

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**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  
20th Legislative Day  
Thursday, March 11, 2010

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

Prayer by Pastor Timothy Kezar, New Covenant Baptist Church, North Berwick.

National Anthem by Emilee Berry, Madison.

Pledge of Allegiance.

Doctor of the day, Dustin Sulak, D.O., Manchester.

The Journal of Tuesday, March 9, 2010 was read and approved.

---

**SENATE PAPERS**

**Non-Concurrent Matter**

Resolve, Directing the Department of Inland Fisheries and Wildlife To Adopt Rules Clarifying Fish Stocking Decisions  
(H.P. 1057) (L.D. 1508)

Reports **READ** and the Resolve and accompanying papers **COMMITTED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in the House on February 18, 2010.

Came from the Senate with the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **INLAND FISHERIES AND WILDLIFE READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion of Representative CLARK of Millinocket, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

---

**Non-Concurrent Matter**

Joint Order Directing the Joint Standing Committee on Legal and Veterans Affairs To Report Out a Bill regarding the Direct Initiative Process

(H.P. 1289)

**READ** and **PASSED** in the House on February 25, 2010.

Came from the Senate **READ** and **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

---

**COMMUNICATIONS**

The Following Communication: (H.C. 287)

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

March 11, 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":

Criminal Justice and Public Safety

L.D. 1777 An Act To Display the Homeland Security Advisory System at Public Transportation Facilities

Health and Human Services

L.D. 1600 Resolve, To Allow for the Proper Disposal of Medical Supplies

Judiciary

L.D. 1625 An Act To Establish a Policy of Communication and Consultation on Issues Affecting Tribal Communities of the Passamaquoddy Tribe

Taxation

L.D. 1785 An Act To Bolster Maine's Social Safety Net through Voluntary Sales Tax Contributions (EMERGENCY)

Utilities and Energy

L.D. 1571 An Act To Ensure That Maine's Energy Corridor Policy Does Not Harm Maine's Renewable Power Development (EMERGENCY)

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: (S.P. 720)

**STATE OF MAINE  
124TH MAINE LEGISLATURE**

March 3, 2010

Sen. Elizabeth M. Schneider

Senate Chair, Joint Standing Committee on Business, Research and Economic Development

Rep. Nancy E. Smith

House Chair, Joint Standing Committee on Business, Research and Economic Development

124th Legislature

Augusta, ME 04333

Dear Senator Schneider and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated the following to the Finance Authority of Maine:

Michael Mahoney of Cape Elizabeth, reappointment

Glenn Lamarr of Fort Kent, reappointment

Shepard Lee of Cape Elizabeth, appointment

Evelyn Silver of Bangor, appointment

John Sevigny of Portland, appointment

Rosaire Pelletier of Madawaska, appointment

Reis Hagerman of Scarborough, appointment

Pursuant to Title 10 M.R.S.A. §972, these nominations will require review by the Joint Standing Committee on Business, Research and Economic Development and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell

President of the Senate

S/Hannah M. Pingree

Speaker of the House

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

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

The Following Communication: (S.P. 721)

**STATE OF MAINE  
124TH MAINE LEGISLATURE**

March 3, 2010

Sen. Bruce S. Bryant  
Senate Chair, Joint Standing Committee on Inland Fisheries and Wildlife  
Rep. Herbert E. Clark  
House Chair, Joint Standing Committee on Inland Fisheries and Wildlife  
124th Legislature  
Augusta, ME 04333

Dear Senator Bryant and Representative Clark:

Please be advised that Governor John E. Baldacci has nominated the following to the Inland Fisheries & Wildlife Advisory Council:

Michael Witte of New Harbor, reappointment

Alan Greenleaf of Old Town, appointment

Wade Kelly of Allagash, appointment

Pursuant to Title 12 M.R.S.A. §10151 (1), these nominations will require review by the Joint Standing Committee on Inland Fisheries and Wildlife and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell  
President of the Senate  
S/Hannah M. Pingree  
Speaker of the House

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

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

The Following Communication: (S.P. 722)

**STATE OF MAINE  
124TH MAINE LEGISLATURE**

March 3, 2010

Sen. Lawrence Bliss  
Senate Chair, Joint Standing Committee on Judiciary  
Rep. Charles R. Priest  
House Chair, Joint Standing Committee on Judiciary  
124th Legislature  
Augusta, ME 04333

Dear Senator Bliss and Representative Priest:

Please be advised that Governor John E. Baldacci has nominated Peter Darvin of Portland and Ethna Mary Kelly of Falmouth for appointment as a Maine District Court Judge.

Pursuant to Title 4 MRSA §157-1, these nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell  
President of the Senate  
S/Hannah M. Pingree  
Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **JUDICIARY**.

