

MAINE STATE LEGISLATURE

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

Volume III

Second Regular Session

March 24, 2010 - April 12, 2010

Appendix
House Legislative Sentiments
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Pages 1215-1836

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
SECOND REGULAR SESSION
33rd Legislative Day
Friday, April 2, 2010

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

Prayer by Pastor Earl Edgerley, Farmington Baptist Church.
National Anthem by Honorable Emily Ann Cain, Orono.
Pledge of Allegiance.
Doctor of the day, Donald Strickland, M.D., Gardiner.
The Journal of yesterday was read and approved.

SENATE PAPERS
Non-Concurrent Matter

Resolve, Regarding Legislative Review of Portions of Section 10: Stream Crossings within Chapter 305 Permit by Rule Standards, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 1224) (L.D. 1725)
(S. "A" S-493 to C. "B" H-678)

FINALLY PASSED in the House on March 31, 2010.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-678) AS AMENDED BY SENATE AMENDMENT "A" (S-493)** thereto **AND SENATE AMENDMENT "A" (S-506)** in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (H.C. 298)

STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

March 31, 2010

Honorable Elizabeth H. Mitchell
President of the Senate
Honorable Hannah M. Pingree
Speaker of the House of Representatives
124th Legislature
State House
Augusta, ME 04333

Dear Madam President and Madam Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Agriculture, Conservation and Forestry from the review and evaluation of the Department of Agriculture, Food and Rural Resources under the State Government Evaluation Act. In its review, the Committee found that the Department is operating within its statutory authority.

Sincerely,
S/Senator John M. Nutting
Senate Chair
S/Representative Wendy Pieh
House Chair

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Warden Douglas Kulis, of Georgetown, who has been named Maine's National Wild Turkey Federation Chapter Wildlife Law Enforcement Officer of the Year by the National Wild Turkey Federation. Warden Kulis is also the recipient of the 2009 Exemplary Service Award presented by the Maine Warden Service. He has served the Maine Warden Service as a District Game Warden for the past 15 years and has handled all aspects of his job with ease and confidence. We extend our congratulations to Warden Kulis on his receiving these awards;

(HLS 1107)

Presented by Representative MacDONALD of Boothbay. Cosponsored by Senator GOODALL of Sagadahoc, Representative MCKANE of Newcastle, Senator TRAHAN of Lincoln, Representative KENT of Woolwich, Representative MILLER of Somerville, Representative HANLEY of Gardiner, Representative FOSSEL of Alna, Representative PIEH of Bremen, Senator McCORMICK of Kennebec.

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. I rise today to express my admiration and support for Game Warden Doug Kulis, who has received the Maine Warden Service Exemplary Service award for the year for all of his work. Doug's district covers a lot of the part of the world that I live in, the mid-coast area, it includes Merrymeeting Bay, which is abundant with wildlife of all sorts, and it's a huge hunting area. Doug has earned the respect and the support of both the warden community and the hunting community for his abilities to deal with many of the difficult situations that arise, and that is the reason why he got this award.

As his award says, not all game wardens are created equal. Some are very good at catching violators, some are good with public relations, some are recreational vehicle law enforcement and watercraft enforcement. Warden Kulis seems to handle all the many aspects of his job with relative ease and confidence. He's not afraid to accept new challenges as opportunities arise. Doug has volunteered to be this section's computer go-to person when the Maine Warden Service entered the electronic age. These are just a few of the reasons why I rise to express my administration and support for Doug on the receipt of this award, and I ask the House to join me in congratulating him on this occasion. Thank you, Madam Speaker.

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

The following item was taken up out of order by unanimous consent:

UNFINISHED BUSINESS

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

Expression of Legislative Sentiment Recognizing Christine Sawyer, of Gorham

(HLS 1099)

TABLED - April 1, 2010 (Till Later Today) by Representative KNAPP of Gorham.

PENDING - PASSAGE.

The **SPEAKER**: The Chair recognizes the Representative from Gorham, Representative Knapp.

Representative **KNAPP**: Thank you very much, Madam Speaker. Thank you very much to the Clerk also for reading that. Christine lives in Gorham at this present time. She still has ties in Aroostook County. I have been amazed at the connections all over the state with people from Aroostook that when we went on the tour, that she wanted to make sure that I recognized her family farm that is still in the family. She retired from teaching. She is still a very dedicated community worker, as we found out in the sentiments on many people in the State of Maine. So thank you very much.

