

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session

beginning December 5, 2012

beginning at page H-1

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
FIRST REGULAR SESSION
28th Legislative Day
Wednesday, April 3, 2013

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

Prayer by Reverend Mark D. Wilson, Phippsburg Congregational Church (UCC).

National Anthem by Lauren Sterling, Waterville.

Pledge of Allegiance.

Doctor of the day, William Bradfield, M.D., Sidney.

The Journal of yesterday was read and approved.

SENATE PAPERS

Bill "An Act To Streamline the Charitable Solicitations Act"

(S.P. 438) (L.D. 1277)

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion of Representative TREAT of Hallowell, the Bill was **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**, and sent for concurrence.

Non-Concurrent Matter

Bill "An Act Regarding the Effect on Collective Bargaining Agreements of Failure To Validate a School Budget"

(H.P. 918) (L.D. 1291)

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in the House on April 2, 2013.

Came from the Senate **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 121)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

April 2, 2013

The 126th Legislature of the State of Maine
State House

Augusta, Maine

Dear Honorable Members of the 126th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 49, "An Act To Amend the Laws Governing Payment of Fees to Registers of Deeds."

I am concerned when the Legislature decides bills that clarify how government takes money from its citizens makes it to my desk early in the session, while those that deal with major issues facing our state await action. Those elected to office need to step back and address the real problems facing Maine. That is why the Maine people elected us and why I have vetoed this bill today.

This bill may have merit in its own right, but it represents what is wrong with our system. The solution always seems to be to ask hardworking families to give more. That is true at all levels of

government: federal, state, county, and local. We do not need laws explaining how government is supposed to take money; we need action to restore our economy and put Mainers back to work.

For these reasons, I return LD 49 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Amend the Laws Governing Payment of Fees to Registers of Deeds

(H.P. 44) (L.D. 49)

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The vote today before us on Item 2-2 is the first opportunity that this body has to look at overriding the Governor's veto. The Chief Executive clearly expressed in his veto letter frustration that he is experiencing regarding other matters as they flow through the bodies, and that there is something that we need to remember as the Legislature, is that we need to work together to get the difficult work done for the State of Maine. There will be many tough decisions ahead on many tough issues and we will have to work and we will have to communicate with each other and with the Chief Executive, working together to get the important work done for the people of the State of Maine. In regards to this particular one issue today, I believe that the work of the committee, which was a unanimous Committee Report, was reflective of the important work that the committee did. This body voted under the hammer to support the work of the committee and I will be voting today to support the work of the committee.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 23V

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gillway, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Lockman, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Clark, Gifford, Libby A, Long, Timberlake, Willette.

ABSENT - Bolduc, Crockett, Gilbert, Goode, Knight, Peterson, Priest, Pringle, Saxton.

Yes, 136; No, 6; Absent, 9; Excused, 0.

136 having voted in the affirmative and 6 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 117)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

April 1, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

This is to inform you that I am today nominating Mark A. Vannoy of Waldoboro for reappointment as a Commissioner to the Public Utilities Commission.

Pursuant to Title 35-A, MRSA §105, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 118)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

April 1, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

This is to inform you that I am today nominating David J. Barber of Cape Elizabeth for appointment to the Efficiency Maine Trust Board.

Pursuant to Title 35-A, MRSA §10103, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 119)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

April 1, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

This is to inform you that I am today nominating Timothy R. Schneider of Portland for appointment as the Public Advocate. Pursuant to Title 35-A, MRSA §1701-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 120)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

April 3, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

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. 664 An Act To Increase the Penalties for Crimes Involving Illegal or Prescription Drugs

L.D. 873 An Act To Establish Positive Reentry Parole Education and Cultural Affairs

L.D. 367 An Act To Repeal the Repeal Provision in the Law That Limits the Reduction of State Subsidy for Education (EMERGENCY)

Inland Fisheries and Wildlife

L.D. 96 An Act To Enhance the Deer Population by Increasing Control of Coyotes through Local Conservation Organizations

L.D. 254 Resolve, To Establish the Northern Maine Advisory Task Force on Deer

Judiciary

L.D. 311 An Act To Protect Landowners from the Exercise of Eminent Domain in Energy Infrastructure Corridors

