

MAINE STATE LEGISLATURE

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

Volume II

First Regular Session

May 28, 2009 – June 12, 2009

Second Regular Session

January 6, 2010 - March 23, 2010

Pages 609-1214

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
SECOND REGULAR SESSION
5th Legislative Day
Tuesday, January 19, 2010

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

Prayer by Reverend Gary Hubley, Strong United Methodist Church.

National Anthem by Aurora Wetherill, Dallas Plantation.

Pledge of Allegiance.

Doctor of the day, Alisa M. Roberts, D.O., Bangor.

At this point, the Speaker recognized the Representative from Auburn, Representative BOLDUC, and he was added to the quorum call of the Second Regular Session of the 124th Legislature.

The Journal of Thursday, January 14, 2010 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 257)

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

January 14, 2010

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

Education and Cultural Affairs

L.D. 470 An Act To Sustain Nursing Education in Lincoln County

Labor

L.D. 125 Resolve, To Establish the Blue Ribbon Commission To Study the Functions and Operations of the Maine Public Employees Retirement System

L.D. 934 An Act To Clarify Public Sector Employee Fair Choice in Collective Bargaining

Transportation

L.D. 1605 Resolve, Authorizing the Transfer of State Land to the Natural Resource Education Center of Greenville

Utilities and Energy

L.D. 1350 An Act To Establish the Maine Transmission Mitigation Trust Fund (EMERGENCY)

L.D. 1430 An Act To Ensure Electric Capacity To Serve Maine Consumers

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.**

The Following Communication: (H.C. 258)

**STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BUREAU OF FINANCIAL INSTITUTIONS
36 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0036**

January 14, 2010

Honorable Hannah M. Pingree

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Pingree:

In accordance with Title 9-B MRSA §217, as amended, enclosed please find a copy of the "Annual Report from the Superintendent of the Bureau of Financial Institutions to the Legislature." In addition to the annual statistical information, the Report also includes informational segments which address issues of current importance to the Legislature, the Executive Branch, and the Maine financial institution community.

If you or your staff have any questions regarding the information contained in this Report, the Bureau would be pleased to respond. This Report will also be available in electronic format on the Bureau of Financial Institution's web site at www.maine.gov/financialinstitutions.

Very truly yours,

S/Lloyd P. LaFountain III

Superintendent

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

The Following Communication: (H.C. 259)

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

January 12, 2010

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Please find enclosed a certified copy of the proclamation referring the People's Veto of "An Act To Implement Tax Relief and Tax Reform" to the electors on June 8, 2010. A copy of the determination of this petition is also enclosed.

Sincerely,

S/Matthew Dunlap

Secretary of State

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Authorize a General Fund Bond Issue To Purchase and Upgrade Trackage of the Montreal, Maine and Atlantic Railway"

(H.P. 1242) (L.D. 1748)

Sponsored by Representative THERIAULT of Madawaska.

Cosponsored by Senator JACKSON of Aroostook and Representatives: AYOTTE of Caswell, BEAUDOIN of Biddeford, BERRY of Bowdoinham, BRIGGS of Mexico, BROWNE of Vassalboro, CLARK of Millinocket, CLEARY of Houlton, CRAY of

Palmyra, DILL of Cape Elizabeth, EATON of Sullivan, EDGEComb of Caribou, GIFFORD of Lincoln, HARLOW of Portland, HAYES of Buckfield, MARTIN of Eagle Lake, MAZUREK of Rockland, PENDLETON of Scarborough, PEOPLES of Westbrook, ROSEN of Bucksport, SCHATZ of Blue Hill, SHAW of Standish, SUTHERLAND of Chapman, TREAT of Hallowell, Senators: DAMON of Hancock, SHERMAN of Aroostook.

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

On motion of Representative CAIN of Orono, the Bill was **REFERRED** to the Committee on **TRANSPORTATION**, ordered printed and sent for concurrence.

Pursuant to Statute

Department of Health and Human Services

Representative PERRY for the **Department of Health and Human Services** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1243) (L.D. 1749)

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

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

Sent for concurrence.

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 item:

In Memory of:

Crispin H. Connery, of Woolwich, a philanthropist, a community volunteer and a gentleman through and through. Mr. Connery had been a member of the Board of Selectmen for the Town of Woolwich, a Sagadahoc County commissioner, a member of the Patten Free Library Board of Trustees, president of the Maine Municipal Association and a trustee and longtime supporter of the Maine Maritime Museum. His friends describe him as a caring man of keen foresight. He was known for always being able to see the big picture. Mr. Connery was associated with many beneficial changes in the Town of Woolwich and Sagadahoc County. He will be greatly missed by all who knew him;

(HLS 841)

Presented by Representative KENT of Woolwich. Cosponsored by Senator GOODALL of Sagadahoc, Representative PERCY of Phippsburg, Representative WATSON of Bath, Representative MacDONALD of Boothbay, Representative BERRY of Bowdoinham.

On **OBJECTION** of Representative PERCY of Phippsburg, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Phippsburg, Representative Percy.

Representative **PERCY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Crispin Connery was one of those people who didn't look for accolades, he didn't try to get his name in the paper, but he was one of those people who everybody in the community knew, everybody in our county knew and he listened. He was a wonderful example of somebody who listens and that's what we want in all of our public servants, whether they serve at the state level, the county level or the local level. Unfortunately, Crispin's wife Nancy could not be with us today. I just got off the phone with her. She is ill and she said please go ahead; please go forth with this sentiment. She was deeply honored that we would put this forth. The memorial service is Saturday at the Maritime Museum, and she wanted me to be sure and say thank you to everybody and to let you know that Crispin loved Beethoven as much as he loved the State of Maine. Thank you, Madam Speaker.

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

CONSENT CALENDAR

First Day

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

(H.P. 1070) (L.D. 1521) Bill "An Act To Clarify the State's Initiative Involving the Federal Post-9/11 Veterans Educational Assistance Act of 2008" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-586)**

There being no objections, the above item was 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 item appeared on the Consent Calendar for the Second Day:

(H.P. 1055) (L.D. 1506) Bill "An Act To Authorize Maine Media College To Confer the Degree of Master of Fine Arts" (EMERGENCY)

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

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

On motion of Representative PERCY of Phippsburg, the House adjourned at 10:37 a.m., until 5:00 p.m Thursday, January 21, 2010 in honor and lasting tribute to Cassidy Emma Poland, of Bremen, Crispin H. Connery, of Woolwich, Jean Laidlaw Pinfeld, of Topsham, the Honorable Alton W. Whittemore, of Skowhegan and Eric Eugene Barnett, of Buxton.