**READ** and **REFERRED** to the Committee on **JUDICIARY** in concurrence.

The Following Communication: (S.P. 723)

**STATE OF MAINE  
124TH MAINE LEGISLATURE**

March 5, 2010

Sen. Seth A. Goodall  
Senate Chair, Joint Standing Committee on Natural Resources  
Rep. Robert S. Duchesne  
House Chair, Joint Standing Committee on Natural Resources  
124th Legislature  
Augusta, ME 04333

Dear Senator Goodall and Representative Duchesne:

Please be advised that Governor John E. Baldacci, due to a clerical error, has withdrawn his nomination of Edith Cronk for reappointment to the Maine Outdoor Heritage Fund Board pursuant to Title 3 MRSA §154. This nomination is currently pending before the Joint Standing Committee on Agriculture, Conservation and Forestry.

To correct this clerical error he has re-nominated Edith Cronk of Wiscasset for reappointment to the Maine Outdoor Heritage Fund Board. Pursuant to Title 12 M.R.S.A. §10308, this nomination will require review by the Joint Standing Committee on Natural Resources and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell  
President of the Senate  
S/Hannah M. Pingree  
Speaker of the House

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

**READ** and **REFERRED** to the Committee on **NATURAL RESOURCES** in 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:**

Joshua Tingley, of Portland, a member of Boy Scout Troop No. 1, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations to him on this achievement;

(SLS 364)

On **OBJECTION** of Representative HARLOW of Portland, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Harlow.

Representative **HARLOW**: Thank you, Madam Speaker. Joshua Tingley has earned an Eagle Scout award. We should recognize all of our youth for positive things that they do. There are many great kids in our communities. Thank you, Josh. Thank you, Ladies and Gentlemen of the House and Madam Speaker.

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

**Recognizing:**

Debbie Mullen, of Boothbay Harbor, who is the recipient of a gold President's Volunteer Service Award from the President's Council on Service and Civic Participation. The award is given in recognition and appreciation of a volunteer's commitment to strengthening the Nation and for making a difference through volunteer service. Ms. Mullen is the chair for the Lincoln County Triad, which works in partnership with law enforcement, senior citizen organizations and individual senior citizens to enable them to remain in their homes and enjoy the best possible quality of life. She also is coordinator for Boothbay Region Seniors. We congratulate Ms. Mullen on her receiving this well-deserved service award;

(HLS 957)

Presented by Representative MacDONALD of Boothbay.  
Cosponsored by Senator TRAHAN of Lincoln.

On **OBJECTION** of Representative MACDONALD of Boothbay, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative **MacDONALD**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I rise today to congratulate Debbie Mullen, of Boothbay Harbor, on her long service to the elders of our community. The Lincoln County Triad is a group that provides services to our elders. Maine, as you know, is reputed to be the oldest state in the nation and may well be. Lincoln County is the oldest county in the state and it is becoming older as retirees move in and so the services to the elders are of extreme importance to us.

Triad is a program which provides services to elders throughout the county. The three things that they do, incredible things, they provide medical information called the File of Life that elders can put on their door, a little sign that says "A File of Life is in my house", and that file of life is vital medical information that is on the refrigerator in case an EMT or some other medical person has to be there. They also provide an elder appreciation day, they provide cell phones to elders, and they are embarking upon a new program to deal with the growing issue of elder abuse. So for all of those good services that Lincoln County Triad provides and for the good work that Debbie Mullen does in making them all happen, I ask you to join me in recognizing her great service to the citizens of Lincoln County and to the State of Maine. Thank you, Madam Speaker.

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

**Recognizing:**

the Town of Winterport, on its sesquicentennial anniversary. Incorporated on March 12, 1860, the small Waldo County community lies on the west bank of the Penobscot River and is a former shipbuilding town. Its name was derived from its fine harbor and location at the head of winter navigation on the Penobscot River. The town was formerly a part of Frankfort. The break between Frankfort and Winterport came in 1860, largely because the inhabitants in Winterport did not like to share in the repairs of the bridge over Marsh River. The river is full of ice through the winter and has a strong current, which made repairs to the bridge expensive and constantly necessary. James Otis Kaler, known as James Otis, the writer of children's literature, was born in Winterport. The Union Meeting House, built in 1834, is of significant historical interest in the town, having a Paul Revere bell, a belfry clock and a Masons and Hamlin hand-pumped reed organ. Winterport retains a 19th-century

charm that blends with modern convenience, with a thriving downtown and heavily utilized waterfront. We extend our warmest wishes to the leaders and residents of Winterport and join with them in celebrating the town's 150th anniversary;

(HLS 963)

Presented by Representative THIBODEAU of Winterport.

