

MAINE STATE LEGISLATURE

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

Volume I

First Regular Session

December 3, 2008 – May 27, 2009

Pages 1-608

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
FIRST REGULAR SESSION
31st Legislative Day
Tuesday, April 28, 2009

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

Prayer by Chaplain Richard S. Bach, 101st Air Refueling Wing, Bangor.

National Anthem by Captain Lisa Sessions, Commander of the 136th Engineer Company, Skowhegan, and the 195th Maine Army National Guard Ensemble, Augusta.

Pledge of Allegiance.

Doctor of the day, Richard J. Leiding, M.D., Hope.

The Journal of Thursday, April 16, 2009 was read and approved.

COMMUNICATIONS

The Following Communication: (S.C. 263)

**MAINE SENATE
124TH MAINE LEGISLATURE
OFFICE OF THE SECRETARY**

April 16, 2009

Honorable Hannah M. Pingree

Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Dear Speaker Pingree:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 124th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Judiciary, the nomination of Honorable Marilyn E. Stavros of Kennebunkport for appointment as an Active Retired District Court Judge.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Amend Licensing, Certification and Registration Requirements for Health Care Providers and Other Facilities"

(H.P. 1019) (L.D. 1464)

Sponsored by Representative JONES of Mount Vernon.

Cosponsored by Representative: LEWIN of Eliot.

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the following members of the Maine Army National Guard for their dedicated service to the State of Maine and the nation: Major William Appel of Hampden, Sergeant 1st Class Ricky Boudreau of Hudson, Major Daniel Curtis of Norway, Captain Grant Delaware of Westbrook, Major Joshua Doscinski of Temple, Sergeant 1st Class Shawn Gurney of Bangor, Major Sean Harmon of Hampden, Sergeant 1st Class Harold Maker of Houlton, Chief Warrant Officer Christopher Merrill of Augusta, Major Kris Nelson of Bangor, Lieutenant Colonel Michael Pooler of Oakland, Captain Jeffery Shirland of Pittsfield, 1st Lieutenant Stephen Spearin of Union, Sergeant 1st Class George Yanez of Gardiner, Captain Ferdinand Slater of Ellsworth, Sergeant 1st Class Michael Wall of Cushing, Sergeant 1st Class Jason Prosser of Fayette and Master Sergeant Duane Rancourt of Fairfield. The hand-picked guardsmen spent 9 months training Afghan National Army soldiers in combat operations, vehicle maintenance, personnel management and logistical support. Three of the 18 men extended their tour and remained in Afghanistan. We acknowledge the dedication these men have to the Maine Army National Guard, and we commend them for their service;

(HLS 252)

Presented by Representative CROCKETT of Bethel.

Cosponsored by Senator PLOWMAN of Penobscot, Representative DUCHESNE of Hudson, Senator SCHNEIDER of Penobscot, Representative MILLETT of Waterford, Senator HASTINGS of Oxford, Representative DRISCOLL of Westbrook, Senator BRANNIGAN of Cumberland, Representative PEOPLES of Westbrook, Senator GOOLEY of Franklin, Representative SAVIELLO of Wilton, Senator PERRY of Penobscot, Representative STEVENS of Bangor, Senator SHERMAN of Aroostook, Representative MARTIN of Orono, President MITCHELL of Kennebec, Representative BUTTERFIELD of Bangor, Senator MARRACHÉ of Kennebec, Representative GOODE of Bangor, Senator RECTOR of Knox, Representative CLEARLY of Houlton, Senator McCORMICK of Kennebec, Representative BROWNE of Vassalboro, Senator DAMON of Hancock, Representative CROCKETT of Augusta, Senator MILLS of Somerset, Representative BLODGETT of Augusta, Representative BECK of Waterville, Representative FITTS of Pittsfield, Representative RICHARDSON of Warren, Representative HANLEY of Gardiner, Representative LANGLEY of Ellsworth, Representative JONES of Mount Vernon, Representative FINCH of Fairfield.

On **OBJECTION** of Representative CROCKETT of Bethel, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Bethel, Representative Crockett.

Representative **CROCKETT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. It gives me great pleasure to rise and recognize these great soldiers. To really understand what they did, you have to understand what an ETT or an Embedded Team Trainer is. In wars past, it has been called a Combat Advisor. For instance, Representative Priest served as one in Vietnam. Now it's a different term, but it is the same job. An individual has to act as a tactician, a trainer, a logistician, a weapons connoisseur, a communications expert, a maintenance guru, smalltime diplomat, and they sweep their own floors when they're done at the end of the day.

My own personal experience with this team comes in 2007. I got an email, I was still in country, and I received an email that Maine was standing up a team. Maine went through a very diligent process in selecting the very best, the most qualified and

giving ample training, so when I came home I met with this team. We went over counterinsurgency and a couple of other things, and then they went on to deploy to Afghanistan. They were deployed to one of the toughest parts of Afghanistan, RC East, 203rd Corps area, which is my old area of operations, right along the Pakistan border. They did a fantastic job. No loss of life to this point, although there are still two soldiers remaining in country, the third is working his way home now. Their ability to accomplish any task at any time under any circumstance is remarkable and really deserves our appreciation. Thank you, Madam Speaker.

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

Recognizing:

Major Joshua Edward Doscinski, of Temple, a member of the Maine Army National Guard, who is returning from active duty in Afghanistan. From April 2008 to December 2008, Major Doscinski has been serving with the Maine Embedded Training Team. This team was created to serve as combat advisors to the Afghan security forces. This hand-selected group of soldiers from the Maine Army National Guard lived and worked with the local Afghan security forces to teach, mentor and train them. As Team Chief, Major Doscinski was the senior officer on the embedded training team who was responsible for the management of the team as well as mentoring the leadership of an Afghan Army Battalion. While overseas, he received several awards including a Meritorious Service Medal. We commend and thank Major Doscinski for his exemplary performance in serving his country. We join citizens throughout the State in welcoming him home and in extending our appreciation to him for his commitment to the United States military;

(HLS 251)

Presented by Representative SAVIELLO of Wilton.
Cosponsored by Senator GOOLEY of Franklin.

On **OBJECTION** of Representative SAVIELLO of Wilton, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **SAVIELLO**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Today I have the opportunity to recognize another Maine hero. Jarrod, as well, described some of Josh's accomplishments, but I just want to talk about a few things.

I looked up the word leadership. Leadership is ultimately defined as creating a way for people to contribute to make something extraordinary happen. We look at some of Josh's qualifications: He has a proven track record of developing training programs, he has established and prepared and coordinated unit level training, and he has been the team chief for these members of this embedded group that went over to Afghanistan. He is an airborne ranger. When he came home, he gave his homecoming speech at Togus. He picked Togus, where he thanks those that helped him, those families that stayed at home and supported him, and, most importantly, he thanked the veterans and the three soldiers that stayed behind to help in Afghanistan. He has done extraordinary things. He is a true leader. He is the kind of young person from Maine that makes Maine proud. Thank you, Josh, for your service.

