus Drivers
L.D. 162 An Act To Exempt Antique Autos from the Law Requiring Mufflers
The sponsors and cosponsors have been notified of the Committee's action.

Sincerely,
S/Heather J.R. Priest
Clerk of the House
READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 78)
**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

March 1, 2011
Honorable Robert W. Nutting
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Nutting:
Pursuant to Joint Rule 310, the Committee on Agriculture, Conservation and Forestry has approved the request by the sponsor, Representative McFadden of Dennysville, to report the following "Leave to Withdraw":

L.D. 591 An Act To Prohibit the Use of Pesticides in Certain Circumstances

Pursuant to Joint Rule 310, the Committee on Appropriations and Financial Affairs has approved the request by the sponsor, Representative Cebra of Naples, to report the following "Leave to Withdraw":

L.D. 336 An Act To Preserve the State's Public Pension Fund (EMERGENCY)

Pursuant to Joint Rule 310, the Committee on Transportation has approved the request by the sponsor, Representative Beaudoin of Biddeford, to report the following "Leave to Withdraw":

L.D. 351 An Act Concerning Motorcycle Safety

Sincerely,
S/Heather J.R. Priest
Clerk of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

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

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Strengthen the Laws Regarding Dangerous Dogs"
(H.P. 562) (L.D. 755)

Sponsored by Representative FOSSEL of Alna.
Cosponsored by Senator RECTOR of Knox and Representatives: DOW of Waldoboro, MALABY of Hancock, SANDERSON of Chelsea, Senator: TRAHAN of Lincoln.

Bill "An Act To Implement Standards Concerning Animal Welfare and Research Institutions"
(H.P. 586) (L.D. 779)

Sponsored by Representative HARLOW of Portland.
Cosponsored by Senator GERZOFKY of Cumberland and Representatives: BEAVERS of South Berwick, BLODGETT of Augusta, CHIPMAN of Portland, LOVEJOY of Portland, Senator: PATRICK of Oxford.

Bill "An Act Relating to Identification of Service Animals" (EMERGENCY)
(H.P. 592) (L.D. 785)

Sponsored by Representative CRAY of Palmyra.
Cosponsored by Senator SHERMAN of Aroostook and Representatives: AYOTTE of Caswell, BLACK of Wilton, DILL of Old Town, FOSTER of Augusta, GIFFORD of Lincoln, LONG of Sherman, McFADDEN of Dennysville.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Authorize a General Fund Bond Issue To Expand Necessary Capital Improvements at the University of Maine System That Support the Critical Disciplines of Science, Technology, Engineering and Math To Enhance Economic Development and Employment Opportunities for Maine Citizens"
(H.P. 584) (L.D. 777)

Sponsored by Representative CAIN of Orono.
Cosponsored by Senator RECTOR of Knox and Representatives: RANKIN of Hiram, RICHARDSON of Carmel, STEVENS of Bangor, Senators: ALFOND of Cumberland, HOBBS of York.

Bill "An Act To Provide Equitable Revenue-sharing Distribution"
(H.P. 569) (L.D. 762)

Sponsored by Representative SHAW of Standish.
Cosponsored by Representatives: BICKFORD of Auburn, BRYANT of Windham, CLARK of Millinocket, GOODE of Bangor, PILON of Saco.

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

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

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Decriminalize Possession of 6 or Fewer Marijuana Plants"
(H.P. 557) (L.D. 750)

Sponsored by Representative CHIPMAN of Portland.
Cosponsored by Representatives: CEBRA of Naples, HARLOW of Portland, HARVELL of Farmington, RUSSELL of Portland.

Bill "An Act To Remove Criminal Penalties for Possession of up to 5 Ounces of Marijuana"
(H.P. 561) (L.D. 754)

Sponsored by Representative CHIPMAN of Portland.
Cosponsored by Representatives: CEBRA of Naples, DUNPHY of Embden, HARLOW of Portland, HARVELL of Farmington, RUSSELL of Portland.

Bill "An Act To Establish an Animal Abuser Registry"
(H.P. 567) (L.D. 760)

Sponsored by Representative STEVENS of Bangor.
Cosponsored by Senator SULLIVAN of York and Representatives: BECK of Waterville, BERRY of Bowdoinham, BLODGETT of Augusta, BOLAND of Sanford, BRYANT of Windham, KAENRATH of South Portland, MORRISON of South Portland, Senator: GERZOFKY of Cumberland.

Bill "An Act To Further Restrict the Availability of Methamphetamine and Amphetamine Pills"

(H.P. 580) (L.D. 773)

Sponsored by Representative WILLETTE of Mapleton.