Cosponsored by Senator WESTON of Waldo.

On **OBJECTION** of Representative THIBODEAU of Winterport, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Thibodeau.

Representative **THIBODEAU**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I know that you are all excited to find out that Winterport is tomorrow celebrating its 150th year of being granted an escape from the tyrannical rule of the selectmen of the town of Frankfort. In recent years, particularly the last 50 or so, we've actually mended some of them fences and shared some town services such as solid waste, ambulance service and even fire protection. You know, there are actually rumors that some day if things continue to improve in our relationship, we may even see a consolidation. The big debate obviously will be and I feel real bad that Representative Weddell is not here to debate this, but we're wondering if it will be Frankport or, I forgot the other one, but anyway, thank you. Winterfort.

The SPEAKER: The Chair recognizes the Representative from Stockton Springs, Representative Magnan.

Representative **MAGNAN**: Thank you, Madam Speaker. In regard to the bellicose nature of the folks from Frankfort, I would like to protest and say that I do believe that it was a Winterportian issue that brought the separation upon us, and I don't think we will devolve into any other place. Thank you.

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

Representative **PERRY**: Thank you, Madam Speaker. I had the pleasure of living in Winterport when we celebrated, I hate to admit this, our 100th anniversary, as I grew up in Winterport, and I am delighted to be able to say Happy Anniversary to Winterport again. It was a great town to grow up in. I've got a lot of friends who are still there. So I wish everybody well. Thank you.

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

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

The SPEAKER: The Representative may pose his question.

Representative **TUTTLE**: To the good Representative from Winterport, Representative Thibodeau, whatever happened to the bridge over the Marsh River?

The SPEAKER: The Representative from Sanford, Representative Tuttle has posed a question through the Chair to the Representative from Winterport, Representative Thibodeau. The Chair recognizes that Representative.

Representative **THIBODEAU**: It is still in service, it is a walking bridge, and I would note that the citizens from Frankfort pay to maintain that.

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

**Recognizing:**

Genia Graham, Leyla Lacayo, Sarah Bly, Page Bly and Sgoagani Mye, for their dedicated work in serving the community by making girls and women aware of the risk of Human Immunodeficiency Virus. At a time when many females are unaware of HIV risk, this special team of women have been featured in a public awareness campaign called "Ask for the Test" that encourages Maine women to ask for an HIV test as part of routine care. Their efforts have educated thousands of women around the State and have helped to stop the spread of HIV. March 10, 2010 is National Women and Girls HIV Awareness Day and it is a fitting tribute to the commitment of Ms. Graham, Ms. Lacayo, Mrs. Bly, Ms. Bly and Ms. Mye that they be recognized during the week of the national awareness day;

(HLS 965)

Presented by Speaker PINGREE of North Haven.

Cosponsored by Senator CRAVEN of Androscoggin, Representative BICKFORD of Auburn, Representative LAJOIE of Lewiston, Representative CAREY of Lewiston, Representative WAGNER of Lewiston, Representative ROTUNDO of Lewiston, Senator BRANNIGAN of Cumberland, Senator ALFOND of Cumberland, Representative HASKELL of Portland, Representative RUSSELL of Portland, Representative ADAMS of Portland, Representative HINCK of Portland, Representative HARLOW of Portland, Representative LOVEJOY of Portland, Representative STUCKEY of Portland, Representative COHEN of Portland, Representative HAYES of Buckfield.

On **OBJECTION** of Representative CAREY of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **CAREY**: Thank you, Madam Speaker. Madam Speaker, Members of the House. I serve as a member of the HIV Advisory Committee where we look for solutions in the fight against HIV and AIDS in Maine. More people are living with HIV and AIDS in Maine than ever before. In fact, it is estimated to be 500 people who are currently infected with the disease who are not aware of that.

The HIV Advisory Committee in this body, as a result of a bill passed in 2007 to make HIV testing more available, is helping to stop the spread of AIDS and to raise awareness of the disease. I have had the pleasure to work with one of these women, Genia Graham, who also is a Lewiston resident. Genia is HIV positive and if you are an American Idol fan you may already know that. The public service announcement featuring her ran last week during that most watched show in the United States. I ask the House to honor the bravery of these women for stepping forward to raise awareness around HIV/AIDS.

Twenty-five years after the detection of Maine's first case of HIV, people living with HIV and AIDS still face discrimination and stigma. These women have selflessly stepped forward to educate us all about HIV so that others may avoid becoming infected and those affected can receive lifesaving care and treatment. Because of their efforts, hundreds of thousands of Mainers are better informed about HIV and AIDS as it currently affects our state. Please join me in thanking these women for their hard work and bravery.

