

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
 36th Legislative Day
 Thursday, May 7, 2009

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

Prayer by Honorable Stanley A. Moody of Manchester, Chaplain, Maine State Prison.

National Anthem by Jennifer McPherson, Eliot.

Pledge of Allegiance.

Doctor of the day, Robert Aranson, M.D., Freeport.

The House recessed for the purpose of conducting Welcome Back Day Ceremonies.

(After Recess)

The House was called to order by the Speaker.

At this point, the Members of the House stood and joined in a moment of silence to honor the members and officers of the House who are no longer with us.

The Journal of yesterday was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Reduce Misuse of Woodlands by the Public" (H.P. 370) (L.D. 525)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-62) in the House on April 14, 2009.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-62) AS AMENDED BY SENATE AMENDMENT "A" (S-78)** thereto in **NON-CONCURRENCE**.

On motion of Representative CLARK of Millinocket, the Bill and all accompanying papers were **COMMITTED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in **NON-CONCURRENCE** and sent for concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 178)

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

May 7, 2009

Honorable Hannah M. Pingree

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Pingree:

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

Agriculture, Conservation and Forestry

- L.D. 182 An Act To Prohibit Aerial Spraying of Pesticides near Buildings, Roads and Bodies of Water
- Business, Research and Economic Development
- L.D. 998 An Act To Provide a Strategic Planning Fund for Research and Development and Technology-related Companies
- Criminal Justice and Public Safety
- L.D. 1130 An Act To Clarify the Crime of Obstructing Government Administration
- Education and Cultural Affairs
- L.D. 190 Resolve, Directing the Department of Education To Convene a Stakeholders Group To Analyze the School Funding Formula (EMERGENCY)
- L.D. 963 Resolve, Directing the University of Maine System To Self-transition Its Educational Broadband Service from Analog to Digital (EMERGENCY)
- L.D. 1077 Resolve, To Establish the Commission To Establish The Maine Academy of Living Treasures
- L.D. 1160 An Act To Prohibit a Person from Being Hired in a School Administrative Unit in a Position for Which a Relative Serves in a Supervisory Capacity
- L.D. 1161 An Act To Require That Universities within the University of Maine System Accept Credits Earned at Other Universities within the System
- L.D. 1162 An Act To Amend the Laws Governing Teacher Certification Interns
- L.D. 1323 An Act To Control the Costs of College Textbooks
- L.D. 1283 An Act To Reform the School Budget Validation Process
- Health and Human Services
- L.D. 1142 Resolve, To Ensure Access to Speech and Hearing Services
- L.D. 1303 An Act To Improve the General Assistance Program
- L.D. 1375 An Act Regarding the Formula for the General Assistance Program
- L.D. 738 An Act To Require Patients of Opioid Treatment Programs To Release Medical Information to a Designated Primary Care Physician
- L.D. 1113 An Act To Exempt Private Nonmedical Institutions from the Service Provider Tax
- L.D. 1244 Resolve, To Advance Health Care in Maine
- L.D. 1261 Resolve, To Require the Department of Health and Human Services To Provide Cost-of-living Adjustments for Nursing Facilities and Certain Medical and Remedial Private Nonmedical Institutions (EMERGENCY)
- L.D. 1278 An Act To Exempt Services Provided by Alzheimer Care Facilities from the Tax on Private Nonmedical Institution Services
- L.D. 1302 An Act To Prohibit Full-time State Employees from Enrollment in MaineCare
- L.D. 1376 Resolve, To Reduce Homelessness for People with Mental Illness or Dual Diagnoses
- L.D. 1396 An Act To Establish a Mental Health Services Advisory Commission To Improve Mental Health Services in the State

Inland Fisheries and Wildlife
 L.D. 414 An Act To Improve the Safety of Snowmobile Trails
 L.D. 751 Resolve, To Transfer the Phillips Fish Hatchery to the Sandy River Land Trust
 L.D. 822 An Act To Expand Turkey Hunting Opportunities
 L.D. 1099 Resolve, Directing the Department of Inland Fisheries and Wildlife To Conduct a Study To Identify All Publicly Owned Inland and Coastal Water Access Sites
 L.D. 1135 Resolve, To Establish the Commission To Examine the Establishment of a Wildlife Sanctuary on Blue Hill Bay