Cosponsored by Senator MASON of Androscoggin and Representatives: CLARK of Easton, THERIAULT of Madawaska, WILLETTE of Presque Isle, Senator: JACKSON of Aroostook.

Bill "An Act To Establish an Elder Victims Restitution Fund"

(H.P. 594) (L.D. 787)

Sponsored by Representative BURNS of Whiting.

Cosponsored by Senator MASON of Androscoggin and Representatives: BICKFORD of Auburn, PLUMMER of Windham, ROSEN of Bucksport, TILTON of Harrington, Senators: GERZOFKY of Cumberland, WHITTEMORE of Somerset.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested.

On motion of Representative PLUMMER of Windham, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

EDUCATION AND CULTURAL AFFAIRS and HEALTH AND HUMAN SERVICES

Resolve, To Establish a Schoolchildren's Well-being Stakeholder Group

(H.P. 565) (L.D. 758)

Sponsored by Representative BOLAND of Sanford.

Cosponsored by Senator PATRICK of Oxford and Representatives: BERRY of Bowdoinham, CASAVANT of Biddeford, FOSSEL of Alna, JOHNSON of Greenville, LAJOIE of Lewiston, MAKER of Calais, PETERSON of Rumford, STEVENS of Bangor.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Clarify Special Education Reporting Requirements"

(H.P. 582) (L.D. 775)

Sponsored by Representative LOVEJOY of Portland.

Cosponsored by Senator ALFOND of Cumberland and Representatives: JOHNSON of Greenville, McCLELLAN of Raymond, SANBORN of Gorham, WAGNER of Lewiston, Senator: LANGLEY of Hancock.

Bill "An Act To Create a Fair Process for Energy Service Companies Contracting with Maine Schools"

(H.P. 583) (L.D. 776)

Sponsored by Representative RICHARDSON of Carmel.

Cosponsored by Representative: JOHNSON of Greenville, Senator: LANGLEY of Hancock.

Bill "An Act To Allow the Town of Dayton To Opt Out of Its Regional School Unit Agreement"

(H.P. 598) (L.D. 803)

Sponsored by Representative PARRY of Arundel.

Cosponsored by Senator LANGLEY of Hancock and Representatives: CASAVANT of Biddeford, CLARK of Easton, COTTA of China, CRAY of Palmyra, GILLWAY of Searsport, MAKER of Calais, McCLELLAN of Raymond, Senator: COLLINS of York.

Bill "An Act To Expand Competitive Bidding for Energy Service Contracts with Schools"

(H.P. 589) (L.D. 782)

Sponsored by Representative WINTLE of Garland.

Cosponsored by Senator RECTOR of Knox and Representatives: DAMON of Bangor, DAVIS of Sangerville, DION of Portland, JOHNSON of Eddington, JOHNSON of Greenville, McKANE of Newcastle, PRESCOTT of Topsham, Senator: McCORMICK of Kennebec.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative RICHARDSON of Carmel, the Bill was **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**, ordered printed and sent for concurrence.

Bill "An Act To Eliminate the Penalty for School Administrative Units That Did Not Consolidate and Eliminate State Funding of Local Administrative Costs"

(H.P. 593) (L.D. 786)

Sponsored by Representative LOVEJOY of Portland.

Cosponsored by Representatives: JOHNSON of Greenville, NELSON of Falmouth, SANBORN of Gorham, WAGNER of Lewiston.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative RICHARDSON of Carmel, **TABLED** pending **REFERENCE** and later today assigned.

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act To Limit the Use of Smart Meters"

(H.P. 563) (L.D. 756)

Sponsored by Representative SIROCKI of Scarborough.

Cosponsored by Representatives: BENNETT of Kennebec, DUNPHY of Embden, GIFFORD of Lincoln, LIBBY of Waterboro, McCLELLAN of Raymond, O'CONNOR of Berwick, PARKER of Veazie, WINTLE of Garland.

Bill "An Act To Provide Rebates for the Purchase of Certain Solar and Wind Power Equipment"

(H.P. 568) (L.D. 761)

Sponsored by Representative BERRY of Bowdoinham.

Cosponsored by Representative FITTS of Pittsfield, Senator RECTOR of Knox and Representatives: BEAVERS of South Berwick, BECK of Waterville, DION of Portland, FLEMINGS of Bar Harbor, HINCK of Portland, LUCHINI of Ellsworth, Senators: FARNHAM of Penobscot, KATZ of Kennebec.

Bill "An Act To Amend the Auditing Requirements for Accounts of All Water Utilities"

(H.P. 579) (L.D. 772)

Sponsored by Representative AYOTTE of Caswell.

Cosponsored by Senator JACKSON of Aroostook.