Subsequently, the Sentiment was **PASSED** 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-693)** on Bill "An Act To Improve Oversight of Pharmaceutical Purchasing"

(H.P. 940) (L.D. 1339)

Signed:

Senator:

BRANNIGAN of Cumberland

Representatives:

PERRY of Calais

PETERSON of Rumford

JONES of Mount Vernon

SANBORN of Gorham

CAMPBELL of Newfield

STUCKEY of Portland

EVES of North Berwick

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

Signed:

Senators:

MARRACHÉ of Kennebec

MILLS of Somerset

Representatives:

JOY of Crystal

LEWIN of Eliot

STRANG BURGESS of Cumberland

Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-693)** Report.

**READ.**

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

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

Representative **PERRY**: Yes, just an explanation of what this bill is. In 2003, Maine passed a law imposing a fiduciary duty on PBMs that would require them to act in the best interest of their clients by moving the defrayed costs of covered individuals to the cost of the prescription. This law was very important to make sure that the monetary value of the rebates get passed down to the clients. Unfortunately, we have no way of knowing what PBMs are working in the State of Maine and, therefore, the ability to enforce the law is nonexistent. This bill actually helps take care of that. It amends under the amendment that PBMs will register if they are doing business in Maine, and then they will just be required to self certify compliance with Maine's law. Thank you.

Representative TARDY of Newport **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: 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. 281**

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Cleary, Connor, Crockett P,

Dill, Driscoll, Duchesne, Eaton, Finch, Flaherty, Flemings, Gilbert, Goode, Hanley, Harlow, Haskell, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Rotundo, Russell, Sanborn, Schatz, Shaw, Sirois, Smith, Stevens, Stuckey, Sutherland, Treat, Trinward, Tuttle, Valentino, Wagner J, Wagner R, Watson, Webster, Welsh, Wright, Madam Speaker.

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

ABSENT - Ayotte, Cohen, Cornell du Houx, Dostie, Eberle, Eves, Fitts, Hayes, Hill, McFadden, Theriault, Van Wie, Wheeler, Willette.

Yes, 85; No, 52; Absent, 14; Excused, 0.

85 having voted in the affirmative and 52 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-693)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, March 16, 2010.

---

Majority Report of the Committee on **LABOR** reporting **Ought Not to Pass** on Bill "An Act To Index the State Minimum Wage to Inflation"

(H.P. 157) (L.D. 192)

Signed:

Senators:

JACKSON of Aroostook  
MILLS of Somerset

Representatives:

CLARK of Millinocket  
THIBODEAU of Winterport  
HAMPER of Oxford  
BLODGETT of Augusta  
TUTTLE of Sanford  
CUSHING of Hampden  
BUTTERFIELD of Bangor  
BICKFORD of Auburn  
GILBERT of Jay  
DRISCOLL of Westbrook

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

Signed:

Senator:

GERZOFISKY of Cumberland

**READ.**

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

---

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought Not to Pass** on

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Amend the Requirements Governing Direct Initiatives (H.P. 1193) (L.D. 1692)

Signed:

Senator:

PLOWMAN of Penobscot

Representatives:

PINKHAM of Lexington Township  
BEAULIEU of Auburn  
VALENTINO of Saco  
FITTS of Pittsfield  
NASS of Acton  
RUSSELL of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-688)** on same RESOLUTION.

Signed:

Senators:

SULLIVAN of York  
GOODALL of Sagadahoc

Representatives:

CORNELL du HOUX of Brunswick  
TRINWARD of Waterville  
CAREY of Lewiston  
TUTTLE of Sanford

**READ.**

Representative TRINWARD of Waterville moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

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

---

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-692)** on 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)

Signed:

Senators:

DAMON of Hancock  
PERRY of Penobscot  
GOOLEY of Franklin

Representatives:

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

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

Signed:

Representatives:

BROWNE of Vassalboro  
THOMAS of Ripley

CEBRA of Naples

**READ.**

Representative MAZUREK of Rockland 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. 899) (L.D. 1296) Bill "An Act To Strengthen the Job Creation Through Educational Opportunity Program" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-703)**

(H.P. 1093) (L.D. 1551) Bill "An Act To Further Regulate the Communications of Members of Public Bodies" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-704)**

(H.P. 1104) (L.D. 1567) Bill "An Act To Correct Errors and Inconsistencies in Marine Resources Laws" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-707)**

(H.P. 1119) (L.D. 1581) Bill "An Act Concerning Electricity Customers Whose Bills Increase as a Result of the Implementation of Energy Conservation or Energy Efficiency Measures" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-700)**