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

In Memory of:

Theodore W. "Ted" McInnis, of Simpsonville, South Carolina, and formerly of Millinocket, a veteran of the United States Army and longtime employee of Great Northern Paper Company. Mr. McInnis was a 1964 graduate of Stearns High School. After his graduation, he spent 4 years in the active reserves, attaining the rank of captain and serving his country until 1977. He worked for 25 years for Great Northern Paper Company in Millinocket and then for more than 13 years at Bowater headquarters in South Carolina, retiring in 2006. He and his wife of 42 years, Lee Ann, enjoyed their vacations back in Maine. He will be greatly missed and long remembered by his loving family and his friends;

(HLS 259)

Presented by Representative CLARK of Millinocket.

Cosponsored by Senator SMITH of Piscataquis, Representative JOY of Crystal.

On **OBJECTION** of Representative JOY of Crystal, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative **JOY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise to speak in honor of this gentleman who became my nephew when I married his aunt years ago and was almost like a son to us. He lived with us for a time in Millinocket and also in Island Falls, and attended Island Falls High School for a short period of time. He was an achiever. No matter what he put his hand to, he really did well at.

When he was in the reserve, he was made commander of the reserve unit in Millinocket, and also continued to work at Great Northern. When Great Northern was bought out and it got to a point where Bowater took over, Bowater found out that they could not keep going within the state and the regulations that have been imposed upon businesses in this state, and they moved back to South Carolina. They invited him with them because of his administrative skills. Unfortunately, this is an example where Maine lost an achieving young man, not only this young man but his sons as well. One of his sons graduated from the Maine Maritime and worked at Maine Yankee and is now employed in the nuclear generating plant down there. His other son was a very talented artist and is now a minister down there, paid for his college through his artwork. So Maine has lost not just one generation of achievers but two. Thank you very much for the opportunity to stand and give my thoughts on this, and, as many of you know, it is never easy to lose a family member, and I will thank the House for adjourning in his memory today. Thank you very much.

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

REPORTS OF COMMITTEE

Divided Reports

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

(H.P. 592) (L.D. 861)

Signed:

Senators:

GOODALL of Sagadahoc
SIMPSON of Androscoggin
SMITH of Piscataquis

Representatives:

HAMPER of Oxford
KNAPP of Gorham
MARTIN of Eagle Lake
EBERLE of South Portland
DUCHESNE of Hudson
WALSH INNES of Yarmouth
WELSH of Rockport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-117)** on same Bill.

Signed:

Representatives:

BOLDUC of Auburn
EDGECOMB of Caribou
AYOTTE of Caswell

READ.

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-109)** on Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2010"

(H.P. 348) (L.D. 486)

Signed:

Senators:

DAMON of Hancock
GOOLEY of Franklin
PERRY of Penobscot

Representatives:

MAZUREK of Rockland
HOGAN of Old Orchard Beach
PEOPLES of Westbrook
THERIAULT of Madawaska
HARLOW of Portland
CAREY of Lewiston
BROWNE of Vassalboro
ROSEN of Bucksport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-110)** on same Bill.

Signed:

Representatives:

CEBRA of Naples
THOMAS of Ripley

READ.

Representative MAZUREK of Rockland moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative THOMAS of Ripley **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

The SPEAKER: The Chair recognizes the Representative from Ripley, Representative Thomas.

Representative **THOMAS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Eight miles from here is a Turnpike tollbooth. January 1st, a car could go through there for 60 cents, you could throw your money in a basket and the light would turn green and you'd go through. Today it will cost you a dollar and you have to give it to an attendant. That is a 66 percent increase, when prices are falling, when wages are falling, when businesses in Maine are going bankrupt and people are losing their job. The Turnpike is going to argue that not all of their prices went up that much. Maybe not, but many did, and I think they ought to be ashamed of themselves. They are going to argue that the increases are justified, I respectfully disagree.

Let's look at some of the ways they spend money: Does the Turnpike really need more lobbyists here at the Legislature than some of our major industries? It's only a hundred miles of road. It's not an industry.

A week or two ago, we had a day when we dealt with a lot of bills that concerned the Turnpike. They had more paid staff there in front of our committee than I have ever seen in the five years that I've been here. They had one law firm preparing testimony for our committee that has offices in London, and when I asked how much it cost to prepare the testimony, I was told that it didn't matter. It was good testimony, we should be grateful it was that good, and I never was able to find out.

How long ago was it that we read in the newspaper that the Turnpike had a function where they were serving \$200 a bottle wine? Is cost no object in this day and age? Do we just spend whatever because you can just go up on the tolls at will?

Another thing that we need to consider is toll prices are high enough so that we're pushing traffic on to 295; we're pushing traffic on to roads that can't handle the traffic. We're probably going to have to widen and improve those roads, and what's that going to cost? Where does that money come from? Do we completely neglect the secondary roads so we can handle the traffic that should be on the Turnpike, and would be, if the tolls were lower? I don't think so.

In Transportation today, we've got noise bills, and a lot of those noise bills are because of the extra traffic that's going down 295. On a Sunday night, you come to this first tollbooth where the trucks get off, and they go down 295, and truck after truck after truck that is going to Boston, going to New York City, is getting off and going down to 295. They call 295 on the CB "the poor man's road" because they pay less tolls. Think about the extra cost that is added to every ton of Maine produce, of the products of Maine, the paper, and 90 percent of that moves by truck now you know. About a dollar a ton extra goes on the price of those products because of the tolls on the tollbooth, and that is a dollar a ton coming in. Now granted, they've got to have some, but just toll increase after toll increase, and the toll increases are just getting out of hand. Why is that? Why are we going to be spending all of this money on other roads? Is it just because the Turnpike can't get their spending under control? I'm serious. Times are getting tough, and I think we heard some bad news last week, and, in the next few weeks, I think it will be clear here just how tough times are. Let's start today. Let's send a message to the people of Maine that we can control spending, we can hold people who work for us accountable, and we can roll back this new tax, these tolls. Let's vote this budget down, and, in its place, let's approve a budget without the toll increase. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Chase.

Representative **CHASE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I, too,

rise in opposition to this bill. I come from Wells, and if you get on the Turnpike now and you drive from Wells to York, which is only a little over 11 miles away, and back again, it is going to cost you \$6 round-trip. Now York has in its town a hospital, and they serve a really good lunch for the elderly. Now a lot of the elderly want to get on from Wells, get on and go down the Turnpike because it is a lot more direct route, but if they are going to pay \$6 in tolls to get to a \$5 lunch, it makes no sense. Over and over again, I've asked the Turnpike Authority to have a little more equity in their tolling system.