Insurance and Financial Services
 L.D. 323 An Act To Improve Transparency in the Health Insurance Markets
 L.D. 859 An Act To Control Premium Costs in the Small Group Health Insurance Market
 L.D. 1005 An Act To Continue Access to Dirigo Choice Health Insurance by Reducing Administrative Costs and Replacing the Savings Offset Payment
 L.D. 1091 An Act To Reduce the Cost of Health Insurance
 L.D. 1194 An Act To Establish a Reinsurance Mechanism To Expand Health Insurance for Individuals and Groups
 L.D. 1305 An Act To Provide for Prompt Resolution of Insurance Claims by Providing for a Direct Remedy by Consumers

Judiciary
 L.D. 135 An Act To Increase Mileage Reimbursement for Jurors
 L.D. 1079 An Act To Prohibit a Parent without Parental Rights from Inheriting from an Adult Child Who Dies without a Will
 L.D. 945 An Act To Protect the Rights of Siblings Separated by Adoption

Labor
 L.D. 409 An Act To Increase Leaves of Absence for State Employees and Officials Who Are Members of the National Guard or Reserves of the United States Armed Forces
 L.D. 496 An Act To Amend the Employment Practices Laws
 L.D. 1167 An Act To Limit the Work Week of Doctors and Medical Residents
 L.D. 867 An Act Regarding Unemployment Compensation

Legal and Veterans Affairs
 L.D. 1025 An Act To Allow Choice of Wine by Maine Consumers
 L.D. 1112 An Act To Establish a Recall Procedure for Elected Officials

Natural Resources
 L.D. 431 An Act To Make the Site Location of Development Laws More Development Friendly

Taxation
 L.D. 647 An Act To Provide Tax Relief for Retired Veterans Operating Businesses in Maine
 L.D. 1018 An Act To Make the Maine Music Educators Association Tax Exempt

L.D. 1046 An Act To Exempt Cleaning Products for Milking Machines from the Sales Tax
 L.D. 1149 An Act To Amend the Veterans Homestead Exemption To Include Certain Medal Winners
 L.D. 1213 An Act To Amend the Homestead Exemption for Certain Veterans To Include Certain Military Personnel Stationed at Guantanamo Bay
 L.D. 265 An Act To Provide a Sales Tax Exemption to Certain Organizations That Provide Assistance to Members of the Military (EMERGENCY)
 L.D. 855 Resolve, To Establish the Commission To Study the Reform of Taxes and Spending in Maine (EMERGENCY)

Transportation

L.D. 920 An Act To Reduce Noise Pollution
 L.D. 1151 An Act To Prohibit the Use of Engine Brakes on All State Roads under Certain Circumstances
 L.D. 1174 An Act To Allow the Use of Cameras To Enforce Traffic Violations

The sponsors and cosponsors have been notified of the Committee's action.

Sincerely,
 S/Millicent M. MacFarland
 Clerk of the House

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

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

ORDERS

On motion of Representative TRINWARD of Waterville, the following Joint Order: (H.P. 1030)

ORDERED, the Senate concurring, that the Joint Standing Committee on Legal and Veterans Affairs shall report out a bill concerning the central voter registration system.

READ and **PASSED.**
 Sent for concurrence.

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 24)

ORDERED, that Representative Jane S. Knapp of Gorham be excused April 28 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Leila J. Percy of Phippsburg be excused April 28 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Linda F. Sanborn of Gorham be excused April 28, 29 and 30 for personal reasons.

READ and **PASSED.**

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Representative MARTIN for the **Joint Select Committee on Maine's Energy Future** on Resolve, Regarding Legislative Approval of the Public Utilities Commission's Plan for the Use of American Recovery and Reinvestment Act of 2009 Funds (EMERGENCY)

(H.P. 1029) (L.D. 1478)

Reporting **Ought to Pass** pursuant to Joint Order, H.P. 63.

Report was **READ** and **ACCEPTED**. The Resolve **READ ONCE**.

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

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

Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-125)** on Bill "An Act To Improve the Use of Data from the Controlled Substances Prescription Monitoring Program"

(S.P. 494) (L.D. 1359)

Signed:

Senators:

MARRACHÉ of Kennebec
MILLS of Somerset

Representatives:

PETERSON of Rumford
SANBORN of Gorham
JOY of Crystal
LEWIN of Eliot
STRANG BURGESS of Cumberland
EVES of North Berwick

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

Signed:

Senator:

BRANNIGAN of Cumberland

Representatives:

PERRY of Calais
JONES of Mount Vernon
CAMPBELL of Newfield
STUCKEY of Portland

Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-125)** Report.