L.D. 352 An Act To Prohibit Prisoners from Filing Protection from Harassment Complaints against Corrections Personnel

L.D. 395 An Act To Allow a Pet Owner To Collect Noneconomic Damages for the Death of a Pet

L.D. 550 An Act To Require Probate Judges, Registers of Probate and Registers of Deeds To Be Appointed

L.D. 726 An Act To Adopt the Uniform Parentage Act

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

Sincerely,

S/Millicent M. MacFarland

Clerk of House

READ and with accompanying papers ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolve were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Fairly Distribute the Debt Burden between the State and County Correctional Functions"

(H.P. 944) (L.D. 1320)

Sponsored by Representative MacDONALD of Boothbay.
Cosponsored by Senator JOHNSON of Lincoln and Representatives: DEVIN of Newcastle, MARKS of Pittston.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Promote Healthy School Lighting"

(H.P. 945) (L.D. 1321)

Sponsored by Representative BOLAND of Sanford.
Cosponsored by Senator TUTTLE of York and Representatives: BROOKS of Winterport, HARLOW of Portland, STANLEY of Medway.

Bill "An Act To Amend the Laws Governing the Withdrawal of a Municipality from a Regional School Unit" (EMERGENCY)

(H.P. 946) (L.D. 1322)

Sponsored by Representative LUCHINI of Ellsworth.
Cosponsored by Senator LANGLEY of Hancock and Representatives: HUBBELL of Bar Harbor, MALABY of Hancock, Senator: YOUNGBLOOD of Penobscot.

ENERGY, UTILITIES AND TECHNOLOGY

Resolve, To Place a Temporary Suspension on Permitting of Certain Expedited Grid-scale Wind Energy Developments (EMERGENCY)

(H.P. 949) (L.D. 1325)

Sponsored by Representative KAENRATH of South Portland.
Cosponsored by Representatives: DUNPHY of Embden, HARLOW of Portland, JONES of Freedom, MORRISON of South Portland.

ENVIRONMENT AND NATURAL RESOURCES

Bill "An Act Regarding Wind Power Siting in the Unorganized Territory"

(H.P. 947) (L.D. 1323)

Sponsored by Representative HAYES of Buckfield.
Cosponsored by Representative CROCKETT of Bethel and Representatives: BRIGGS of Mexico, DUNPHY of Embden, HARLOW of Portland, HARVELL of Farmington, LIBBY of Waterboro, MALABY of Hancock, McCABE of Skowhegan, NEWENDYKE of Litchfield.

Bill "An Act To Protect Local Communities When a Mining Project Is Terminated"

(H.P. 948) (L.D. 1324)

Sponsored by Representative KRUGER of Thomaston.
Cosponsored by Representatives: CHAPMAN of Brooksville, EVANGELOS of Friendship, MITCHELL of the Penobscot Nation, STUCKEY of Portland, Senator: LANGLEY of Hancock.

TAXATION

Bill "An Act To Prevent Youth Tobacco Use" (EMERGENCY)

(H.P. 950) (L.D. 1326)

Sponsored by Representative ROCHELO of Biddeford.

Cosponsored by Senator GRATWICK of Penobscot, Senator GOODALL of Sagadahoc and Representatives: BEAUDOIN of Biddeford, BERRY of Bowdoinham, COTTA of China, DORNEY of Norridgewock, GATTINE of Westbrook, GOODE of Bangor, GRAHAM of North Yarmouth, GUERIN of Glenburn, HERBIG of Belfast, HUBBELL of Bar Harbor, JACKSON of Oxford, KESCHL of Belgrade, KNIGHT of Livermore Falls, MASTRACCIO of Sanford, RYKERSON of Kittery, SANBORN of Gorham, THERIAULT of Madawaska, TIPPING-SPITZ of Orono, TREAT of Hallowell, VOLK of Scarborough, WELSH of Rockport, WINCHENBACH of Waldoboro, Senators: CRAVEN of Androscoggin, JOHNSON of Lincoln, SAVIELLO of Franklin, WOODBURY of Cumberland.