In our area, I really feel they are gouging not only the local residents who don't have an E-ZPass, but they are gouging out tourists as well. This increase in the toll that they put in is a year ahead of time. It wasn't really scheduled until next year, but it is in place now because, at the time when they first thought about putting it forward earlier, there was an increase in energy costs. Well, those energy costs and the fuel costs have actually gone down, but that didn't postpone the increase till when it should have gone in a year from now. So I am asking you to please consider voting Ought Not to Pass and go for the other report that might give the budget to go forward without the toll increase. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Mazurek.

Representative **MAZUREK**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This is about the budget, not about the tolls. If we don't pass the budget, there are some consequences that I think we should be aware of. First of all, this budget is worked in conjunction with a subcommittee of the Transportation Committee. We met with the MTA a number of times, and we came out with a workable budget for the Maine Turnpike Authority. By not passing this budget, this would have an affect on the great rating system of the bond issues of the Maine Turnpike Authority. This would probably downgrade their credit rating; thereby, it would probably bring up the cost of borrowing money in the future.

It also brings to light some serious concerns that I have, as far as safety is concerned, about the maintenance of the road. This is one of the best kept roads in the State of Maine. But cutting this budget, we're cutting into the maintenance of that road and allowing it to deteriorate at the very critical time when we can't afford to have any more of our roads deteriorate any more than they are. It would also cut into the state police that patrol it. We'd have to cut the number of state police officers on patrol on the Maine Turnpike. It would also cut down on the fare collection, fare collectors. It would also bring about a problem of maintaining our highway at a certain level, and, by not passing this particular budget, this would put an end to all capital projects that are now on plan for the Maine Turnpike for the upcoming years.

It also brings in to light the fact that, by not passing this budget, this would allow the Maine Turnpike Authority's Board of Trustees to have more of a role in governing and the operation of the Maine Turnpike. You'd probably see an increase in tolls, because they would want to get the Maine Turnpike to where it presently is. They would also like to repair any damage caused by not passing this particular budget. It's a very strong majority vote. It came out of the Transportation Committee, it came out of the subcommittee of the Transportation Committee to pass this budget, so I urge you, please, this is not the time to be cutting back on one of our best systems that we have by cutting this budget. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Hogan.

Representative **HOGAN**: Thank you, Madam Speaker. I rise in support of the pending motion, and I do agree wholeheartedly with what the good Representative from Rockland had just said. If this amendment that goes onto this bill cuts the operating costs, the budget rather, by \$20 million that the Turnpike would have to somehow make up. As the good Representative said, it also affects the state police at a time that they are not too many. There are 45 state police that man the hundred miles, and they are very much necessary. You have to remember that this Turnpike Authority does not ask a penny from taxpayers' money. It is self-supporting, self-sustaining. They also have done their part over the past five years, but they have cut on their own, systematically been cutting for the last five years. So I ask you to support the pending motion, and thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Robinson.

Representative **ROBINSON**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I respectfully disagree with the Representative from Rockland. This isn't just about a budget, it's about doing what's right for the people of Maine, and the people that travel that road every single day and have to bear the burden of the additional cost, are struggling every single day to come up with ways to take care of their family, ways to put food on the table. The idea that this is simply about a budget and simply about putting something in front of us because we want to maintain services seems to be somewhat disingenuous, and doesn't take into effect that we're continuing to look at every avenue in the Appropriations Committee of ways to reduce spending—to argue whether we really need fees, to argue whether we really need certain services. I would imagine that during this discussion, the committee was not fully aware of the economic situation that this state finds itself in, and given that we will be sitting downstairs in Appropriations looking at every single corner and single rock to turn over to look for savings and a way to protect really the most vulnerable people in Maine, I find it a little disingenuous that we just simply want to say we need to pass this budget to maintain services on the Turnpike, when we really are neglecting what's doing right for the people who travel that road every day. A raise in fees is not what's right for the people who travel that road every day. Thank you, Madam Speaker, and I'd ask everyone in this body to oppose the motion in front of us.

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

Representative **CAREY**: Thank you, Madam Speaker. I want to rise quickly as a first year member of this committee and speak for myself, and I think everybody on the committee, of how impressed we are with the challenges that our transportation infrastructure faces. We're impressed with the challenges of the budget this year. I think we'll see some things coming out of the revenue forecast report, that is going on right now, that are going to be really challenging and make the work that we have, finding funding for our roads, that much harder. This bill, if we accept the Minority Report, will make that hill that much harder to climb. The costs of borrowing are going to be higher, and one of the key pieces of infrastructure that we have in the state will be undermined at a time when we need to be building on what we have and trying to make it better for all of the people of Maine. I ask you to defeat this motion. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 35

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Flaherty, Flemings, Gilbert, Goode, Hanley, Harlow, Haskell, Hayes, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Pendleton, Peoples, Perry, Peterson, Pieh, Piotti, Pratt, Priest, Rankin, Rosen, Rotundo, Russell, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Beaulieu, Bickford, Burns, Cebra, Celli, Chase, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgecomb, Fitts, Fletcher, Flood, Fossel, Gifford, Giles, Greeley, Hamper, Harvell, Hill, Johnson, Joy, Knight, Langley, Lewin, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pilon, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Sarty, Saviello, Sykes, Tardy, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - Ayotte, Knapp, Martin JL, Percy, Sanborn.
Yes, 94; No, 52; Absent, 5; Excused, 0.

94 having voted in the affirmative and 52 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-109)** was **READ** by the Clerk and **ADOPTED.** The Bill was assigned for **SECOND READING** Wednesday, April 29, 2009.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass** on Resolve, Directing the Department of Transportation To Study Ways To Reduce Energy Use and Promote Efficiency along Major Transportation Corridors
(H.P. 582) (L.D. 846)

Signed:
Senator:
DAMON of Hancock

Representatives:
MAZUREK of Rockland
HOGAN of Old Orchard Beach
PEOPLES of Westbrook
THERIAULT of Madawaska
HARLOW of Portland
CAREY of Lewiston

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

Signed:
Senator:
GOOLEY of Franklin

Representatives:
BROWNE of Vassalboro
THOMAS of Ripley
CEBRA of Naples
ROSEN of Bucksport

READ.

Representative MAZUREK of Rockland moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative CURTIS of Madison **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

The SPEAKER: The Chair recognizes the Representative from Ripley, Representative Thomas.

Representative **THOMAS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I'll try not to keep you quite so long this time, but this bill is worse than the last one, unfortunately to say. It talks about energy use and how we are going to reduce it, but when you get into the meat of the bill, it's really about controlling our use of our own property. In the bill, it talks about overlay zoning. I never had heard such a term in my life. Let me read from what the Planning Office at DOT says: Overlay districts are similar to shoreland zoning, and the concept is to designate major arteries in a way that reflects their intended function. Access and traffic permits would be issued only to the degree allowed in the respected districts. We're going to set up districts in this state that are similar to the shoreland zoning around bodies of water, and we're going to be told what we can and can't do. You're going to be told how many trips you can make to town every day.