Bill "An Act To Eliminate the Governor's Office of Energy Independence and Security"

(H.P. 596) (L.D. 789)

Sponsored by Representative MOULTON of York.

Cosponsored by Senator THOMAS of Somerset.

ENVIRONMENT AND NATURAL RESOURCES

Bill "An Act To Establish Flushability Standards for Consumer Products Advertised as Flushable"

(H.P. 588) (L.D. 781)

Sponsored by Representative WALSH INNES of Yarmouth.

Cosponsored by Representatives: AYOTTE of Caswell, CHIPMAN of Portland, EVES of North Berwick, MARTIN of Eagle

Lake, THERIAULT of Madawaska, TILTON of Harrington, WILLETTE of Presque Isle.

HEALTH AND HUMAN SERVICES

Bill "An Act To Require Hospital Credit Reporting That Is Fair to Consumers"

(H.P. 554) (L.D. 747)

Sponsored by Representative STRANG BURGESS of Cumberland.

Cosponsored by Senator BRANNIGAN of Cumberland and Representatives: BEAUDOIN of Biddeford, BERRY of Bowdoinham, DILL of Cape Elizabeth, FOSSEL of Alna, KENT of Woolwich, STUCKEY of Portland, TREAT of Hallowell, Senator: CRAVEN of Androscoggin.

Bill "An Act To Add a Member to the Advisory Council on Health Systems Development"

(H.P. 564) (L.D. 757)

Sponsored by Representative BOLAND of Sanford.

Cosponsored by Senator PATRICK of Oxford and Representatives: BERRY of Bowdoinham, FOSSEL of Alna, GRAHAM of North Yarmouth, MOULTON of York, O'CONNOR of Berwick, PETERSON of Rumford, STEVENS of Bangor.

Bill "An Act To Increase Efficiency and Effectiveness in the Licensing of Certain Health and Human Services Providers"

(H.P. 566) (L.D. 759)

Sponsored by Representative STRANG BURGESS of Cumberland.

Cosponsored by Senator CRAVEN of Androscoggin and Representatives: FOSSEL of Alna, MALABY of Hancock, O'CONNOR of Berwick, PETERSON of Rumford, SANBORN of Gorham, SIROCKI of Scarborough, STUCKEY of Portland, Senator: PATRICK of Oxford.

Bill "An Act To Allow Access to Pseudoephedrine by Prescription Only"

(H.P. 581) (L.D. 774)

Sponsored by Representative WILLETTE of Mapleton. (BY REQUEST)

Cosponsored by Representatives: THERIAULT of Madawaska, WILLETTE of Presque Isle, Senator: JACKSON of Aroostook.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Allow Sunday Hunting in Northern Maine"

(H.P. 556) (L.D. 749)

Sponsored by Representative PILON of Saco.

Cosponsored by Senator PATRICK of Oxford and Representatives: BRIGGS of Mexico, DION of Portland, SHAW of Standish.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Amend the Laws Relating to Group Trusts Established by Group Self-insurers of Workers' Compensation Benefits"

(H.P. 575) (L.D. 768)

Sponsored by Representative BECK of Waterville.

Cosponsored by Senator SULLIVAN of York and Representatives: KAENRATH of South Portland, MORISSETTE of Winslow, MORRISON of South Portland, RICHARDSON of Warren.

Bill "An Act To Amend the Laws Governing Captive Insurance Companies"

(H.P. 590) (L.D. 783)

Sponsored by Representative RICHARDSON of Warren.

Cosponsored by President RAYE of Washington and Representative: CUSHING of Hampden, Senators: COURTNEY of York, SULLIVAN of York, WHITTEMORE of Somerset.

JUDICIARY

Bill "An Act To Amend the Definition of 'Service Animal' To Conform with Federal Law"

(H.P. 551) (L.D. 744)

Sponsored by Representative MALABY of Hancock.

Cosponsored by Senator ROSEN of Hancock and Representatives: BEAULIEU of Auburn, BERRY of Bowdoinham, DUNPHY of Embden, FOSSEL of Alna, McCLELLAN of Raymond, O'CONNOR of Berwick, SANDERSON of Chelsea, SIROCKI of Scarborough.

Bill "An Act Regarding the Consent of Minors for Mental Health and Substance Abuse Aid"

(H.P. 553) (L.D. 746)

Sponsored by Representative CHASE of Wells.

Cosponsored by Senator COLLINS of York and Representatives: CEBRA of Naples, KNIGHT of Livermore Falls, NASS of Acton, WINSOR of Norway, Senator: SHERMAN of Aroostook.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Improve Driver Education Licensing"

(H.P. 555) (L.D. 748)

Sponsored by Representative LUCHINI of Ellsworth.