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-125)**.

READ.

Representative PERRY of Calais moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

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

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-95)** on Bill "An Act To Require the Disclosure of Insurance Policy Limits to an Injured Party"

(S.P. 362) (L.D. 979)

Signed:

Senators:

BOWMAN of York
ALFOND of Cumberland

Representatives:

TREAT of Hallowell
PRIEST of Brunswick
BEAUDOIN of Biddeford
BECK of Waterville
GOODE of Bangor
LEGG of Kennebunk
MORRISON of South Portland

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

Signed:

Senator:

McCORMICK of Kennebec

Representatives:

RICHARDSON of Warren
WEAVER of York
FOSSEL of Alna

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-95)**.

READ.

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

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Clarify the Public Ownership of Marine Organisms within the Intertidal Zone"

(S.P. 321) (L.D. 852)

Signed:

Senators:

DAMON of Hancock
SULLIVAN of York

Representatives:

KRUGER of Thomaston
MacDONALD of Boothbay
PRESCOTT of Topsham
PENDLETON of Scarborough
WEAVER of York
PERCY of Phippsburg
ADAMS of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-130)** on same Bill.

Signed:

Senator:

RECTOR of Knox

Representatives:

McKANE of Newcastle
EATON of Sullivan

TILTON of Harrington

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

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

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-236)** on Bill "An Act To Create a Large Game Shooting Area in Piscataquis County"

(H.P. 252) (L.D. 316)

Signed:

Senator:

SHERMAN of Aroostook

Representatives:

GIFFORD of Lincoln
McCABE of Skowhegan
PERCY of Phippsburg
EDGECOMB of Caribou
PRATT of Eddington
CRAY of Palmyra

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

Signed:

Senators:

NUTTING of Androscoggin
BRYANT of Oxford

Representatives:

PIEH of Bremen
SMITH of Monmouth
KENT of Woolwich
O'BRIEN of Lincolnville

READ.

Representative PIEH of Bremen moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending her 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-232)** on Bill "An Act To Modify the Informed Growth Act"

(H.P. 336) (L.D. 448)

Signed:

Senators:

SIMPSON of Androscoggin
JACKSON of Aroostook
COURTNEY of York

Representatives:

BROWNE of Vassalboro
WILLETTE of Presque Isle
HAYES of Buckfield
BEAUDETTE of Biddeford

COTTA of China

CLARK of Easton

HARVELL of Farmington

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-233)** on same Bill.

Signed:

Representatives:

BOLAND of Sanford
KAENRATH of South Portland
SCHATZ of Blue Hill

READ.

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

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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. 419) (L.D. 581) Bill "An Act To Allow Law Enforcement Officers To Obtain a Personal Recognizance Bond in Certain Cases" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-239)**

(H.P. 563) (L.D. 827) Bill "An Act To Exempt Protection from Abuse Orders from the Notification and 30-day Waiting Period Requirements under the Uniform Enforcement of Foreign Judgments Act" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-240)**

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

CONSENT CALENDAR

Second Day

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

(S.P. 309) (L.D. 801) Bill "An Act To Clarify the Rights of Public Employee Unions and Public Employers To Agree through Collective Bargaining To Permit Payroll Deductions for Union Dues or Other Funds"

(S.P. 339) (L.D. 889) Bill "An Act To Limit Liability for Certain Noncommercial Aviation Activities"

(S.P. 418) (L.D. 1127) Bill "An Act To Define Services for Maine Runaway and Homeless Youth"

(S.P. 486) (L.D. 1351) Resolve, To Name the Bridge in Orland the Ralston C. Gray Bridge

(S.P. 15) (L.D. 6) Bill "An Act To Establish a Distracted Driver Law" (C. "A" S-126)

(S.P. 73) (L.D. 223) Bill "An Act To Ensure That the Money Received from the Surcharge on Registration of Pet Food Is Used for the Sterilization of Animals" (EMERGENCY) (C. "A" S-68)

(S.P. 95) (L.D. 278) Bill "An Act To Bring Equity to the Sea Urchin License Fees" (C. "A" S-123)

(S.P. 129) (L.D. 365) Bill "An Act To Amend the Laws Governing MaineCare Estate Recovery Undertaken by the Department of Health and Human Services" (C. "A" S-120)