Also, it talks about transfer of development or trip rights. Well, here is, in the same paper that was provided to us by DOT, transfer of trip rights. This approach would assign each acre of land a certain number of trips which could be sold from one location and transferred to another location where capacity exists or is more permissive. So if you've got a piece of property along a road, this group is assigned to come up with a plan that would tell you when you could have a curb cut and get on to the road, when you couldn't, and how many trips you could make to town. I mean, if this doesn't scare you, I don't know what does. If this isn't central planning, I don't know what is. If we look at the track record around here of how the bureaucracy is managing our money and running things, do you want them to tell you what time to get up and what time to go to bed, when you can go to the store and when you can't, how many trips you can make to the store and how many you can't? I mean, we're going to get to the point where you're going to have to have a permit to get out of bed in the morning. Thank you.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Browne.

Representative **BROWNE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Again, I rise to oppose this motion on the floor. Again, as you heard a lot of the comments from the Representative from Ripley, it's just over restrictive. We have the DOT and all other construction firms, anybody that does any work, they have plenty of hoops to jump through already as far as the regulations and rules go. I think this will add to the costs, it is something that is done already by our transportation officials, and I think that even though it's just a resolve, they say there's no costs associated with it, but there is going to be some cost for this and it is supposedly going to be absorbed, but we're at a time when we need to count all of our pennies. Again, I would urge you to vote against this pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Unity, Representative Piotti.

Representative **PIOTTI**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. This is a bill that I sponsored. To be perfectly honest, I was quite surprised to see the committee report. At the hearing, everyone spoke in favor of it who spoke. Beyond that, there was a good exchange of questions by both Republican and Democratic members of the committee, and I left that meeting feeling very strongly that there

was a good sense that people understood the bill and there was good support for it. Now because of other commitments, I didn't get to the work session, and let that be a lesson to all of you.

This bill is simple and yet I think significant. We talk all of the time about some things in this body. One, we talk about the need to not think in silos, and yet, particularly on transportation issues, we frequently do. Transportation has a huge impact on economic development, a huge impact on energy use, a huge impact on land use, and yet we seldom talk about it in that way. This bill encourages, directs I should say, the Department of Transportation to do some planning to think about how all of those pieces interconnect. There is nothing particularly novel here. All of the items, including the ones that the Representative from Ripley, Representative Thomas, mentioned, are items that the department has been looking at, and, indeed, through what is called the Gateway 1 project which is looking at the Route 1 corridor, those things are being actively explored. This bill simply called upon them to look at those issues a little bit more comprehensively, and to seek whether or not they make sense for other parts of the state.

We talk a lot about energy use in this state and the way we need to cut back, but we hardly ever directly look at the facts, and one of those facts is that 50 percent of our energy use is used in automobile transportation. If we are serious in cutting back on energy use in this state, we need to think of our transportation system as a system, and think not only about cars moving over roads but ways that we can keep cars moving on those roads effectively and efficiently, and, yes, connections to economic development and land use which are smart and sensible and are going to ensure that, in the future, people can live, work and play in ways that are more efficient and more economical. Nothing about this bill directs any new actions except for the department to plan. It's information that will be brought back to the Transportation Committee, and they could act on it at that time. I don't know about you folks, but I believe information is good and not voting for this bill is simply burying our heads in the sand and not looking at a potential problem that needs addressing. Let's let the information come forward, and then let the Transportation Committee do their work. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Celli.

Representative **CELLI**: Thank you, Madam Chair, members of the House. Any time you have a bill like this, you have to think about how it is going to be enforced. This is unenforceable. Therefore, anytime I see a law that is unenforceable, you have to be against it. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 36

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Flaherty, Flemings, Flood, Gilbert, Goode, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Pendleton, Peoples, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Richardson D, Rotundo, Russell, Schatz, Shaw, Sirois, Smith, Stevens, Stuckey, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Beaulieu, Bickford, Browne W, Burns, Campbell, Cebra, Celli, Chase, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgecomb, Fitts, Fletcher, Fossil, Gifford, Giles, Greeley, Hamper, Hanley, Harvell, Johnson, Joy, Knight, Langley, Lewin, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pinkham, Plummer, Prescott, Richardson W, Robinson, Rosen, Sarty, Saviello, Strang Burgess, Sykes, Tardy, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - Ayotte, Knapp, Martin JL, Percy, Sanborn.

Yes, 93; No, 53; Absent, 5; Excused, 0.

93 having voted in the affirmative and 53 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Resolve was **READ ONCE** and was assigned for **SECOND READING** Wednesday, April 29, 2009.

CONSENT CALENDAR

First Day

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

(H.P. 342) (L.D. 480) Resolve, Regarding Legislative Review of Portions of MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services, Office of MaineCare Services, Division of Policy and Performance (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 410) (L.D. 572) Bill "An Act To Expand the Membership of the Maine Elder Death Analysis Review Team" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 499) (L.D. 716) Bill "An Act To Change the Definition of 'Domestic Partner' in the Laws Governing Custody of Remains" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 669) (L.D. 967) Bill "An Act To Implement the Recommendations of the Governor's Interagency Transportation Coordinating Committee" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 973) (L.D. 1394) Bill "An Act To Modify the Regional Economic Development Revolving Loan Program" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(H.P. 24) (L.D. 29) Bill "An Act To Amend the Landlord and Tenant Laws as They Pertain to Interest Paid on Mobile Home Park Tenant Security Deposits" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-160)**

(H.P. 187) (L.D. 233) Bill "An Act To Include Independent Practice Dental Hygienists in MaineCare" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-129)**

(H.P. 318) (L.D. 430) Bill "An Act To Allow the Licensing of Minibars in Hotel Rooms" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-134)**

(H.P. 352) (L.D. 497) Bill "An Act To Conserve Energy in Residential Leasehold Tenancies" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-161)**

(H.P. 402) (L.D. 564) Bill "An Act To Promote Independence and Facilitate Employment for Visually Impaired or Blind Individuals by Investing in an Effective Vision Rehabilitation System" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-122)**

(H.P. 469) (L.D. 655) Resolve, Directing the Department of Inland Fisheries and Wildlife To Conduct a Study To Enhance Maine's Recreational Fishing Economy Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-148)**

(H.P. 482) (L.D. 699) Resolve, Establishing Goals and Principles for Fisheries Management for the Department of Inland Fisheries and Wildlife Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-149)**

(H.P. 548) (L.D. 812) Resolve, Pertaining to Vacation Leave Earned by Seasonal Employees of the Baxter State Park Authority Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-154)**