Cosponsored by Representatives: CHAPMAN of Brooksville, GOODE of Bangor, MORRISON of South Portland, Senator: LANGLEY of Hancock.

Resolve, To Examine State Programs That Grant Funds To Improve Real Property and To Establish a Formula for Recouping Certain Funds

(H.P. 558) (L.D. 751)

Sponsored by Representative HARVELL of Farmington.

Cosponsored by Representatives: CRAY of Palmyra, GIFFORD of Lincoln, LIBBY of Waterboro, PARRY of Arundel, PLUMMER of Windham.

Bill "An Act To Address the Documented Educational and Rehabilitation Needs of Persons Who Are Blind or Visually Impaired"

(H.P. 572) (L.D. 765)

Sponsored by Representative DAVIS of Sangerville.

Cosponsored by Senator THIBODEAU of Waldo and Representatives: CELLI of Brewer, FREDETTE of Newport, GILBERT of Jay, JOHNSON of Eddington, O'CONNOR of Berwick, OLSEN of Phippsburg, RICHARDSON of Warren, STRANG BURGESS of Cumberland.

Bill "An Act To Amend and Clarify Certain Portions of the Dental Practice Laws"

(H.P. 574) (L.D. 767)

Sponsored by Representative HUNT of Buxton.

Cosponsored by Senator RECTOR of Knox and Representatives: DRISCOLL of Westbrook, GILBERT of Jay, Senator: MARTIN of Kennebec.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Establish the St. John Valley Regional Planning Commission"

(H.P. 578) (L.D. 771)

Sponsored by Representative AYOTTE of Caswell.

Cosponsored by Senator JACKSON of Aroostook and Representatives: CLARK of Easton, EDGECOMB of Caribou,

MARTIN of Eagle Lake, THERIAULT of Madawaska, WILLETTE of Mapleton, WILLETTE of Presque Isle, Senator: SHERMAN of Aroostook.

Bill "An Act To Permit Persons To Perform Simple Electrical Repairs under Limited Licenses"

(H.P. 591) (L.D. 784)

Sponsored by Representative STEVENS of Bangor.

Cosponsored by Senator JACKSON of Aroostook and Representatives: CLARK of Easton, FREDETTE of Newport, GILBERT of Jay, GOODE of Bangor, MARTIN of Eagle Lake, MORRISON of South Portland, O'BRIEN of Lincolnville, WINSOR of Norway.

Bill "An Act To Prohibit Forced Payment of Labor Union Dues or Fees by Workers"

(H.P. 595) (L.D. 788)

Sponsored by Representative WINSOR of Norway.

Cosponsored by Representative CEBRA of Naples, Senator SNOWE-MELLO of Androscoggin and Representatives: BLACK of Wilton, CURTIS of Madison, CUSHING of Hampden, HAMPER of Oxford, KESCHL of Belgrade, O'CONNOR of Berwick.

Bill "An Act To Provide Funding for Landfills by Imposing a Gift Package Surcharge"

(H.P. 559) (L.D. 752)

Sponsored by Representative KNAPP of Gorham.

Cosponsored by Representatives: BERRY of Bowdoinham, BOLDUC of Auburn.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative GILBERT of Jay, **TABLED** pending **REFERENCE** and later today assigned.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Establish Juneteenth Independence Day"

(H.P. 560) (L.D. 753)

Sponsored by Representative HARLOW of Portland.

Cosponsored by Senator GERZOFKY of Cumberland and Representatives: BEAVERS of South Berwick, BELIVEAU of Kittery, CHIPMAN of Portland, CLARKE of Bath, DILL of Old Town, HARVELL of Farmington, HERBIG of Belfast, HINCK of Portland, KNIGHT of Livermore Falls, KUMIEGA of Deer Isle, LUCHINI of Ellsworth, MacDONALD of Boothbay, RANKIN of Hiram, ROCHELO of Biddeford, SANBORN of Gorham, STUCKEY of Portland, Senator: JACKSON of Aroostook.

Bill "An Act To Ensure That Municipalities Refund Amounts Collected in Excess of Tax Liens"

(H.P. 571) (L.D. 764)

Sponsored by Representative McCLELLAN of Raymond.

Cosponsored by Representatives: BLACK of Wilton, DOW of Waldoboro, DUNPHY of Embden, HARMON of Palermo.

Bill "An Act To Review the Functions of the State Planning Office"

(H.P. 576) (L.D. 769)

Sponsored by Representative MOULTON of York.

Cosponsored by Senator RECTOR of Knox and Representatives: BOLAND of Sanford, CASAVANT of Biddeford, GRAHAM of North Yarmouth.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Number of Terms Served in Total

(H.P. 587) (L.D. 780)

Sponsored by Representative DOW of Waldoboro.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Unicameral Legislature

(H.P. 599) (L.D. 804)

Sponsored by Representative VALENTINO of Saco.