(H.P. 1223) (L.D. 1722) Bill "An Act To Strengthen Protection from Abuse and Protection from Harassment Laws" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-705)**

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. 577) (L.D. 1499) Bill "An Act To Protect Confidential Consumer Records in Self-service Storage Facilities" (C. "A" S-389)

(S.P. 584) (L.D. 1519) Bill "An Act To Ensure That Search and Rescue Dogs Are Afforded the Same Access to Public Accommodations as Service Animals" (C. "A" S-387)

(S.P. 592) (L.D. 1546) Bill "An Act To Improve Disclosure of Campaign Finance Information and the Operation of the Maine Clean Election Act" (C. "A" S-395)

(S.P. 611) (L.D. 1604) Bill "An Act To Clarify the Marine Resources Laws To Provide for the Protection of Public Safety and Welfare" (C. "A" S-385)

(S.P. 655) (L.D. 1683) Bill "An Act Regarding the Law Governing Recreational Vehicle Manufacturers, Distributors and Dealers" (C. "A" S-396)

(S.P. 657) (L.D. 1724) Bill "An Act To Create a Commercial Pelagic and Anadromous Fishing License and Establish the Pelagic and Anadromous Fisheries Fund" (C. "A" S-393)

(S.P. 681) (L.D. 1775) Bill "An Act To Amend Mercury Stack Testing Requirements for Certain Air Emission Sources" (C. "A" S-394)

(H.P. 1256) (L.D. 1766) Resolve, Regarding Legislative Review of Chapter 15: Batterer Intervention Program Certification, a Major Substantive Rule of the Department of Corrections (EMERGENCY)

(H.P. 1257) (L.D. 1767) Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Mental Retardation or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1079) (L.D. 1535) Bill "An Act To Create a Smart Grid Policy in the State" (EMERGENCY) (C. "A" H-695)

(H.P. 1116) (L.D. 1578) Bill "An Act To Provide for Equitable Sharing by Service Providers of the Costs of the Public Utilities Commission and the Office of the Public Advocate" (C. "A" H-697)

(H.P. 1117) (L.D. 1579) Bill "An Act To Facilitate Voting by Uniformed Service and Overseas Voters" (C. "A" H-689)

(H.P. 1160) (L.D. 1632) Bill "An Act To Establish Biofuel and Ultra-low Sulfur Requirements for Number 2 Home Heating Oil" (C. "A" H-690)

(H.P. 1173) (L.D. 1645) Bill "An Act To Streamline Collections for Consumer-owned Consolidated Water and Wastewater Utilities" (C. "A" H-698)

(H.P. 1226) (L.D. 1727) Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Major Substantive Rule of the Department of Health and Human Services, Office of Substance Abuse (EMERGENCY) (C. "A" H-696)

(H.P. 1233) (L.D. 1735) Bill "An Act To Waive Certain Penalties Imposed against School Administrative Units if the State Has Not Fulfilled Its Goal of Paying 55% of Costs" (EMERGENCY) (C. "A" H-691)

(H.P. 1254) (L.D. 1763) Resolve, Directing the Department of Transportation To Place Signs at the Interstate Exits in Pittsfield Directing Motorists to Maine Central Institute (C. "A" H-694)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **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.

(H.P. 1167) (L.D. 1639) Bill "An Act To Stimulate the Maine Economy and Promote the Development of Maine's Priority Transportation Infrastructure Needs" (C. "A" H-699)

On motion of Representative PIOTTI of Unity, was **REMOVED** from the Second 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.



**BILLS IN THE SECOND READING**

**Senate as Amended**

Bill "An Act To Protect Maine Citizens' Credit"

(S.P. 648) (L.D. 1676)  
(C. "A" S-392)

**Senate as Amended in Non-Concurrence**

Bill "An Act To Amend the Law Pertaining to Smoke Detectors and Carbon Monoxide Detectors" (EMERGENCY)

(S.P. 575) (L.D. 1497)  
(H. "A" H-701 to C. "A" S-377)

**House**

Bill "An Act To Clarify the Construction Subcontractor Status of the Maine Workers' Compensation Act of 1992" (EMERGENCY)

(H.P. 1299) (L.D. 1815)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Papers were **PASSED TO BE ENGROSSED AS AMENDED** in concurrence and in non-concurrence and sent for concurrence and 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**.

---

Representative BEAUDETTE of Biddeford assumed the Chair.

The House was called to order by the Speaker Pro Tem.