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

ENACTORS

Emergency Measure

An Act To Enable the Installation of Broadband Infrastructure
(H.P. 1265) (L.D. 1778)
(H. "B" H-807 to C. "A" H-784)

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

Emergency Measure

An Act To Promote the Establishment of Innovative Schools
(S.P. 706) (L.D. 1801)
(H. "A" H-800 to C. "A" S-455)

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

Emergency Measure

An Act Relating to the Recommendations of the Office of Program Evaluation and Government Accountability Regarding Emergency Communications Services

(H.P. 1297) (L.D. 1813)
(C. "A" H-806)

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

Emergency Measure

Resolve, To Establish the Commission To Study the Rule-making Process under the Maine Administrative Procedure Act

(H.P. 1272) (L.D. 1784)
(H. "A" H-808 to C. "A" H-777)

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

On motion of Representative PIOTTI of Unity, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Acts

An Act To Distribute Funds Received from the Racino in Bangor to the Department of Health and Human Services, Office of Substance Abuse

(H.P. 569) (L.D. 833)
(H. "A" H-791 to H. "A" H-785)

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 Develop Practices for Developments of State and Regional Significance in Order To Reduce Dependency on Fossil Fuels and Meet the State's Greenhouse Gas Emissions Reduction Goals

(S.P. 341) (L.D. 891)
(H. "A" H-801 to C. "A" S-386)

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 Align the Duties of School Boards Concerning Student Safety with the Requirements of the Federal Gun-Free Schools Act and To Prohibit the Discharge of Firearms within 500 Feet of Public and Private School Properties

(H.P. 1206) (L.D. 1705)
(H. "B" H-805 to C. "A" H-769)

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

On motion of Representative CEBRA of Naples, 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.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned. (Roll Call Ordered)

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

CONSENT CALENDAR

First Day

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

(H.P. 1311) (L.D. 1825) Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located at 187-189 State Street, Augusta, Known as the Smith-Merrill House, and at 159 Hogan Road, Bangor, known as the Elizabeth Levinson Center Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-816)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

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

ENACTORS
Emergency Measure

An Act To Enhance the Redevelopment of the Brunswick Naval Air Station

(S.P. 629) (L.D. 1664)
(C. "A" S-503)

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. 110 voted in favor of the same and 8 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Decriminalize Violations of Rules or Permit Conditions of the Baxter State Park Authority

(H.P. 1310) (L.D. 1824)
(C. "A" H-812)

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. 115 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.

Acts

An Act Concerning the Allocation of Power Generated by GNE, LLC

(H.P. 388) (L.D. 543)
(C. "A" H-803)

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

An Act To Provide Predictable Benefits to Maine Communities That Host Wind Energy Developments

(S.P. 582) (L.D. 1504)
(C. "A" S-501)

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

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

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

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

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned. (Roll Call Ordered)

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

The House recessed until 10:45 a.m.

(After Recess)

The House was called to order by the Speaker.

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment 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 (9) **Ought Not to Pass** - Minority (4) **Ought to Pass as Amended by Committee Amendment "A" (H-804)** - Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Allow a Casino in Oxford County"

(I.B. 5) (L.D. 1808)

TABLED - March 31, 2010 (Till Later Today) by Representative TRINWARD of Waterville.

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

Representative TRINWARD of Waterville moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

Representative FITTS of Pittsfield **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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 Pittsfield, Representative Fitts.

Representative **FITTS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this motion. I don't think that comes at any surprise. The issue for me is whether this Legislature has guts to take on an issue or would rather punt, and this, I think, is punting on whether or not we're willing to make a decision. The proposal that some have come to be known as "the three-legged stool", I have now renamed. I have renamed it "the group hug". But in general, it has the support of those parties that would be affected in the upcoming referendum and solves some difficulties that the original bill has presented by Black Bear Entertainment have acknowledged. Black Bear Entertainment supports the idea, and I think the Legislature owes the people of Maine an opportunity to have that decision be made by referendum. I repeat that I do oppose Indefinite Postponement and look forward to what I hope is not a long debate on this issue. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Orono, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I, too, rise in opposition of the Indefinite Postponement motion on this legislation. I understand that this is a difficult topic and that members of this body have strong feelings one way or the other on the issue of gaming in the State of Maine. But we have had many difficult decisions before this body and we have had to search our hearts, talk with our constituents, consider the policy, and then ultimately make that decision, and it's part of our job. Last year, we had a very controversial and heated debate in this issue related to gay marriage. That was a topic that was very difficult and people didn't want to talk about, but we talked about it, we made our votes, and we put that vote out to the public. This is another issue that I think is one that deserves our debate and our attention and our courage to discuss the options that are available. I think that those who put forward the citizen's initiative process are supportive of a competing measure. The Tribes are

supportive of a competing measure, Penn National and those in the other gaming interests of the state are interested in a competing measure, and I think that it should be noted that they understand the risk. Competing measures are not always successful. If we support this Indefinite Postponement, we do not even get to discuss the option of a competing measure. I think it's important that a bipartisan agreement has brought Republicans and Democrats together to work on a compromise with the Minority Report, amending the Minority Report, and we'd like the option to present that to this body. So in order to do that, we need to defeat this motion. I ask you to follow my light. I know I said I would only do it once, but I liked it so much I thought I'd try it again.