Cosponsored by Representatives: HARVELL of Farmington, HAYES of Buckfield, LIBBY of Waterboro, PARRY of Arundel, ROSEN of Bucksport, Senator: JACKSON of Aroostook.

TAXATION

Bill "An Act To Encourage the Use of Reusable Bags"

(H.P. 552) (L.D. 745)

Sponsored by Representative CORNELL du HOUX of Brunswick.

TRANSPORTATION

Resolve, To Establish a Study Group To Update Weight Regulations

(H.P. 577) (L.D. 770)

Sponsored by Representative KESCHL of Belgrade.

Cosponsored by Senator THOMAS of Somerset and Representatives: CHASE of Wells, CHIPMAN of Portland, COTTA of China, FLOOD of Winthrop, HARVELL of Farmington, ROTUNDO of Lewiston, WINSOR of Norway.

Bill "An Act To Amend the Process of Federal Aviation Administration Airport Improvement Program Grants"

(H.P. 585) (L.D. 778)

Sponsored by Representative WILLETTE of Presque Isle.

Cosponsored by Senator FARNHAM of Penobscot and Representatives: CLARK of Easton, DAMON of Bangor, FLEMINGS of Bar Harbor, GOODE of Bangor, HASKELL of Portland, MAZUREK of Rockland, WILLETTE of Mapleton.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To Allow the Sale of Locally Produced Beer and Wine at Farmers' Markets"

(H.P. 570) (L.D. 763)

Sponsored by Representative MacDONALD of Boothbay.

Cosponsored by Representatives: BEAUDOIN of Biddeford, BERRY of Bowdoinham, BOLAND of Sanford, BRIGGS of Mexico, FLEMINGS of Bar Harbor, GOODE of Bangor, SANBORN of Gorham.

Pursuant to Statute

Department of Health and Human Services

Representative STRANG BURGESS for the **Department of Health and Human Services** 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 101, MaineCare Benefits Manual Chapter III, Section 21: Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 550) (L.D. 743)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Maine Turnpike Authority**

Representative CEBRA for 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, 2012"

(H.P. 573) (L.D. 766)

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

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

Sent for concurrence.

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

ORDERS

On motion of Representative FOSSEL of Alna, the following Joint Order: (H.P. 597)

ORDERED, the Senate concurring, that the Joint Select Committee on Health Care Costs is established as follows.

1. Joint Select Committee on Health Care Costs established. The Joint Select Committee on Health Care Costs, referred to in this order as "the committee," is established.

2. Membership. Notwithstanding Joint Rule 353, section 5, the committee consists of 17 members, appointed as follows:

A. Five members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature and with preference to members of the Joint Standing Committee on Insurance and Financial Services, Joint Standing Committee on Health and Human Services and Joint Standing Committee on Appropriations and Financial Affairs; and

B. Twelve members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature and with preference to members of the Joint Standing Committee on Insurance and Financial Services, Joint Standing Committee on Health and Human Services and Joint Standing Committee on Appropriations and Financial Affairs.

3. Committee chairs. The first-named Senator is the Senate chair of the committee and the first-named member of the House is the House chair of the committee.

4. Appointments; convening of committee. All appointments must be made by June 20, 2011. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the committee shall call and convene the first meeting of the committee, which may not be held before June 20, 2011. If by June 20, 2011 a majority but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the committee to meet and conduct its business.

5. Duties. The committee shall review current health care costs in this State, including, but not limited to, the costs for health care delivery and health insurance, and determine the State's opportunities for reducing overall health care costs.

6. Consultation with stakeholders. The committee shall consult with stakeholders including the Office of the Governor; the Department of Health and Human Services; the Department of Professional and Financial Regulation, Bureau of Insurance; health insurance companies; hospitals; health care providers; business and labor representatives; and advocates for health care reform.

7. Staff assistance. Notwithstanding Joint Rule 353, subsection 6, the Legislative Council shall provide necessary staffing services to the committee.

8. Report. No later than December 7, 2011, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 125th Legislature.

READ and **PASSED**.

Sent for concurrence. **ORDERED SENT FORTHWITH**.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Robert Joseph "Bob" McPhee, of Dixfield, on the special occasion of his induction into the National Wrestling Hall of Fame with the Medal of Courage award, the only recipient from New England ever to receive the award. Mr. McPhee, a longtime respected journalist, is the recipient of numerous awards and memberships into other sports Halls of Fame for his excellent work over the years in overcoming insurmountable challenges. He has spent most of his life using a powered wheelchair and is unable to speak, using a device known as the "Liberator" to communicate and conduct interviews covering sports news. We congratulate Mr. McPhee on his receiving the well-deserved Medal of Courage award and for his induction into the National Wrestling Hall of Fame;

(HLS 123)

Presented by Representative BRIGGS of Mexico.