(S.P. 141) (L.D. 399) Bill "An Act To Increase Child Support Collections" (C. "A" S-121)

(H.P. 614) (L.D. 896)
(C. "A" H-214)

(S.P. 169) (L.D. 466) Bill "An Act To Amend the Limited Liability Company Laws Concerning Management Standards" (C. "A" S-118)

Bill "An Act To Allow Lobster License Exemptions to Persons with Certain Medical Criteria"

(H.P. 697) (L.D. 1009)
(C. "A" H-217)

(S.P. 206) (L.D. 546) Bill "An Act To Ensure Access to Public Information" (C. "A" S-119)

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

(S.P. 212) (L.D. 550) Bill "An Act To Protect Maine Residents from Home Fires and Carbon Monoxide" (C. "A" S-98)

(S.P. 229) (L.D. 614) Bill "An Act To Improve Child Support Collection Procedures by Changing the Process of Modifying a Support Order" (C. "A" S-105)

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce the Size of the Legislature

(H.P. 123) (L.D. 144)
(C. "A" H-135)

(S.P. 290) (L.D. 743) Bill "An Act To Exempt Fuel Used by Commercial Fishing Vessels from the Sales Tax" (EMERGENCY) (C. "A" S-102)

Was reported by the Committee on **Bills in the Second Reading** and **READ** the second time.

(S.P. 306) (L.D. 792) Bill "An Act To Encourage Small Business Energy Efficiency" (C. "A" S-111)

On motion of Representative PIOTTI of Unity, was **SET ASIDE**.

(S.P. 311) (L.D. 803) Bill "An Act To Authorize an Active Retired Justice or Judge To Conduct Arbitration and Chair Medical Malpractice Screening Panels" (C. "A" S-106)

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENGROSSED as Amended** and later today assigned.

(S.P. 379) (L.D. 1015) Resolve, Establishing the Commission To Study the Replacement of Aging and Outdated Long-term Care Facilities (EMERGENCY) (C. "A" S-116)

(S.P. 395) (L.D. 1061) Bill "An Act To Improve Maine's Renewable Portfolio Standard" (C. "A" S-124)

(S.P. 403) (L.D. 1085) Bill "An Act Concerning Dispute Resolution in Home Construction Contracts" (C. "A" S-107)

(S.P. 434) (L.D. 1186) Resolve, To Facilitate the Creation and Expansion of Certain Business Sectors (C. "A" S-101)

(S.P. 441) (L.D. 1193) Bill "An Act To Establish Uniform Protocols for the Use of Controlled Substances" (C. "A" S-108)

(H.P. 452) (L.D. 638) Bill "An Act To Exempt Snowmobiles Operated at Demonstration Events from the Requirement of a Maine Registration" (C. "A" H-234)

(H.P. 560) (L.D. 824) Bill "An Act To Require a Moose Permit Lottery for Residents Who Have Never Had a Moose Permit" (C. "A" H-235)

(H.P. 700) (L.D. 1012) Bill "An Act To Establish the Maine Broadband Commission" (EMERGENCY) (C. "A" H-229)

(H.P. 769) (L.D. 1114) Bill "An Act To Facilitate the Marketing of Power Produced by Small Generators" (C. "A" H-226)

(H.P. 810) (L.D. 1171) Bill "An Act To Institute Voluntary Emissions Standards for Outdoor Wood Boilers" (C. "A" H-228)

(H.P. 949) (L.D. 1348) Bill "An Act To Provide Grants to Public Educational and Municipal Entities for Feasibility Studies of Renewable Energy Projects" (C. "A" H-227)

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 as Amended** and sent for concurrence.

ENACTORS

Emergency Measure

An Act Authorizing Statewide Mutual Aid among First Responder Agencies

(H.P. 583) (L.D. 847)
(C. "A" H-157)

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. 129 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Encourage Cooperation among School Administrative Units

(H.P. 724) (L.D. 1049)
(C. "A" H-166)

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. 128 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding the Maximum Fee for Processing an Environmental License Application

(H.P. 778) (L.D. 1134)
(C. "A" H-155)

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. 133 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.