TRANSPORTATION

Bill "An Act To Provide Greater Options for Transportation of Public School Students for Cocurricular Activities"

(H.P. 951) (L.D. 1327)

Sponsored by Representative MASTRACCIO of Sanford.
Cosponsored by Senator LANGLEY of Hancock and Representatives: GILBERT of Jay, MORRISON of South Portland, TIMBERLAKE of Turner.

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

ORDERS

On motion of Representative HAYES of Buckfield, the following Joint Resolution: (H.P. 943) (Cosponsored by Senator HILL of York)

JOINT RESOLUTION AFFIRMING THE FRIENDSHIP BETWEEN

THE STATE OF MAINE AND THE REPUBLIC OF CHINA

WHEREAS, the United States and the Republic of China, known as Taiwan, share a most important relationship supported by our common values of freedom, democracy, rule of law and commitment to a free market economy; and

WHEREAS, President Ma Ying-jeou has worked tirelessly to uphold democratic principles in Taiwan, ensure the prosperity of Taiwan's more than 23,000,000 people, promote Taiwan's international standing and further improve relations between the United States and Taiwan; and

WHEREAS, Taiwan and the United States, and especially the State of Maine, share a historically close relationship, marked by tourism, strong bilateral trade, educational and cultural exchange and scientific and technological interests; and

WHEREAS, Taiwan is a member of the United States Visa Waiver Program, which reflects the friendship, trust and cooperation shared between our 2 countries and makes travel between Taiwan and the United States for business and tourism even more convenient; and

WHEREAS, the United States ranks as Taiwan's 3rd-largest trading partner; Taiwan was the 16th-largest trading partner of the United States in 2012; and bilateral trade in goods and services between the United States and Taiwan reached \$85,000,000,000 in 2011; and

WHEREAS, New England exported approximately \$1,400,000,000 in goods to Taiwan, of which Maine exported approximately \$15,500,000 in goods, mostly in machinery, transportation equipment and paper; and

WHEREAS, negotiations for a bilateral investment agreement between Taiwan and the United States are an important step

towards strengthening bilateral trade and entering into a free trade agreement between our countries, thereby increasing Maine's exports to Taiwan and creating greater bilateral investment and technical collaboration; and

WHEREAS, President Barack H. Obama and the leaders of the 8 other Trans-Pacific Partnership countries announced the achievement of the broad outlines for a 21st-century agreement on November 12, 2011, in which Taiwan has expressed a keen interest to participate, in order to establish close links between economies, enhance competitiveness and benefit consumers; and

WHEREAS, the Asia-Pacific region is the largest market in the world for United States exports and many of Maine's total exports went to markets in the Asia-Pacific region; the export of Maine goods supports an estimated 21,000 jobs; and 2010 data indicate that 1,347 companies exported goods from Maine; and

WHEREAS, Taiwan is the 17th-largest trading economy in the world and is a member of the Asia-Pacific Economic Cooperation forum, which promotes free trade and economic cooperation throughout the Asia-Pacific region; and

WHEREAS, the United Nations Framework Convention on Climate Change is the world's key instrument for responding to climate change, and a concerted global effort to combat the challenges posed by climate change requires that Taiwan also be included in the work of this convention, and Taiwan has expressed a keen interest to participate in the global effort to address climate change; and

WHEREAS, it remains in the interest of the traveling public that Taiwan be included in the United Nations International Civil Aviation Organization, since Taiwan is a key transport hub in the Asia-Pacific region; the Taipei Flight Information Region, under Taiwan's jurisdiction, covers an area of 176,000 square nautical miles with 1,350,000 controlled flights passing through annually; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to affirm the friendship between Maine and the Republic of China; and be it further

RESOLVED: That We support the signing of a United States-Taiwan bilateral investment agreement and a free trade agreement in order to further strengthen Maine-Taiwan trade relations, and We support Taiwan's participation in international organizations and agreements, including the United Nations Framework Convention on Climate Change, the United Nations International Civil Aviation Organization and the Trans-Pacific Partnership; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to President Ma Ying-jeou of Taiwan and to the Director-General of the Taipei Economic and Cultural Office in Boston.

READ.