Cosponsored by Senator PATRICK of Oxford, Representative PETERSON of Rumford.

On **OBJECTION** of Representative BRIGGS of Mexico, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Revise the Law Regarding Vehicle Turning and Signals"

(H.P. 47) (L.D. 54)

Signed:

Senators:

COLLINS of York

THOMAS of Somerset

Representatives:

CEBRA of Naples

GILLWAY of Searsport

PARRY of Arundel

RIOUX of Winterport

ROSEN of Bucksport

WILLETTE of Mapleton

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

Signed:
Senator:
DIAMOND of Cumberland

Representatives:
HOGAN of Old Orchard Beach
MAZUREK of Rockland
PEOPLES of Westbrook
THERIAULT of Madawaska

READ.

Representative CEBRA of Naples moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

CONSENT CALENDAR
First Day

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

(H.P. 32) (L.D. 39) Bill "An Act Related to Family Law Magistrates" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 39) (L.D. 46) Bill "An Act To Allow Marriage and Family Therapists To Serve as Mental Health Professionals in the Civil Service System" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

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

The following 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 Thursday, February 17, 2011, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing Peter Gwilym, of Freeport

(SLS 72)

- In Senate, **READ** and **PASSED**.

TABLED - January 27, 2011 (Till Later Today) by Representative WEBSTER of Freeport.

PENDING - PASSAGE.

Subsequently, the Sentiment was **PASSED** in concurrence.

COMMUNICATIONS

The Following Communication: (S.P. 209)

STATE OF MAINE
125TH LEGISLATURE

February 17, 2011
Honorable Kevin L. Raye
President of the Senate
125th Legislature
Honorable Robert W. Nutting
Speaker of the House

125th Legislature

Dear Mr. President and Mr. Speaker:

On February 17, 2011, 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 February 17, 2011, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Enact Requirements Concerning Veterinary Prescriptions" (S.P. 207) (L.D. 676) (Sponsored by Senator COURTNEY of York) (Cosponsored by Representative: SHAW of Standish)

Education and Cultural Affairs

Bill "An Act To Establish Multidistrict Online Classes in Maine" (S.P. 206) (L.D. 675) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Representative RICHARDSON of Carmel and Senator: LANGLEY of Hancock, Representatives: NELSON of Falmouth, RANKIN of Hiram, WAGNER of Lewiston)

Veterans and Legal Affairs

Bill "An Act Regarding the Determination of Distance for the Purposes of the Gambling Control Board Laws" (S.P. 208) (L.D. 677) (Sponsored by Senator PLOWMAN of Penobscot) (Cosponsored by Representative CROCKETT of Bethel and Senator: PATRICK of Oxford, Representatives: RUSSELL of Portland, WILLETTE of Presque Isle)

Sincerely,

S/ Joseph G. Carleton, Jr.

Secretary of the Senate

S/ Heather J.R. Priest

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. 236)

STATE OF MAINE
125TH LEGISLATURE

February 18, 2011

Honorable Kevin L. Raye

President of the Senate

125th Legislature

Honorable Robert W. Nutting

Speaker of the House

125th Legislature

Dear Mr. President and Mr. Speaker:

On February 18, 2011, 22 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 February 18, 2011, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Require Disclosure of the Origin of Certain Products Sold at Farm Stands" (EMERGENCY) (S.P. 230) (L.D. 738) (Sponsored by Senator SAVIELLO of Franklin)

Appropriations and Financial Affairs

Bill "An Act To Authorize a General Fund Bond Issue To Invest in Water and Sewer Infrastructure To Protect Public Health and To Facilitate the Expansion and Growth of Business" (S.P. 234) (L.D. 741) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Senator GOODALL of Sagadahoc and Senator: BRANNIGAN of Cumberland, Representative: McCABE of Skowhegan)

Criminal Justice and Public Safety

Bill "An Act To Grandfather Certain Existing Buildings and Structures with Respect to Fire Safety Codes and Standards" (S.P. 229) (L.D. 737) (Sponsored by Senator SAVIELLO of Franklin)

Bill "An Act To Amend the Sex Offender Registration Laws" (S.P. 233) (L.D. 740) (Sponsored by Senator SAVIELLO of Franklin)

Energy, Utilities and Technology

Bill "An Act To Prohibit Electric Utilities from Entering into Long-term Supply Agreements" (S.P. 218) (L.D. 729) (Sponsored by Senator THOMAS of Somerset, (Cosponsored by Senators: WHITTEMORE of Somerset, MARTIN of Kennebec, MASON of Androscoggin, PLOWMAN of Penobscot, THIBODEAU of Waldo)