(H.P. 556) (L.D. 820) Bill "An Act To Limit Smoking in Outdoor Dining Areas" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-132)**

(H.P. 571) (L.D. 835) Bill "An Act To Amend the Forcible Entry and Detainer Laws" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-162)**

(H.P. 581) (L.D. 845) Bill "An Act To Expand Access to Efficiency Maine Rebate Programs" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-158)**

(H.P. 583) (L.D. 847) Bill "An Act Authorizing Statewide Mutual Aid among First Responder Agencies" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-157)**

(H.P. 654) (L.D. 951) Bill "An Act To Prioritize Funding in the TransCap Trust Fund" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-123)**

(H.P. 655) (L.D. 952) Bill "An Act To Authorize Issuance of Permanent Disability Plates and Placards" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-141)**

(H.P. 671) (L.D. 969) Bill "An Act To Amend the Laws Governing the Maine Children's Growth Council" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-159)**

(H.P. 672) (L.D. 970) Bill "An Act To Amend the Laws Governing Notification after a Security Breach Involving Personal Information" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-145)**

(H.P. 724) (L.D. 1049) Bill "An Act To Encourage Cooperation among School Administrative Units" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-166)**

(H.P. 740) (L.D. 1073) Bill "An Act To Provide for Insurance Coverage of Telemedicine Services" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-146)**

(H.P. 770) (L.D. 1115) Resolve, To Establish the Task Force on Kinship Families (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-147)**

(H.P. 778) (L.D. 1134) Bill "An Act Regarding the Maximum Fee for Processing an Environmental License Application" (EMERGENCY) Committee on **NATURAL RESOURCES**

reporting **Ought to Pass as Amended by Committee Amendment "A" (H-155)**

(H.P. 836) (L.D. 1211) Bill "An Act To Amend the Marine Resources Suspension Laws" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-142)**

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

(H.P. 176) (L.D. 211) RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Schedule for Redistricting Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-143)**

On motion of Representative BEAUDETTE of Biddeford, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

CONSENT CALENDAR

Second Day

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

(S.P. 480) (L.D. 1334) Bill "An Act To Ensure Continued Access to Emergency Information in the State by Allowing Governments To Build Federally Licensed Television Translators"

(S.P. 132) (L.D. 390) Bill "An Act To Clarify Guaranteed Fund Protection for Deferred Compensation Accounts" (C. "A" S-58)

(S.P. 142) (L.D. 400) Bill "An Act To Implement the Recommendations of the Blue Ribbon Commission To Study Long-term Home-based and Community-based Care" (EMERGENCY) (C. "A" S-57)

(S.P. 179) (L.D. 476) Bill "An Act To Amend Certain Laws Administered by the Department of Environmental Protection" (C. "A" S-56)

(S.P. 226) (L.D. 611) Bill "An Act To Provide Reimbursement in the MaineCare Program for Board-certified Behavior Analysts" (C. "A" S-55)

(S.P. 231) (L.D. 616) Bill "An Act To Strengthen the Board of the Maine Insurance Guaranty Association" (C. "A" S-59)

(S.P. 283) (L.D. 736) Resolve, Directing the Department of Transportation To Request Federal Funding for the Extension and Completion of Interstate 95 (EMERGENCY) (C. "A" S-60)

(S.P. 331) (L.D. 883) Bill "An Act To Amend the Charter of the Tenants Harbor Standard Water District" (EMERGENCY) (C. "A" S-53)

(S.P. 378) (L.D. 1014) Bill "An Act To Provide for the 2009 and 2010 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY) (C. "A" S-54)

(H.P. 796) (L.D. 1152) Bill "An Act To Amend the Laws Governing Certain Reports and Reviews Related to Utilities and Energy and Certain Positions at the Public Utilities Commission"

(H.P. 43) (L.D. 50) Bill "An Act To Clarify the Definition of Hard Cider for the Purposes of the Returnable Container Law" (C. "A" H-106)

(H.P. 88) (L.D. 104) Bill "An Act To Fund Fully the Purchase of Military Time" (EMERGENCY) (C. "A" H-111)

(H.P. 133) (L.D. 154) Bill "An Act To Enhance the Safety of Forestry Workers and Contracted Farm Workers" (C. "A" H-112)

(H.P. 162) (L.D. 197) Bill "An Act To Provide Tax Relief to Workers Who Lose Their Jobs Due to Business Closure" (C. "A" H-118)

(H.P. 228) (L.D. 288) Bill "An Act To Expand Super Pack License Opportunities" (C. "A" H-102)

(H.P. 296) (L.D. 389) Bill "An Act To Facilitate the State's Existing Commitment to the Production of Liquid Biofuels" (C. "A" H-116)

(H.P. 356) (L.D. 511) Bill "An Act To Support District Attorney Check Diversion Programs" (C. "A" H-105)

(H.P. 399) (L.D. 561) Resolve, To Direct State Agencies To Develop Policies To Guide Employees When Accessing Private Woodland (C. "A" H-103)

(H.P. 403) (L.D. 565) Bill "An Act To Define 'Edentulous Arch' in the Laws Governing Denturists" (C. "A" H-108)

(H.P. 427) (L.D. 589) Bill "An Act To Encourage the Production of Liquid Biofuels" (C. "A" H-119)

(H.P. 444) (L.D. 630) Bill "An Act To Update and Streamline State Licensing Laws and Clarify the Process for Appealing Final Decisions of Certain Licensing Entities" (C. "A" H-107)

(H.P. 445) (L.D. 631) Bill "An Act To Amend the Laws Relating to the Department of Corrections" (C. "A" H-101)

(H.P. 565) (L.D. 829) Bill "An Act To Clarify the Right of Public School Employees To Engage in Collective Bargaining" (EMERGENCY) (C. "A" H-113)

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

BILLS IN THE SECOND READING
Senate as Amended

Bill "An Act To Calculate the School Year by Number of Hours" (EMERGENCY)

(S.P. 86) (L.D. 245)
(C. "B" S-32)

House

Bill "An Act Authorizing Colleges and Universities To Regulate Public Safety on Their Campuses"

(H.P. 365) (L.D. 520)

House as Amended

Bill "An Act To Change the Classification of Certain Waters of the State"

(H.P. 266) (L.D. 330)
(C. "A" H-70)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act To Extend the Season for Training Hunting Dogs
(S.P. 57) (L.D. 171)
(C. "A" S-22)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 142 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Protect the Integrity of the State's Carbon Dioxide Budget Trading Program and Auction Process and To Provide Allocations to the Energy and Carbon Savings Trust Fund

(S.P. 93) (L.D. 276)
(C. "A" S-42)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 135 voted in favor of the same and 5 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Ensure Local Broadband Coverage

(H.P. 585) (L.D. 850)
(C. "A" H-64)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 141 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Review and Update Sales Tax Exemptions for Products Purchased for Agricultural Use