---

**ENACTORS**

**Emergency Measure**

An Act To Facilitate Recovery Zone Facility Bonds, Recovery Zone Economic Development Bonds and Qualified Energy Conservation Bonds

(S.P. 590) (L.D. 1530)  
(C. "A" S-381)

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. 121 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

---

**Emergency Measure**

An Act To Amend the Definition of "Farmers' Market"

(H.P. 1124) (L.D. 1586)  
(C. "A" H-666)

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

Representative BERRY of Bowdoinham **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 PRO TEM**: 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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 282**

YEA - Austin, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Casavant, Cebra, Celli, Chase, Clark H, Clark T, Cleary, Cohen, Connor, Cotta, Crafts, Cray, Crockett P, Curtis, Cushing, Davis, Dill, Driscoll, Duchesne, Eaton, Edgecomb, Eves, Finch, Flaherty, Flemings, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Greeley, Hamper, Hanley, Harlow, Harvell, Haskell, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Joy, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, 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, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Wagner J, Wagner R, Weaver, Webster, Welsh, Wright, Madam Speaker.

NAY - NONE.

ABSENT - Adams, Ayotte, Bolduc, Carey, Cornell du Houx, Crockett J, Dostie, Eberle, Fitts, Fletcher, Hayes, McFadden, Percy, Theriault, Van Wie, Watson, Wheeler, Willette.

Yes, 133; No, 0; Absent, 18; Excused, 0.

133 having voted in the affirmative and 0 voted in the negative, with 18 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

---

**Emergency Measure**

An Act Regarding the Maternal and Infant Death Review Panel

(S.P. 606) (L.D. 1599)  
(C. "A" S-383)

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 Pro Tem and sent to the Senate.

---

**Emergency Measure**

An Act To Regulate the Transportation of Firewood

(H.P. 1135) (L.D. 1607)  
(C. "A" H-667)

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

Representative BERRY of Bowdoinham **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 PRO TEM**: 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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 283**

YEA - Adams, Austin, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Casavant, Cebra, Chase, Clark H, Clark T, Cleary, Cohen, Connor, Cotta,

Crafts, Cray, Crockett J, Crockett P, Curtis, Cushing, Davis, Dill, Driscoll, Duchesne, Eaton, Edgecomb, Eves, Finch, Flaherty, Flemings, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Greeley, Hamper, Hanley, Harlow, Harvell, Haskell, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Joy, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, 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, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wright, Madam Speaker.

NAY - NONE.

ABSENT - Ayotte, Carey, Celli, Cornell du Houx, Dostie, Eberle, Fitts, Fletcher, Hayes, McFadden, Percy, Theriault, Van Wie, Wheeler, Willette.

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 Pro Tem and sent to the Senate.

---

**Emergency Measure**

An Act To Enhance Maine's Clean Energy Opportunities

(H.P. 1175) (L.D. 1647)

(C. "A" H-675)

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

Representative BERRY of Bowdoinham **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 PRO TEM: 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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 284**

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, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Crafts, Cray, Crockett J, Crockett P, Curtis, Cushing, Davis, Dill, Driscoll, Duchesne, Eaton, Edgecomb, Eves, Finch, Flaherty, Flemings, Fletcher, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Greeley, Hamper, Hanley, Harlow, Harvell, Haskell, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Joy, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McKane, McLeod, Miller, Millett, Morrison, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rankin, Richardson D, Richardson W, Robinson, Rosen, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wright, Madam Speaker.

NAY - NONE.

ABSENT - Ayotte, Carey, Dostie, Eberle, Fitts, Hayes, McFadden, Theriault, Van Wie, Wheeler, Willette.

Yes, 140; No, 0; Absent, 11; Excused, 0.

140 having voted in the affirmative and 0 voted in the negative, with 11 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

---

**Emergency Measure**

An Act To Update and Modernize Maine's Floodplain Mapping

(H.P. 1200) (L.D. 1699)

(C. "A" H-655)

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

Representative BERRY of Bowdoinham **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 PRO TEM: 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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 285**

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, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Crafts, Cray, Crockett J, Crockett P, Curtis, Cushing, Davis, Dill, Driscoll, Duchesne, Eaton, Edgecomb, Eves, Finch, Flaherty, Flemings, Fletcher, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Greeley, Hamper, Hanley, Harlow, Harvell, Haskell, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McKane, McLeod, Miller, Millett, Morrison, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rankin, Richardson D, Richardson W, Robinson, Rosen, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wright, Madam Speaker.

NAY - Joy.

ABSENT - Ayotte, Carey, Dostie, Eberle, Fitts, Hayes, McFadden, Theriault, Van Wie, Wheeler, Willette.

Yes, 139; No, 1; Absent, 11; Excused, 0.

139 having voted in the affirmative and 1 voted in the negative, with 11 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

**Emergency Measure**

An Act To Extend the Temporary Reduction in High-stakes Beano License Fees

(H.P. 1260) (L.D. 1770)  
(C. "A" H-671)

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 Pro Tem and sent to the Senate.