Bill "An Act To Reduce Costs for Businesses with Previous Utility Payment Records" (S.P. 222) (L.D. 732) (Sponsored by Senator THIBODEAU of Waldo) (Cosponsored by Senators: TRAHAN of Lincoln, SHERMAN of Aroostook, ROSEN of Hancock, WHITTEMORE of Somerset, THOMAS of Somerset, Representative: DAVIS of Sangerville)

Environment and Natural Resources

Bill "An Act To Extend the Use of Underground Storage Tanks" (S.P. 210) (L.D. 721) (Sponsored by Senator COURTNEY of York) (Cosponsored by Representative TUTTLE of Sanford and Senator: JACKSON of Aroostook, Representative: BOLAND of Sanford)

Bill "An Act To Reduce Truck Travel Caused by the Bottle Redemption Laws" (S.P. 217) (L.D. 728) (Sponsored by Senator RECTOR of Knox) (Cosponsored by Representative PRESCOTT of Topsham and Senators: SAVIELLO of Franklin, MASON of Androscoggin, SCHNEIDER of Penobscot, Representatives: CUSHING of Hampden, HUNT of Buxton, AYOTTE of Caswell)

Bill "An Act To Allow a Person Who Has Lost a Home in a Shoreland Zone To Obtain a Building Permit" (S.P. 223) (L.D. 733) (Sponsored by Senator WHITTEMORE of Somerset) (Cosponsored by Senators: SHERMAN of Aroostook, ROSEN of Hancock, MARTIN of Kennebec, THOMAS of Somerset, THIBODEAU of Waldo)

Health and Human Services

Resolve, To Create an Evidence-based Study and Comprehensive Plan for HIV and AIDS Services in Maine (S.P. 213) (L.D. 724) (Sponsored by Senator BARTLETT of Cumberland) (Cosponsored by Representative STRANG BURGESS of Cumberland and Senators: CRAVEN of Androscoggin, ALFOND of Cumberland, KATZ of Kennebec, PLOWMAN of Penobscot, Representatives: ROTUNDO of Lewiston, CAREY of Lewiston, EVES of North Berwick, CAIN of Orono)

Bill "An Act To Allow the Use of Electronic Benefits Transfer Funds at Farmers' Markets" (S.P. 227) (L.D. 735) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Senators: CRAVEN of Androscoggin, BRANNIGAN of Cumberland, Representatives: McCABE of Skowhegan, RANKIN of Hiram, STUCKEY of Portland, STRANG BURGESS of Cumberland)

Resolve, To Amend the Rules Concerning Long-term Care Services To Better Support Family Caregivers (S.P. 232) (L.D. 739) (Sponsored by Senator CRAVEN of Androscoggin) (Cosponsored by Senators: HOBBS of York, BRANNIGAN of Cumberland, Representative RICHARDSON of Warren, Representative CORNELL du HOUX of Brunswick and Senators: SULLIVAN of York, DIAMOND of Cumberland, Representatives: EVES of North Berwick, SANBORN of Gorham, STUCKEY of Portland)

Insurance and Financial Services

Bill "An Act To Terminate the Authorization of the Maine Self-Insurance Guarantee Association To Serve as a Statistical

Advisory Organization for Self-insurers" (S.P. 221) (L.D. 731) (Sponsored by Senator SNOWE-MELLO of Androscoggin)

Labor, Commerce, Research and Economic Development

Bill "An Act To Streamline the Issuance of State Business Licenses" (S.P. 220) (L.D. 730) (Sponsored by Senator THOMAS of Somerset) (Cosponsored by Representative PRESCOTT of Topsham and Senators: RECTOR of Knox, PLOWMAN of Penobscot, THIBODEAU of Waldo, Representatives: HARVELL of Farmington, O'CONNOR of Berwick, OLSEN of Phippsburg, GIFFORD of Lincoln, HAMPER of Oxford)

Marine Resources

Bill "An Act To Allow the Commissioner of Marine Resources To Use Discretion in Reissuing Scallop Licenses" (EMERGENCY) (S.P. 214) (L.D. 725) (Sponsored by Senator RECTOR of Knox) (Cosponsored by Representative WEAVER of York and Senators: TRAHAN of Lincoln, SNOWE-MELLO of Androscoggin, ROSEN of Hancock, LANGLEY of Hancock, Representatives: VALENTINO of Saco, TILTON of Harrington, RICHARDSON of Warren, DOW of Waldoboro)