On motion of Representative HAYES of Buckfield, **TABLED** pending **ADOPTION** and later today assigned.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Marshwood High School Wrestling Team, of South Berwick, on its winning the 2013 Class A State Championship. We extend our congratulations and best wishes to the members of the team on their achievement;

(SLS 141)

On **OBJECTION** of Representative BEAVERS of South Berwick, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Brett Gerry, of South Berwick, a sophomore at Marshwood High School, who was named to the 2013 *Maine Sunday Telegram* All-State Wrestling Team. We extend our congratulations and best wishes to Brett on his receiving this honor;

(SLS 142)

On **OBJECTION** of Representative BEAVERS of South Berwick, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Cody Hughes, of South Berwick, a sophomore at Marshwood High School, who was named to the 2013 *Maine Sunday Telegram* All-State Wrestling Team. We extend our congratulations and best wishes to Cody on his receiving this honor;

(SLS 143)

On **OBJECTION** of Representative BEAVERS of South Berwick, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Matt Rix, of South Berwick, coach of the Class A State Championship Wrestling Team, who has been named the 2013 *Maine Sunday Telegram* All-State Wrestling Coach of the Year for the second year in a row. We extend our congratulations and best wishes to Coach Rix on his receiving this honor;

(SLS 144)

On **OBJECTION** of Representative BEAVERS of South Berwick, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Tyler Davidson, of South Berwick, a student at Marshwood High School, who became the 16th Maine wrestler to win a championship in each of his high school years. He won his 4th title in the 120-pound weight category. Tyler was also named to the 2013 *Maine Sunday Telegram* All-State Wrestling Team. We extend our congratulations and best wishes to him on his accomplishments;

(SLS 145)

On **OBJECTION** of Representative BEAVERS of South Berwick, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the Town of Freedom, on the occasion of its 200th Anniversary. Freedom, in Waldo County, was incorporated as a town in 1813, during the war with Great Britain. The name Freedom, expressing the spirit of the people, was chosen by its inhabitants upon its incorporation. We extend our congratulations to the good citizens of Freedom on this bicentennial celebration;

(SLS 156)

On **OBJECTION** of Representative JONES of Freedom, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Father Robert Reagan, of Greenville, for his many years of good works in service to the people of the Moosehead Lake Region and his country. A veteran of the Vietnam War, Father Reagan served as a B-52 navigator in the United States Air Force and flew combat missions over Vietnam and Laos. He also served as a Judge Advocate General's Corps officer and as a legal and staff personnel officer at Maine Maritime Academy. Ordained a Catholic priest in 2004, Father Reagan has lived in Maine since 2006 and has been an active member of the community, serving as the chaplain of the Greenville Police Department, the C.A. Dean Memorial Hospital and Nursing Home and American Legion Post #94, as well as chairman of the board of trustees of the Shaw Public Library. We join the good citizens of the Moosehead Lake Region in sending our appreciation for his dedicated commitment to the community and nation and for his generous heart and enthusiastic service. We send him our best wishes as he leaves the State;

(HLS 123)

Presented by Representative JOHNSON of Greenville.

Cosponsored by Senator THOMAS of Somerset.

On **OBJECTION** of Representative JOHNSON of Greenville, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Greenville, Representative Johnson.

Representative **JOHNSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Father Reagan is not with us today and he is leaving our state because of health issues, having to go to a warmer climate. But I did want to say a few words today for the record. We will present this Sentiment to him on Saturday. He is truly an extraordinary individual. He is a man of God in the best of possible meanings. I frequently, although I am not a Catholic, attend services at his church on his invitation. He is a leader of extraordinary capability. He is a compassionate man committed to the disadvantaged and the first responders in our communities. He is a focused individual. He will take on community support activities and, when he does, you better stand out of the way because it's going to get done. He is focused on his projects and he has a great ability to organize and execute things. There are very few people that I have as much respect for as him in helping our communities and we are going to certainly miss him and hope that he has better health in a warmer climate. Thank you very much, Mr. Speaker.

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Provide a Sales Tax Exemption to Incorporated Nonprofit Performing Arts Organizations"

(S.P. 47) (L.D. 126)

Signed:

Senator:

THOMAS of Somerset

Representatives:

GOODE of Bangor

BENNETT of Kennebunk

JACKSON of Oxford

KNIGHT of Livermore Falls

LIBBY of Lewiston

MAREAN of Hollis

STANLEY of Medway

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-12)** on same Bill.