**Emergency Measure**

Resolve, To Ensure Consistency in the Scheduled Expiration of Terms of the Board Members of the Finance Authority of Maine

(H.P. 1054) (L.D. 1505)  
(C. "A" H-657)

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. 120 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

**Emergency Measure**

Resolve, Regarding Legislative Review of Section 16, Activities in Coastal Sand Dunes, a Major Substantive Rule of the Department of Environmental Protection

(H.P. 1068) (L.D. 1518)  
(C. "A" H-651)

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. 119 voted in favor of the same and 2 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

**Emergency Measure**

Resolve, To Clarify the Reporting of Debt Service Costs and the Allowance of Minor Capital School Improvement Projects Costs under Essential Programs and Services

(H.P. 1187) (L.D. 1686)  
(C. "A" H-660)

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 Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

**Emergency Measure**

Resolve, Regarding Legislative Review of Chapter 9: Rule Requiring Best Management Practices for Growing Crops To Minimize Cross Contamination, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources

(H.P. 1241) (L.D. 1744)  
(C. "A" H-668)

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. 120 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

The Speaker resumed the Chair.  
The House was called to order by the Speaker.

**Acts**

An Act To Stimulate Capital Investment for Innovative Businesses in Maine

(S.P. 10) (L.D. 1)  
(C. "A" S-378)

An Act To Close Loopholes in Environmental Laws

(H.P. 1082) (L.D. 1538)  
(C. "A" H-665)

An Act To Promote Opportunity for Workers in the Maine Woods

(H.P. 1092) (L.D. 1550)

An Act Enabling Expedited Partner Therapy

(H.P. 1145) (L.D. 1617)  
(C. "A" H-653)

An Act Relating to Road Noise

(H.P. 1170) (L.D. 1642)  
(C. "A" H-672)

An Act To Clarify the Status of Prisoners

(H.P. 1212) (L.D. 1711)  
(C. "A" H-676)

An Act To Amend the Charter of the Gardiner Water District

(H.P. 1250) (L.D. 1756)  
(C. "A" H-661)

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, Directing the Maine Human Rights Commission to Report on Improvements

(H.P. 1081) (L.D. 1537)  
(C. "A" H-662)

Resolve, Directing the Commissioner of Professional and Financial Regulation To Study the Complaint Resolution Process

(H.P. 1136) (L.D. 1608)  
(C. "A" H-658)

Resolve, Regarding a Report on the Status of Federal Ship Ballast Water Discharge Rules

(H.P. 1194) (L.D. 1693)  
(C. "A" H-652)

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

Resolve, To Promote Efficiency and To Streamline Access to the Circuitbreaker Program Application Process

(H.P. 1063) (L.D. 1514)

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

On motion of Representative CROCKETT of Augusta, was **SET ASIDE**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Resolve was **PASSED TO BE ENGROSSED**.

The same Representative **PRESENTED House Amendment "A" (H-713)** which was **READ** by the Clerk.

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

Representative **CROCKETT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. All this amendment is, is just a little technical amendment that changes the word *legislation* to the word *bill* so that in the future when this is reported out after the study is done, it will be a bill and not a number of pieces of legislation. Thank you.

Subsequently, **House Amendment "A" (H-713)** was **ADOPTED**.

The Resolve was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-713)** in **NON-CONCURRENCE** and sent for concurrence.

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

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 Tuesday, March 9, 2010, 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-669)** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Regarding Document Fees at County Registries of Deeds"

(H.P. 1096) (L.D. 1554)

**TABLED** - March 2, 2010 (Till Later Today) by Representative HAYES of Buckfield.

**PENDING - ACCEPTANCE OF COMMITTEE REPORT.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-669)** was **READ** by the Clerk and **ADOPTED**.

The Bill was assigned for **SECOND READING** Tuesday, March 16, 2010.

**HOUSE DIVIDED REPORT** - Majority (9) **Ought to Pass** - Minority (4) **Ought Not to Pass** - Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Make Corrections to the Life Settlement Laws"

(H.P. 1073) (L.D. 1523)

**TABLED** - March 4, 2010 (Till Later Today) by Representative TREAT of Hallowell.

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

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

The Bill was **READ ONCE** and was assigned for **SECOND READING** Tuesday, March 16, 2010.