(H.P. 64) (L.D. 74)
(C. "A" H-59)

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

Emergency Measure

Resolve, Regarding Legislative Review of Chapter 313: Net Energy Billing Rule To Allow Shared Ownership, a Major Substantive Rule of the Public Utilities Commission

(H.P. 272) (L.D. 336)
(C. "A" H-63)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 136 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

Acts

An Act To Clarify Hunting and Trapping Laws for Youth
(S.P. 51) (L.D. 132)
(C. "A" S-46)

An Act Regarding the Placement of Bait To Attract Wild
Animals or Birds for Hunting
(H.P. 117) (L.D. 138)
(C. "A" H-60)

An Act To Adopt Amendments to the Uniform Interstate
Family Support Act
(S.P. 164) (L.D. 461)

An Act To Promote Telecommunications Availability for the
Deaf and Hard of Hearing
(H.P. 525) (L.D. 766)
(C. "A" H-65)

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

An Act To Amend Maine's Endangered and Threatened
Species List by Removing the Bald Eagle
(S.P. 25) (L.D. 66)
(C. "A" S-44)

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

On motion of Representative TARDY of Newport, was **SET
ASIDE**.

The same Representative **REQUESTED** a roll call on
PASSAGE TO BE ENACTED.

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

The SPEAKER: A roll call has been ordered. The pending
question before the House is Passage to be Enacted. All those
in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 37

YEA - Austin, Beaudette, Beaudoin, Beaulieu, Beck, Berry,
Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W,
Bryant, Burns, Butterfield, Cain, Campbell, Carey, Casavant,
Cebra, Celli, Chase, Clark H, Clark T, Cleary, Cohen,
Cornell du Houx, Cotta, Crafts, Cray, Crockett J, Crockett P,
Curtis, Cushing, Davis, Dill, Dostie, Driscoll, Duchesne, Eaton,
Eberle, Edgecomb, Eves, Finch, Fitts, Flemings, Fletcher, Flood,
Fossel, Gifford, Gilbert, Giles, Goode, Greeley, Hamper, Hanley,
Harvell, Haskell, Hayes, Hinck, Hogan, Hunt, Innes Walsh,
Johnson, Jones, Joy, Kent, Knight, Kruger, Lajoie, Langley,
Lewin, Lovejoy, MacDonald, Martin JR, Mazurek, McCabe,
McFadden, McKane, McLeod, Miller, Millett, Morrison, Nass,
Nelson, Nutting, O'Brien, Pendleton, Peoples, Perry, Peterson,
Pieh, Pilon, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest,
Rankin, Richardson D, Richardson W, Robinson, Rosen,
Rotundo, Sarty, Saviello, Schatz, Shaw, Sirois, Smith,
Strang Burgess, Stuckey, Sykes, Tardy, Theriault, Thibodeau,
Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie,
Wagner J, Wagner R, Weaver, Webster, Welsh, Wheeler,
Willette, Wright, Madam Speaker.

NAY - Adams, Flaherty, Harlow, Hill, Kaenrath, Legg,
Magnan, Russell, Stevens, Sutherland, Watson.

ABSENT - Ayotte, Connor, Knapp, Martin JL, Percy, Sanborn.
Yes, 134; No, 11; Absent, 6; Excused, 0.

134 having voted in the affirmative and 11 voted in the
negative, with 6 being absent, and accordingly the Bill was
PASSED TO BE ENACTED, signed by the Speaker and sent to
the Senate.

An Act To Allow Military Reenlistees To Obtain a Veterans
Registration Plate
(H.P. 178) (L.D. 213)
(C. "A" H-66)

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

On motion of Representative SAVIELLO of Wilton, was **SET
ASIDE**.

The same Representative **REQUESTED** a roll call on
PASSAGE TO BE ENACTED.

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

The SPEAKER: A roll call has been ordered. The pending
question before the House is Passage to be Enacted. All those
in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 38

YEA - Adams, Austin, Beaudette, Beaudoin, Beaulieu, Beck,
Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs,
Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey,
Casavant, Cebra, Celli, Chase, Clark H, Clark T, Cleary, Cohen,
Cornell du Houx, Cotta, Crafts, Cray, Crockett J, Crockett P,
Curtis, Cushing, Davis, Dill, Dostie, Driscoll, Duchesne, Eaton,
Eberle, Edgecomb, Eves, Finch, Fitts, Flaherty, Flemings,
Fletcher, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Hamper,
Hanley, Harlow, Harvell, Haskell, Hill, Hinck, Hogan, Hunt,
Innes Walsh, Johnson, Jones, Joy, Kaenrath, Kent, Knight,
Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald,
Magnan, Martin JR, Mazurek, McCabe, McFadden, McKane,
McLeod, Miller, Millett, Morrison, Nass, Nelson, Nutting, O'Brien,
Pendleton, Peoples, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti,
Plummer, Pratt, Prescott, Priest, Rankin, Richardson D,
Richardson W, Robinson, Rosen, Rotundo, Russell, Sarty,
Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess,
Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau,
Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie,
Wagner J, Wagner R, Watson, Weaver, Webster, Welsh,
Wheeler, Willette, Wright, Madam Speaker.

NAY - NONE.

ABSENT - Ayotte, Connor, Greeley, Hayes, Knapp, Martin JL,
Percy, Sanborn.

Yes, 143; No, 0; Absent, 8; Excused, 0.

143 having voted in the affirmative and 0 voted in the
negative, with 8 being absent, and accordingly the Bill was
PASSED TO BE ENACTED, signed by the Speaker and sent to
the Senate.

An Act Concerning Mercury-added Button Cell Batteries
(S.P. 390) (L.D. 1026)

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

On motion of Representative TARDY of Newport, was **SET
ASIDE**.

The same Representative **REQUESTED** a roll call on
PASSAGE TO BE ENACTED.

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

The SPEAKER: A roll call has been ordered. The pending
question before the House is Passage to be Enacted. All those
in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 39

YEA - Adams, Austin, Beaudette, Beaudoin, Beaulieu, Beck,
Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs,
Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Casavant,

Cebra, Celli, Chase, Clark H, Clark T, Cohen, Cornell du Houx, Cotta, Crafts, Cray, Crockett J, Crockett P, Curtis, Cushing, Davis, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Fitts, Flaherty, Flemings, Fletcher, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Greeley, Hamper, Hanley, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Kaenrath, Kent, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JR, McCabe, McFadden, McKane, McLeod, Miller, Millett, Morrison, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rankin, Richardson D, Richardson W, Robinson, Rosen, Rotundo, Russell, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - NONE.

ABSENT - Ayotte, Carey, Cleary, Connor, Joy, Knapp, Martin JL, Mazurek, Percy, Sanborn.