BILLS IN THE SECOND READING

House as Amended

Bill "An Act Regarding Grassroots Lobbying"

(H.P. 246) (L.D. 310)
(C. "A" H-208)

Resolve, To Implement Certain Recommendations of the Report of the Governor's Task Force on Expanding Access to Oral Health Care for Maine People

(H.P. 438) (L.D. 624)
(C. "A" H-206)

Bill "An Act To Ensure Adequate Insurance Coverage for Family Child Care Providers"

Emergency Measure

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

(H.P. 342) (L.D. 480)

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. 129 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 Portions of Chapter 10: Definitions and Terms, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control

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

(C. "A" H-151)

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. 123 voted in favor of the same and 10 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Pertaining to Vacation Leave Earned by Seasonal Employees of the Baxter State Park Authority

(H.P. 548) (L.D. 812)

(C. "A" H-154)

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. 133 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, To Expand Access to Renewable Energy Programs

(H.P. 581) (L.D. 845)

(C. "A" H-158)

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. 134 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, To Establish the Task Force on Kinship Families

(H.P. 770) (L.D. 1115)

(C. "A" H-147)

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. 127 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

Acts

An Act To Amend the Landlord and Tenant Laws as They Pertain to Interest Paid on Mobile Home Park Tenant Security Deposits

(H.P. 24) (L.D. 29)

(C. "A" H-160)

An Act To Include Independent Practice Dental Hygienists in MaineCare

(H.P. 187) (L.D. 233)

(C. "A" H-129)

An Act To Include Commercial Silvicultural Crop Production in the Sales Tax Exemption for Certain Products Used in Commercial Agricultural Crop Production Activities

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

(C. "A" H-74)

An Act To Conserve Energy in Residential Leasehold Tenancies

(H.P. 352) (L.D. 497)

(C. "A" H-161)

An Act To Amend the Employment Practices Law Regarding Substance Abuse Testing

(S.P. 209) (L.D. 549)

(H. "A" H-179 to C. "A" S-75)

An Act To Expand the Membership of the Maine Elder Death Analysis Review Team

(H.P. 410) (L.D. 572)

An Act To Change the Definition of "Domestic Partner" in the Laws Governing Custody of Remains

(H.P. 499) (L.D. 716)

An Act To Amend the Forcible Entry and Detainer Laws

(H.P. 571) (L.D. 835)

(C. "A" H-162)

An Act Relating to Disability Plates and Placards

(H.P. 655) (L.D. 952)

(C. "A" H-141)

An Act To Implement the Recommendations of the Governor's Interagency Transportation Coordinating Committee

(H.P. 669) (L.D. 967)

An Act To Amend the Laws Governing Notification after a Security Breach Involving Personal Information

(H.P. 672) (L.D. 970)

(C. "A" H-145)

An Act To Amend the Marine Resources Suspension Laws

(H.P. 836) (L.D. 1211)

(C. "A" H-142)

An Act To Modify the Regional Economic Development Revolving Loan Program

(H.P. 973) (L.D. 1394)

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

Resolves

Resolve, To Establish a Working Group of Stakeholders To Review the Current and Future Needs of Blind and Visually Impaired Individuals and To Establish Long-term Solutions To Fund Those Needs

(H.P. 402) (L.D. 564)
(C. "A" H-122)

Resolve, To Establish a Working Group To Increase Protection for Victims of Domestic Violence

(H.P. 405) (L.D. 567)
(C. "A" H-172)

Resolve, Directing the Department of Inland Fisheries and Wildlife To Conduct a Study To Enhance Maine's Recreational Fishing Economy

(H.P. 469) (L.D. 655)
(C. "A" H-148)

Resolve, To Direct the Department of Inland Fisheries and Wildlife To Conduct an Evaluation of Its Sport Fishing Program

(H.P. 482) (L.D. 699)
(C. "A" H-149)

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

An Act To Allow the Licensing of Minibars in Hotel Rooms

(H.P. 318) (L.D. 430)
(C. "A" H-134)

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

On motion of Representative TRINWARD of Waterville, was **SET ASIDE**.