The SPEAKER: The Chair recognizes the Representative from Passamaquoddy Tribe, Representative Soctomah.

Representative **SOCTOMAH**: Thank you, Madam Speaker. I am against the Indefinite Postponement, and I think the competing measure will give the people of Maine a choice, and it will stop this regionalization of the state of excluding eastern Maine in economic development. So I ask you to defeat this measure before you. Thank you.

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

Representative **HOGAN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the pending motion, and I do so for a variety of reasons. Not the least is if you look at this bill and if you go down and you look how the money is distributed as it flows through the text, you'll see that there are off-track betting parlors that benefit from it. That's a private business. There are racetracks that benefit from this. That's a private business. I own a small variety store. Why aren't I included? That's a small business. What I'm saying is it's wrong. It's wrong that we can take taxpayers' money and distribute it that way. When we collect our taxes, whether it be corporate taxes, income tax, any other form of revenue that comes into this state, what do we do with it? We give it back to the people. We don't give it to individuals, entities, private businesses. That's why I support this Indefinite Postponement and get on to something better for the State of Maine. Thank you, Madam Speaker.

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. I support this vote on Indefinite Postponement. Washington County, which is very distressed from that, we had a vote on it a couple of years ago and it failed, and I don't think we should be voting on this. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Bill and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 349

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Boland, Briggs, Bryant, Burns, Campbell, Carey, Casavant, Chase, Cohen, Connor, Cornell du Houx, Crafts, Cray, Crockett P, Davis, Dill, Dostie, Driscoll, Duchesne, Eberle, Eves, Finch, Flaherty, Fossel, Gilbert, Greeley, Hamper, Hanley, Harlow, Hayes, Hill, Hinck, Hogan, Hunt, Johnson, Jones, Kaenrath, Knight, Kruger, Legg, Lovejoy, MacDonald, Magnan, Mazurek, McKane, Miller, Morrison, Nelson, O'Brien, Pendleton, Peoples, Percy, Pilon, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Shaw, Sirois, Smith, Strang Burgess, Stuckey, Theriault, Thibodeau, Thomas, Treat, Trinward, Tuttle, Valentino,

Van Wie, Wagner J, Wagner R, Webster, Welsh, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Blodgett, Browne W, Butterfield, Cain, Cebra, Celli, Clark H, Cleary, Cotta, Crockett J, Curtis, Cushing, Eaton, Edgecomb, Fitts, Flemings, Fletcher, Flood, Gifford, Giles, Harvell, Innes Walsh, Joy, Knapp, Lajoie, Langley, Lewin, Martin JR, Martin JL, McCabe, McFadden, McLeod, Millett, Nass, Nutting, Perry, Peterson, Pieh, Pinkham, Plummer, Pratt, Prescott, Richardson D, Richardson W, Robinson, Sarty, Saviello, Schatz, Stevens, Sykes, Tardy, Tilton, Watson, Weaver, Wright.

ABSENT - Bolduc, Clark T, Goode, Haskell, Kent, Rosen, Sutherland, Wheeler, Willette.

Yes, 83; No, 59; Absent, 9; Excused, 0.

83 having voted in the affirmative and 59 voted in the negative, with 9 being absent, and accordingly the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

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

An Act To Align the Duties of School Boards Concerning Student Safety with the Requirements of the Federal Gun-Free Schools Act and To Prohibit the Discharge of Firearms within 500 Feet of Public and Private School Properties

(H.P. 1206) (L.D. 1705)

(H. "B" H-805 to C. "A" H-769)

Which was **TABLED** by Representative BERRY of Bowdoinham pending **PASSAGE TO BE ENACTED**. (Roll Call Ordered)

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Cebra.