Taxation

Bill "An Act To Eliminate the Sunset Date of the Maine Historic Preservation Tax Credit" (S.P. 235) (L.D. 742) (Sponsored by Senator RECTOR of Knox) (Cosponsored by Representative BERRY of Bowdoinham and Senators: TRAHAN of Lincoln, WOODBURY of Cumberland, GOODALL of Sagadahoc, WHITTEMORE of Somerset, MARTIN of Kennebec, McCORMICK of Kennebec, Representatives: VALENTINO of Saco, MOULTON of York)

Transportation

Bill "An Act To Reduce Fines for Certain Trucking Violations" (EMERGENCY) (S.P. 211) (L.D. 722) (Sponsored by Senator THOMAS of Somerset) (Cosponsored by Representative MARTIN of Eagle Lake and Senators: COLLINS of York, JACKSON of Aroostook, Representatives: CEBRA of Naples, CLARK of Millinocket)

Bill "An Act Relating to Indemnity Agreements in Motor Carrier Transportation Contracts" (S.P. 216) (L.D. 727) (Sponsored by Senator COURTNEY of York) (Cosponsored by Representative CEBRA of Naples and Senators: COLLINS of York, THOMAS of Somerset, HASTINGS of Oxford, Representatives: MOULTON of York, SARTY of Denmark, CROCKETT of Bethel, MITCHELL of the Penobscot Nation, NASS of Acton)

Bill "An Act To Allow a Front-wheel-drive Vehicle To Be Equipped with Studded Tires on the Front Only" (S.P. 224) (L.D. 734) (Sponsored by Senator WHITTEMORE of Somerset) (Cosponsored by Senators: COLLINS of York, SHERMAN of Aroostook, MARTIN of Kennebec, MASON of Androscoggin, THOMAS of Somerset, THIBODEAU of Waldo)

Bill "An Act To Prohibit Texting while Driving" (S.P. 228) (L.D. 736) (Sponsored by Senator DIAMOND of Cumberland) (Cosponsored by Representative BEAUDOIN of Biddeford, Representative CEBRA of Naples and Senators: COLLINS of York, THOMAS of Somerset, McCORMICK of Kennebec, Representatives: ROSEN of Bucksport, GILBERT of Jay, PARRY of Arundel, MAZUREK of Rockland, PEOPLES of Westbrook)

Veterans and Legal Affairs

Bill "An Act To End Homelessness for Veterans in Maine" (S.P. 212) (L.D. 723) (Sponsored by Senator DIAMOND of Cumberland) (Cosponsored by Representative CEBRA of Naples and Senators: COLLINS of York, McCORMICK of Kennebec, Representatives: BRYANT of Windham, CAREY of Lewiston, BRIGGS of Mexico, GILBERT of Jay, RUSSELL of Portland, PLUMMER of Windham)

Resolve, To Reduce Funding to Maine Clean Election Act Candidates (S.P. 215) (L.D. 726) (Sponsored by Senator McCORMICK of Kennebec)

Sincerely,
S/Joseph G. Carleton, Jr.
Secretary of the Senate
S/Heather J.R. Priest
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 the Town of Surry To Join School Union No. 93" (EMERGENCY)

(S.P. 244) (L.D. 800)

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 Expand Net Energy Billing"

(S.P. 239) (L.D. 795)

Bill "An Act To Authorize the Public Utilities Commission To Require That Transmission or Distribution Lines Be Placed Underground"

(S.P. 245) (L.D. 801)

Bill "An Act To Amend the Requirements for Electric Transmission Lines"

(S.P. 246) (L.D. 802)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Resolve, To Foster Energy Efficiency Improvements and Other Needed Renovations at Residential Care Facilities Funded by MaineCare (EMERGENCY)

(S.P. 219) (L.D. 790)

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

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

Resolve, Establishing a Task Force To Examine the Decline in the Number of Nonresident Hunters

(S.P. 226) (L.D. 792)

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

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

Bill "An Act To Provide Fair Value for Insured Items"

(S.P. 238) (L.D. 794)

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 Regarding the Construction of New Court Facilities"

(S.P. 225) (L.D. 791)

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 Provide Capital for Economic Development in Aroostook County"

(S.P. 243) (L.D. 799)

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

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

Bill "An Act To Continue the Axle Fine Waiver during the Midwinter Season"

(S.P. 240) (L.D. 796)

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

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

Bill "An Act To Reform the Election Laws"

(S.P. 241) (L.D. 797)

Bill "An Act To Prohibit Nonresidents from Contributing to Maine Political Campaigns or Candidates"

(S.P. 242) (L.D. 798)

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

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

On motion of Representative HOGAN of Old Orchard Beach, the House adjourned at 11:03 a.m., until 10:00 a.m., Thursday, March 3, 2011.