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

An Act To Prohibit Smoking in Outdoor Eating Areas

(H.P. 556) (L.D. 820)
(C. "A" H-132)

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. 60

YEA - Adams, Beck, Berry, Blanchard, Blodgett, Boland, Briggs, Butterfield, Cain, Campbell, Casavant, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eberle, Eves, Finch, Flemings, Flood, Fossel, Gilbert, Goode, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Jones, Joy, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, Peoples, Percy, Perry, Peterson, Pieh, Piotti, Prescott, Priest, Rankin, Robinson, Rotundo, Russell, Sanborn, Saviello, Schatz, Shaw, Sirois, Smith, Strang Burgess, Stuckey, Theriault, Treat, Trinward, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaudoin, Beaulieu, Bickford, Bolduc, Browne W, Bryant, Burns, Carey, Cebra, Clark H, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Eaton, Edgecomb, Fitts, Flaherty, Fletcher, Gifford, Giles, Greeley, Hamper, Johnson, Kaenrath, Martin JR, McFadden, McKane, McLeod, Millett, Nutting, O'Brien, Pinkham, Plummer, Richardson D, Sarty, Sutherland, Sykes, Tardy, Thibodeau, Thomas, Tilton, Valentino, Weaver.

ABSENT - Beaudette, Celli, Chase, Hanley, Innes Walsh, Nass, Pendleton, Pilon, Pratt, Richardson W, Rosen, Stevens, Tuttle.

Yes, 88; No, 50; Absent, 13; Excused, 0.

88 having voted in the affirmative and 50 voted in the negative, with 13 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Provide for Insurance Coverage of Telemedicine Services

(H.P. 740) (L.D. 1073)
(C. "A" H-146)

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

On motion of Representative BERRY of Bowdoinham, 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. 61

YEA - Adams, Austin, Ayotte, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Clark T, Cleary, Cohen, Connor, 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, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Johnson, Jones, Joy, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, McKane, McLeod, Miller, Millett, Morrison, Nelson, Nutting, O'Brien, Peoples, Percy, Perry, Peterson, Pieh, Pinkham, Piotti, Plummer, Prescott, Priest, Rankin, Richardson D, Robinson, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Valentino, Van Wie, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - NONE.

ABSENT - Beaudette, Cebra, Celli, Chase, Hanley, Innes Walsh, MacDonald, Nass, Pendleton, Pilon, Pratt, Richardson W, Rosen, Stevens, Tuttle.

Yes, 136; No, 0; Absent, 15; Excused, 0.

136 having voted in the affirmative and 0 voted in the negative, with 15 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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)

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 **FINAL PASSAGE**.

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 Vassalboro, Representative Browne.

Representative **BROWNE**: Thank you, Madam Speaker. Even though this is a resolve, I believe it is unnecessary legislation. Some of the reasons for my belief is MDOT is doing most of these projects, most of this work under the Sensible Transportation Policy. Also, there is a similar stakeholder group that's been going on since June '08. Some of the areas of concern that we have that we'll probably increase the costs and delay the project, the word feasibility and it's related to complete streets, actually the complete street policy itself, and then, finally, evaluation involving overlay districts, transportation, trip rights and purchasing of economic development easement. So all these concerns, I would urge you to vote against the pending motion. Thank you.

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

ROLL CALL NO. 62

YEA - Adams, 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, Gilbert, Goode, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Peoples, Percy, Perry, Peterson, Pieh, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Schatz, Shaw, Sirois, Smith, Stuckey, Sutherland, Theriault, Treat, Trinward, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

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

ABSENT - Beaudette, Cepra, Celli, Chase, Innes Walsh, Nass, Pendleton, Pilon, Pratt, Rosen, Stevens, Tuttle.

Yes, 88; No, 51; Absent, 12; Excused, 0.

88 having voted in the affirmative and 51 voted in the negative, with 12 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Majority (11) **Ought to Pass as Amended by Committee Amendment "A" (H-165)** - Minority (1) **Ought Not to Pass** - Committee on **UTILITIES AND ENERGY** on Bill "An Act To Clarify the Role of the Public Advocate"

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

TABLED - April 29, 2009 (Till Later Today) by Representative HINCK of Portland.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-165)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, May 12, 2009.

SENATE DIVIDED REPORT - Majority (9) **Ought to Pass** - Minority (3) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Allow Noninvasive Testing of Infants for the Presence of Drugs without a Parent's Consent"

(S.P. 214) (L.D. 599)

- In Senate, Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

TABLED - April 29, 2009 (Till Later Today) by Representative PIOTTI of Unity.