**HOUSE DIVIDED REPORT** - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-664)** - Minority (4)

**Ought Not to Pass** - Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Protect Health Care Consumers from Catastrophic Debt"

(H.P. 1148) (L.D. 1620)

**TABLED** - March 4, 2010 (Till Later Today) by Representative TREAT of Hallowell.

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

Representative BERRY of Bowdoinham **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**: 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. 286**

**YEA** - Adams, Beaudette, Beaudoin, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Campbell, Casavant, Celli, Clark H, Cleary, Connor, Cornell du Houx, Cotta, Crockett P, Driscoll, Duchesne, Eaton, Finch, Flaherty, Flemings, Flood, Gilbert, Goode, Greeley, Hanley, Harlow, Harvell, Haskell, Hill, Hinck, Hogan, Hunt, Jones, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Richardson D, Rosen, Rotundo, Russell, Sanborn, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Treat, Trinward, Tuttle, Valentino, Wagner J, Wagner R, Watson, Webster, Welsh, Wright, Madam Speaker.

**NAY** - Austin, Beaulieu, Browne W, Burns, Cebra, Chase, Clark T, Cohen, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgcomb, Fletcher, Fossel, Gifford, Giles, Hamper, Johnson, Joy, Lewin, McKane, McLeod, Nass, Pinkham, Plummer, Prescott, Richardson W, Robinson, Sarty, Saviello, Sykes, Thibodeau, Thomas, Tilton, Weaver.

**ABSENT** - Ayotte, Carey, Dill, Dostie, Eberle, Eves, Fitts, Hayes, Innes Walsh, McFadden, Theriault, Van Wie, Wheeler, Willette.

Yes, 99; No, 38; Absent, 14; Excused, 0.

99 having voted in the affirmative and 38 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-664)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, March 16, 2010.

**SENATE REPORT - Ought to Pass as Amended by Committee Amendment "A" (S-391)** - Committee on **TRANSPORTATION** on Bill "An Act To Amend the Motor Vehicle Laws"

(S.P. 599) (L.D. 1562)

- In Senate, Unanimous **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-391)**.

**TABLED** - March 9, 2010 (Till Later Today) by Representative PIOTTI of Unity.

**PENDING - ACCEPTANCE OF COMMITTEE REPORT.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-391)** was **READ** by the Clerk and **ADOPTED**

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

Representative MAZUREK of Rockland **PRESENTED House Amendment "A" (H-711)**, which was **READ** by the Clerk and **ADOPTED**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-391) and House Amendment "A" (H-711)** in **NON-CONCURRENCE** and sent for concurrence.

---

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

---

#### SENATE PAPERS

The following Joint Order: (S.P. 732)

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 16, 2010 at 10:00 in the morning.

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

---

#### REPORTS OF COMMITTEE

##### Change of Committee

Representative PIEH from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Chapter 37: Voluntary Municipal Farm Support Program, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources (EMERGENCY)

(H.P. 1296) (L.D. 1812)

Reporting that it be **REFERRED** to the Committee on **TAXATION**.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **TAXATION**.

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. 1204) (L.D. 1703) Resolve, To Implement the Recommendations of the Juvenile Justice Task Force (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-708)**

(H.P. 1258) (L.D. 1768) Resolve, Regarding Legislative Review of Chapter 285: Adjustment of Non-bank Mortgage Lender Fees To Fund Investigative and Legal Compliance Personnel, a Major Substantive Rule of the Department of Professional and Financial Regulation (EMERGENCY) Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-710)**

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

---

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

(S.P. 609) (L.D. 1602) Bill "An Act To Clarify the Child Abuse or Neglect Substantiation Process" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(S.P. 581) (L.D. 1503) Bill "An Act To Establish Emergency Zones on Public Ways To Minimize Accidents" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-398)**

(S.P. 651) (L.D. 1679) Bill "An Act To Create Jobs and Stimulate Economic Development by Making Captive Insurers Eligible for Pine Tree Development Zone Benefits for 10 Years" (EMERGENCY) Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-400)**

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

---

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

Representative **McKANE**: Thank you, Madam Speaker. Last week or earlier this week a flier went out with my name on it. It was an email from Forbes Darby, Chair, NOAA Fisheries Services. It was brought to my attention today that Forbes Darby is actually Chair, NOAA Fisheries Services, Communication and Education Division. I apologize for the mistake and I want to put that on the record. Thank you very much.

---

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

Representative **ADAMS**: Thank you, Madam Speaker. On the record please. Had I been present in the chamber for Roll Call No. 282, regarding LD 1586, I wish to be recorded that I would have voted yea or yes.

---

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

---

On motion of Representative PRESCOTT of Topsham, the House adjourned at 11:30 a.m., until 10:00 a.m., Tuesday, March 16, 2010 pursuant to the Joint Order (S.P. 732) and in honor and lasting tribute to Edwin E. Nickerson, of Presque Isle and Sonny T. F. Williams, of Topsham.