Yes, 141; No, 0; Absent, 10; Excused, 0.

141 having voted in the affirmative and 0 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, April 16, 2009, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-74)** - Committee on **TAXATION** on Bill "An Act To Clarify the Sales Tax Exemption for Commercial Agricultural Crop Production"

(H.P. 338) (L.D. 450)

TABLED - April 14, 2009 (Till Later Today) by Representative PIEH of Bremen.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

Subsequently, the Unanimous Committee Report was **ACCEPTED.**

The Bill was **READ ONCE.** **Committee Amendment "A" (H-74)** was **READ** by the Clerk and **ADOPTED.**

The Bill was assigned for **SECOND READING** Wednesday, April 29, 2009.

Joint Order To Recall LD 113 from Legislative Files

(H.P. 1016)

TABLED - April 15, 2009 (Till Later Today) by Representative PIOTTI of Unity.

PENDING - **PASSAGE** (2/3 Vote Required). (Roll Call Ordered)

The **SPEAKER:** A roll call having been previously ordered, the pending question before the House is Passage. All those in favor will vote yes, those opposed will vote no.

Pursuant to Joint Rule 404, this Joint Order required the affirmative vote of two-thirds of those present for **PASSAGE.**

ROLL CALL NO. 40

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Burns, Butterfield, Cain, Carey, Casavant, Celli, Clark H, Cleary, Cohen, Cornell du Houx,

Cray, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Flaherty, Flemings, Gilbert, Goode, Greeley, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Kaenrath, Kent, Knight, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Pendleton, Peoples, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Rotundo, Russell, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Stuckey, Sutherland, Theriault, Thibodeau, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Beaulieu, Bickford, Browne W, Campbell, Cebra, Chase, Clark T, Cotta, Crafts, Crockett J, Curtis, Cushing, Davis, Edgecomb, Fitts, Fletcher, Flood, Fossel, Gifford, Giles, Hamper, Harvell, Joy, Knight, Langley, Lewin, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Rosen, Sarty, Strang Burgess, Sykes, Tardy, Thomas, Weaver.

ABSENT - Ayotte, Connor, Knapp, Martin JL, Percy, Sanborn.

Yes, 99; No, 46; Absent, 6; Excused, 0.

99 having voted in the affirmative and 46 voted in the negative, with 6 being absent, 99 being more than two-thirds of those present, the Joint Order was **PASSED** and sent for concurrence.

SENATE PAPERS

Bill "An Act To Facilitate Testing and Demonstration of Renewable Ocean Energy Technology"

(S.P. 545) (L.D. 1465)

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

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

REPORTS OF COMMITTEE

Change of Committee

Representative **HASKELL** from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Allow Mixed Martial Arts Competitions in Maine"

(H.P. 277) (L.D. 370)

Reporting that it be **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT.**

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT.**

Sent for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 202) (L.D. 256) Resolve, Directing the Department of Inland Fisheries and Wildlife To Recommend Measures To Increase the Number of Turkeys Taken by Hunters Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-170)**

(H.P. 405) (L.D. 567) Bill "An Act To Provide Increased Protection for Victims of Domestic Violence" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-172)**

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

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought Not to Pass** on Bill "An Act To Renovate and Expand the Boat Launch on Long Lake in St. Agatha"

(H.P. 241) (L.D. 305)

Signed:

Senators:

NUTTING of Androscoggin
SHERMAN of Aroostook

Representatives:

GIFFORD of Lincoln
McCABE of Skowhegan
PERCY of Phippsburg
PIEH of Bremen
SMITH of Monmouth
PRATT of Eddington
CRAY of Palmyra
KENT of Woolwich
O'BRIEN of Lincolnville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-150)** on same Bill.

Signed:

Senator:

BRYANT of Oxford

Representative:

EDGECOMB of Caribou

READ.

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

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-151)** on Resolve, Regarding Legislative Review of Portions of Chapter 10: Definitions and Terms, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control (EMERGENCY)

(H.P. 350) (L.D. 495)

Signed:

Senator:

NUTTING of Androscoggin

Representatives:

PIEH of Bremen
SMITH of Monmouth
PERCY of Phippsburg
PRATT of Eddington
GIFFORD of Lincoln
CRAY of Palmyra
KENT of Woolwich

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-152)** on same Resolve.

Signed:

Representative:

EDGECOMB of Caribou

READ.

On motion of Representative PIEH of Bremen, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-151)** was **READ** by the Clerk and **ADOPTED**. The Resolve was assigned for **SECOND READING** Wednesday, April 29, 2009.

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Allocate Redemption Centers Based on Population"

(H.P. 641) (L.D. 938)

Signed:

Senators:

SCHNEIDER of Penobscot
SULLIVAN of York
RECTOR of Knox

Representatives:

SMITH of Monmouth
WRIGHT of Berwick
AUSTIN of Gray
MacDONALD of Boothbay
PRESCOTT of Topsham
HUNT of Buxton
CLEARY of Houlton
MARTIN of Orono
COHEN of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-128)** on same Bill.

Signed:

Representative:

GILES of Belfast

READ.

Representative SMITH of Monmouth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On motion of Representative CUSHING of Hampden, **TABLED** pending the motion of Representative SMITH of Monmouth to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Clarify the Limits of the Maine Uniform Building and Energy Code"

(H.P. 685) (L.D. 997)

Signed:

Senators:

SCHNEIDER of Penobscot
SULLIVAN of York
RECTOR of Knox

Representatives:

SMITH of Monmouth
WRIGHT of Berwick
AUSTIN of Gray
MacDONALD of Boothbay
PRESCOTT of Topsham
HUNT of Buxton
CLEARY of Houlton
MARTIN of Orono
GILES of Belfast

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-127)** on same Bill.

Signed:

Representative:

COHEN of Portland

READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-130)** on Bill "An Act To Track the Prevalence of Childhood Obesity in Maine"

(H.P. 255) (L.D. 319)

Signed:

Senators:

BRANNIGAN of Cumberland
MARRACHÉ of Kennebec
MILLS of Somerset

Representatives:

PERRY of Calais
PETERSON of Rumford
JONES of Mount Vernon
SANBORN of Gorham
CAMPBELL of Newfield
STRANG BURGESS of Cumberland
STUCKEY of Portland
EVES of North Berwick

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

Signed:

Representative:

LEWIN of Eliot

Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-130)** Report.

READ.

On motion of Representative PERRY of Calais, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-130)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, April 29, 2009.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Restore Funding for Bed-hold Days at Private Nonmedical Institutions"

(H.P. 483) (L.D. 700)

Signed:

Senators:

BRANNIGAN of Cumberland
MARRACHÉ of Kennebec
MILLS of Somerset

Representatives:

PERRY of Calais
PETERSON of Rumford
JONES of Mount Vernon
SANBORN of Gorham
JOY of Crystal
LEWIN of Eliot
EVES of North Berwick

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-131)** on same Bill.