PENDING - Motion of Representative PERRY of Calais to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report. (Roll Call Ordered)

The **SPEAKER**: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I just want to reiterate the reason for the Minority Report. This bill provides a possibility of testing a newborn infant for the presence of addictive drugs in the first urine of meconium. This is a "may", it's permissive. It means somebody needs to make a judgment as to whether to do it without parental consent. What happens if you decide to do it and its negative, whose civil rights have you affected as a result of that? Is it profiling? The decision is not whether it should be done, it's whether it may be done, and I question that this really violates the civil rights of the parent as well as the child. I really strongly suggest that you vote no on this.

The **SPEAKER**: The Chair recognizes the Representative from Gray, Representative Austin.

Representative **AUSTIN**: Thank you, Madam Speaker. May I pose a question through the Chair?

The **SPEAKER**: The Representative may pose her question.

Representative **AUSTIN**: Thank you, Madam Speaker. In the cases where the good Representative has mentioned that could be obviously a profiling, a somewhat pre-diagnostic cursory look at the baby, in cases where this has happened, if the parents do not give the permission for the test, about how many hours does it take for true signs to appear so that treatment can begin?

The **SPEAKER**: The Representative from Gray, Representative Austin has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Eliot, Representative Lewin.

Representative **LEWIN**: Thank you, Madam Speaker. It takes three to five days for the symptoms of withdrawal to

appear, if that's the question, and, to my mind, to leave an infant to suffer the terrible withdrawal symptoms that they do is a terrible mistake. We had this conversation the other day, and, frankly, I'm concerned about the civil rights of that baby. Children should not be allowed to leave the hospital if they are drug addicted, in my judgment. As I understand this, the testing that's going to be done is going to be bodily excretions, we are not going to be taking blood or doing anything like that, and it's going to be done by professional people caring for that mother and that child, who could make a reasonable judgment if they suspected that there is drug abuse. As much as I am not in favor of violating anybody's civil rights, I think that baby's got civil rights and shouldn't have to go home and, three or four or five days later, be exhibiting symptoms of drug withdrawal that may or may not be treated. So I am not the least bit in favor of this bill. I think it's not a good thing. I think the child should have some rights as well. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. You see the bill, if you'll notice the last part is testing of infants for the presence of drugs without the parents' consent. Well, the funny thing is yesterday we had two bills in front of Health and Human Services about giving teenagers prescription drugs, not being able to give it to them without the parents' consent. Now this bill here turns around and says go ahead and do what you want to the little infant and you don't need the parents' consent. So we ought to get our heads together on what we're voting for and what we're presenting from day to day.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Treat.

Representative **TREAT**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I am very pleased that the good House member who is chairing this committee, Representative Perry, has moved the Minority Report. When I saw this bill, it took me back to a course I took one summer. I was very lucky to have been able to go to the Harvard program for people's senior executives or something. I was one of the few legislators there, and it's a wonderful three-way program, and one of our professors was a professor that had focused on the issue of these crack babies, that were supposedly, about 5 or 10 years ago, there was this phenomenon of the so-called crack baby and there was this huge issue of all these little babies that were being born with addictions, and he led us through this case study. It was very nice to be able to go back to sort of an academic setting and look at things very dispassionately and actually with some evidence. He proved how, in fact, this law that went in and did something very invasive, just like this piece of legislation here, was disproportionately aimed at people who are poor or people who are of color, and that in fact the number of babies that had addiction problems was far greater in the wealthier white population, yet those weren't the people who were being tested and those weren't the children who were being tested. I think that as long as it is drafted in the way that it's drafted, which leaves so much discretion, I do think it's ripe for abuse. It is a case where the parents don't even get to give their permission. I just think we should be very thoughtful when we take actions like this that are so invasive, and do it in a way that is least likely to cause abuse of people's civil rights and privacy. So for that reason, I'm going to be supporting the motion, the Minority Ought Not to Pass Report.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Lewin.

Representative **LEWIN**: Thank you, Madam Speaker. I neglected to mention that there are over 300 babies born addicted every year in the State of Maine—over 300. I really don't think it's a good idea to let any of those 300 children go home drug addicted with absolutely no treatment. We worry a whole lot in the State of Maine about taking care of people with developmental disabilities. Well, believe you me, some of that starts before those infants are born, when one of their parents is doing something that is profoundly affecting the health and welfare of that child. So I support the bill, and, believe me, I am absolutely convinced that this is to protect the civil rights of that infant. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Gray, Representative Austin.