Representative **CEBRA**: Thank you, Madam Speaker. I don't want to belabor the point here, but I'm going to be quick. I appreciate the House Amendment "B". That cleared up part of the issue that I had with this bill. My main concern with this bill is as a parent of children who attend a private Christian school, I pay twice. I pay my property taxes as a good law-abiding citizen. I also choose to pay the tuition for my children at a private school. I don't believe it's the state's place or right to restrict my constitutional rights on private property where the state has no input, no financial support, no business being. So I understand and I do support on public school property the state's ability to put a boundary around it, but on private school property I really have an issue with that, and I would refer back to the Maine State Constitution, Article I, Section 16. I do hope you'll follow my light. Thank you, Madam Speaker.

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

The SPEAKER: A roll call having been previously 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. 350

YEA - Adams, Ayotte, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Celli, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Crockett P, Curtis, Cushing, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle,

Edgecomb, Eves, Finch, Fitts, Flaherty, Flemings, Fletcher, Flood, Fossel, Gilbert, Giles, Greeley, Hanley, Harlow, Harvell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Kaenrath, Knapp, Kruger, Lajoie, Langley, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, Miller, Millett, Morrison, Nass, Nelson, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Priest, Rankin, Richardson D, Rotundo, Russell, Sanborn, Saviello, Schatz, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Tardy, Theriault, Thibodeau, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wright, Madam Speaker.

NAY - Austin, Burns, Cebra, Chase, Clark H, Crafts, Cray, Crockett J, Davis, Gifford, Hamper, Joy, Knight, Lewin, McKane, McLeod, Nutting, Pinkham, Plummer, Pratt, Prescott, Richardson W, Robinson, Sarty, Shaw, Sykes, Tilton, Weaver.

ABSENT - Clark T, Goode, Haskell, Kent, Rosen, Sutherland, Thomas, Wheeler, Willette.

Yes, 114; No, 28; Absent, 9; Excused, 0.

114 having voted in the affirmative and 28 voted in the negative, with 9 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

An Act To Provide Predictable Benefits to Maine Communities That Host Wind Energy Developments
(S.P. 582) (L.D. 1504)
(C. "A" S-501)

Which was **TABLED** by Representative BERRY of Bowdoinham pending **PASSAGE TO BE ENACTED**. (Roll Call Ordered)

The **SPEAKER**: A roll call having been previously 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. 351

YEA - Adams, Austin, Ayotte, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey, Casavant, Cebra, Celli, Chase, Clark H, 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, Greeley, Hamper, Hanley, Harlow, Harvell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Joy, Kaenrath, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, 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, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wright, Madam Speaker.

NAY - NONE.

ABSENT - Clark T, Goode, Haskell, Kent, Rosen, Sutherland, Wheeler, Willette.

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

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

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

ENACTORS

Acts

An Act To Clarify Maine's Phaseout of Polybrominated Diphenyl Ethers

(H.P. 1105) (L.D. 1568)
(S. "C" S-502 to C. "A" H-731)

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.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Make Administrative Changes to Tax Laws To Maintain a Balanced Budget"

(H.P. 1321) (L.D. 1830)

Sponsored by Representative CAIN of Orono.
Cosponsored by Senator DIAMOND of Cumberland.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent for concurrence.

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

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

Resolve, To Establish the Commission To Study the Rule-making Process under the Maine Administrative Procedure Act
(H.P. 1272) (L.D. 1784)
(H. "A" H-808 to C. "A" H-777)

Which was **TABLED** by Representative PIOTTI of Unity pending **FINAL PASSAGE**.

On motion of Representative CONNOR of Kennebunk, 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**.

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

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-777) as Amended by House Amendment "A" (H-808)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "B" (H-818) to Committee Amendment "A" (H-777)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Connor.

Representative **CONNOR**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I just wanted to rise very briefly to show that I can present things appropriately sometimes, so thank you. The amendment before you is merely to remove the emergency preamble. I appreciate your support in the past and appreciate your support now. Thank you.

Subsequently, **House Amendment "B" (H-818)** to **Committee Amendment "A" (H-777)** was **ADOPTED**.

Committee Amendment "A" (H-777) as **Amended by House Amendments "A" (H-808)** and **"B" (H-818)** thereto was **ADOPTED**.

The Resolve was **PASSED TO BE ENGROSSED** as **Amended by Committee Amendment "A" (H-777)** as **Amended by House Amendments "A" (H-808)** and **"B" (H-818)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

The following item was taken up out of order by unanimous consent:

CONSENT CALENDAR

First Day

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

(S.P. 719) (L.D. 1811) Bill "An Act To Amend the Maine Medical Marijuana Act" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-508)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

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

On motion of Representative STEVENS of Bangor, the House adjourned at 11:42 a.m., until 10:00 a.m., Monday, April 5, 2010 in honor and lasting tribute to Erin McGrath Woolley, of Bangor.