Signed:

Representatives:

CAMPBELL of Newfield
STRANG BURGESS of Cumberland
STUCKEY of Portland

Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not to Pass** Report.

READ.

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

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-133)** on Bill "An Act Regarding Political Signs"

(H.P. 204) (L.D. 258)

Signed:

Senators:

SULLIVAN of York
PLOWMAN of Penobscot

Representatives:

BEAULIEU of Auburn
CORNELL du HOUX of Brunswick
PINKHAM of Lexington Township
VALENTINO of Saco
TRINWARD of Waterville
TUTTLE of Sanford
FITTS of Pittsfield
CAREY of Lewiston
NASS of Acton
RUSSELL of Portland

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

Signed:
Senator:
GOODALL of Sagadahoc

READ.

On motion of Representative TRINWARD of Waterville, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-133)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, April 29, 2009.

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"

(H.P. 242) (L.D. 306)

Signed:
Senators:
SULLIVAN of York
PLOWMAN of Penobscot
GOODALL of Sagadahoc

Representatives:
BEAULIEU of Auburn
PINKHAM of Lexington Township
VALENTINO of Saco
TRINWARD of Waterville
FITTS of Pittsfield
CAREY of Lewiston
NASS of Acton
RUSSELL of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-163)** on same Bill.

Signed:
Representatives:
CORNELL du HOUS of Brunswick
TUTTLE of Sanford

READ.

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

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Concerning Late Rent Fee Charges in Residential Tenancies"

(H.P. 247) (L.D. 311)

Signed:
Senators:
SULLIVAN of York
GOODALL of Sagadahoc

Representatives:
BEAULIEU of Auburn
CORNELL du HOUS of Brunswick
PINKHAM of Lexington Township
VALENTINO of Saco
TRINWARD of Waterville

TUTTLE of Sanford
FITTS of Pittsfield
CAREY of Lewiston
NASS of Acton
RUSSELL of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-164)** on same Bill.

Signed:
Senator:
PLOWMAN of Penobscot

READ.

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

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Protect Fishing Families by Authorizing Certain Transfers of Lobster and Crab Fishing Licenses"

(H.P. 423) (L.D. 585)

Signed:
Senators:
DAMON of Hancock
SULLIVAN of York
RECTOR of Knox

Representatives:
McKANE of Newcastle
KRUGER of Thomaston
MacDONALD of Boothbay
PRESCOTT of Topsham
WEAVER of York
PERCY of Phippsburg
EATON of Sullivan
TILTON of Harrington
ADAMS of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-156)** on same Bill.

Signed:
Representative:
PENDLETON of Scarborough

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-139)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Terms for State Senators and Members of the House of Representatives to 4 Years

(H.P. 92) (L.D. 108)

Signed:
Senator:
JACKSON of Aroostook

Representatives:

BROWNE of Vassalboro
WILLETTE of Presque Isle
COTTA of China
CLARK of Easton
HARVELL of Farmington
SCHATZ of Blue Hill

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

Signed:

Senators:

SIMPSON of Androscoggin
COURTNEY of York

Representatives:

BOLAND of Sanford
HAYES of Buckfield
BEAUDETTE of Biddeford
KAENRATH of South Portland

READ.

Representative BEAUDETTE of Biddeford moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-136)** on Bill "An Act To Amend the Legislative Term Limit Laws"

(H.P. 26) (L.D. 31)

Signed:

Senator:

JACKSON of Aroostook

Representatives:

BROWNE of Vassalboro
WILLETTE of Presque Isle
COTTA of China
CLARK of Easton
HARVELL of Farmington
SCHATZ of Blue Hill

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

Signed:

Senators:

SIMPSON of Androscoggin
COURTNEY of York

Representatives:

BOLAND of Sanford
HAYES of Buckfield
BEAUDETTE of Biddeford
KAENRATH of South Portland

READ.

Representative BEAUDETTE of Biddeford moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Require That Minutes Be Kept of Municipal Meetings"

(H.P. 537) (L.D. 786)

Signed:

Senators:

SIMPSON of Androscoggin
COURTNEY of York
JACKSON of Aroostook

Representatives:

HAYES of Buckfield
COTTA of China
CLARK of Easton
HARVELL of Farmington
KAENRATH of South Portland
SCHATZ of Blue Hill
WILLETTE of Presque Isle
BEAUDETTE of Biddeford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-138)** on same Bill.

Signed:

Representative:

BOLAND of Sanford

READ.

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Change the Status of the Road System at the Loring Development Authority"

(H.P. 609) (L.D. 878)

Signed:

Senators:

DAMON of Hancock
GOOLEY of Franklin

Representatives:

MAZUREK of Rockland
BROWNE of Vassalboro
HOGAN of Old Orchard Beach
HARLOW of Portland
PEOPLES of Westbrook
ROSEN of Bucksport
CAREY of Lewiston

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-140)** on same Bill.

Signed:

Representatives:

THERIAULT of Madawaska
THOMAS of Ripley
CEBRA of Naples

READ.

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

Representative **MAZUREK**: Madam Speaker, if I had been present in voting on LD 1026, Roll Call No. 39, I would have voted yea.

Majority Report of the Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-165)** on Bill "An Act To Clarify the Role of the Public Advocate"

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

(H.P. 657) (L.D. 954)

Signed:

Senators:

HOBBS of York
BOWMAN of York
SHERMAN of Aroostook

On motion of Representative CLARK of Millinocket, the House adjourned at 11:55 a.m., until 10:00 a.m., Wednesday, April 29, 2009 and in honor and lasting tribute to Theodore W. "Ted" McInnis, of Simpsonville, South Carolina.

Representatives:

THIBODEAU of Winterport
DOSTIE of Sabattus
FLAHERTY of Scarborough
HINCK of Portland
FLETCHER of Winslow
FITTS of Pittsfield
WAGNER of Lyman
VAN WIE of New Gloucester

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

Signed:

Representative:

BLANCHARD of Old Town

READ.

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

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE DIVIDED REPORT - Majority (12) **Ought Not to Pass** - Minority (1) **Ought to Pass as Amended by Committee Amendment "A" (H-128)** - Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Allocate Redemption Centers Based on Population"

(H.P. 641) (L.D. 938)

Which was **TABLED** by Representative CUSHING of Hampden pending the motion of Representative SMITH of Monmouth to **ACCEPT** the Majority **Ought Not to Pass** Report.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

On motion of Representative CURTIS of Madison, the House **RECONSIDERED** its action whereby Expression of Legislative Sentiment recognizing Lee Academy

(HLS 255)

Was **PASSED**.

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

The **SPEAKER**: The Chair recognizes the Representative from Rockland, Representative Mazurek, who wishes to address the House on the record.