Representative **AUSTIN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I ask the question of the good Speaker, because I really wanted to know the testimony that the committee was given during this hearing. While I am not an expert, I was myself very concerned about this issue when I saw the bill, and I have spoken to maternity, the OBGYN staffing at a hospital near me, where this problem is very prevalent. Not to muddy the waters, as I said, I am not an expert, but it was shared with me that, in as early as 12 hours, the affects of the drug addiction or drug abuse through the mother can be seen in the infant, and I feel that that is certainly within the realm of enough hours for the hospital and the staff and the doctors to take action. So I will be supporting this Ought Not to Pass motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Boland.

Representative **BOLAND**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative **BOLAND**: Thank you, Madam Speaker. It seems to me it might be just as easy to test the mother or talk the mother into the test, and I would just like to ask if anybody has an answer to that question.

The SPEAKER: The Representative from Sanford, Representative Boland has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I work with an OBGYN practice as well, and we test every single pregnant woman that comes into the practice for drugs. It is the choice of the OBGYN to do that, and it is by far better to know beforehand than after the baby is born. That option is there and should remain there. It is by far better for the baby to get treatment before birth and, if we were really going to be looking at how to prevent it, that's the way to do it and I still worry about profiling going beyond that.

The SPEAKER: A roll call having been previously ordered, the pending question before the House is Acceptance of the Minority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 63

YEA - Adams, Austin, Beaudoin, Beaulieu, Berry, Bickford, Blodgett, Boland, Briggs, Bryant, Butterfield, Cain, Campbell, Carey, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eberle, Eves, Finch, Flemings, Gilbert, Goode, Hanley, Harlow, Haskell, Hinck, Hunt, Jones, Kaenrath, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JL, McCabe, Miller, Morrison, O'Brien, Peoples, Perry, Pieh, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Sirois, Smith, Stuckey, Sutherland, Theriault, Tilton, Treat,

Trinward, Valentino, Van Wie, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Ayotte, Beck, Blanchard, Bolduc, Browne W, Burns, Casavant, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Eaton, Edgecomb, Fitts, Flaherty, Fletcher, Flood, Fossil, Gifford, Giles, Greeley, Hamper, Harvell, Hayes, Hill, Hogan, Johnson, Kent, Knapp, Knight, Langley, Lewin, Martin JR, Mazurek, McFadden, McKane, McLeod, Millett, Nelson, Nutting, Peterson, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Sarty, Saviello, Schatz, Shaw, Strang Burgess, Sykes, Tardy, Thibodeau, Thomas, Wagner J, Weaver.

ABSENT - Beaudette, Cebra, Celli, Chase, Innes Walsh, Joy, Nass, Pendleton, Percy, Pilon, Pratt, Rosen, Stevens, Tuttle.

Yes, 75; No, 62; Absent, 14; Excused, 0.

75 having voted in the affirmative and 62 voted in the negative, with 14 being absent, and accordingly the Minority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

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

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

TABLED - May 5, 2009 (Till Later Today) by Representative TARDY of Newport.

PENDING - **PASSAGE TO BE ENACTED.**

Subsequently, the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-202)** - Committee on **UTILITIES AND ENERGY** on Bill "An Act To Make Certain Changes to the Laws Regarding E-9-1-1 Surcharge Collection from Prepaid Wireless and Voice over Internet Protocol Providers"

(H.P. 540) (L.D. 789)

TABLED - May 6, 2009 (Till Later Today) by Representative HINCK of Portland.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

SENATE PAPERS

The following Joint Order: (S.P. 553)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, May 12, 2009 at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

Resolve, Authorizing the Finance Authority of Maine To Oversee an Obligation Owed to the State by Lincoln Paper and Tissue, LLC

(S.P. 552) (L.D. 1477)

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

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

Bill "An Act Regarding the Transfer of Licenses for Energy Recovery Facilities" (EMERGENCY)

(S.P. 551) (L.D. 1476)

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

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

COMMUNICATIONS

The Following Communication: (S.C. 304)

MAINE SENATE
124TH MAINE LEGISLATURE
OFFICE OF THE SECRETARY

May 6, 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 Business, Research and Economic Development, the nomination of Elizabeth L. Bordowitz of Portland for appointment as the Chief Executive Officer of the Finance Authority of Maine.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

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

On motion of Representative GIFFORD of Lincoln, the House adjourned at 12:02 p.m., until 10:00 a.m., Tuesday, May 12, 2009 pursuant to the Joint Order (S.P. 553).