Signed:

Senators:

HASKELL of Cumberland

MILLETT of Cumberland

Representatives:

BROOKS of Winterport

MOONEN of Portland

TIPPING-SPITZ of Orono

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-12).**

READ.

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Resolve, To Direct the Department of Transportation To Provide Signs on Interstate 95, on Interstate 395 and in the City of Brewer for the Underground Railroad Memorial at Chamberlain Freedom Park

(H.P. 237) (L.D. 332)

Signed:

Senators:

MAZUREK of Knox

COLLINS of York

VALENTINO of York

Representatives:

THERIAULT of Madawaska

GILLWAY of Searsport

McLEAN of Gorham

PARRY of Arundel

PEOPLES of Westbrook

POWERS of Naples

WERTS of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-23)** on same Resolve.

Signed:

Representatives:

NUTTING of Oakland

TURNER of Burlington

VEROW of Brewer

READ.

Representative THERIAULT of Madawaska moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** 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:

(S.P. 48) (L.D. 127) Bill "An Act To Amend the Definition of 'Public Way' To Include Streets and Highways Owned by Quasi-municipal Corporations or Districts" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-15)**

(S.P. 118) (L.D. 285) Bill "An Act To Electronically Issue Permits for Burning" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-14)**

(H.P. 53) (L.D. 61) Bill "An Act To Amend Standards for Participation in Certain Public School Services by Students Who Are Homeschooled" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-30)**

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:

(H.P. 65) (L.D. 72) Bill "An Act To Open the St. Croix River to River Herring" (EMERGENCY)

(H.P. 422) (L.D. 603) Bill "An Act To Repeal an Insurance Reporting Requirement"

(H.P. 590) (L.D. 839) Bill "An Act To Amend the Laws Governing the Licensing of Technicians Involved in a Display of Fireworks or Special Effects"

(H.P. 91) (L.D. 109) Bill "An Act To Exempt All Vehicles Delivering Home Heating Fuel, Including Wood Pellets, from Weight Limits" (C. "A" H-24)

(H.P. 139) (L.D. 179) Bill "An Act To Amend the Anson and Madison Water District Charter" (C. "A" H-22)

(H.P. 142) (L.D. 182) Bill "An Act To Support the Maine Lobster Industry" (C. "A" H-29)

(H.P. 166) (L.D. 205) Bill "An Act To Exempt Free Clinics from Licensing under the Charitable Solicitations Act" (C. "A" H-26)

(H.P. 252) (L.D. 377) Bill "An Act To Provide Funding to Soil and Water Conservation Districts" (C. "A" H-21)

(H.P. 304) (L.D. 454) Bill "An Act Relating to Health Care Provider Liability Claims Reports" (C. "A" H-25)

(H.P. 591) (L.D. 840) Bill "An Act To Amend the Law Regulating the Use of Explosives" (C. "A" H-27)

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

BILLS IN THE SECOND READING

House

Resolve, Directing the Department of Transportation To Place a Sign on Northbound Interstate 95 Directing Motorists to Lee Academy

(H.P. 67) (L.D. 74)

House as Amended

Bill "An Act To Increase the State Earned Income Credit"

(H.P. 305) (L.D. 455)

(C. "A" H-15)

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

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

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

SENATE PAPERS

Bill "An Act To Establish in Law a Method for Alternative Certification of Teachers"

(S.P. 461) (L.D. 1330)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Amend the Law Pertaining to Defective or Unreasonably Dangerous Goods"

(S.P. 462) (L.D. 1331)

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

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

Bill "An Act To License Home Building and Improvement Contractors"

(S.P. 459) (L.D. 1328)

Bill "An Act To Provide Equity for Seasonal Public School Employees Concerning Unemployment"

(S.P. 460) (L.D. 1329)

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

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

**CONSENT CALENDAR
First Day**

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

(S.P. 137) (L.D. 357) Bill "An Act To Amend the Charter of the Augusta Parking District" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(S.P. 232) (L.D. 642) Bill "An Act To Exempt All-terrain Vehicle Trail Management from Storm Water Management Requirements" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass**

(S.P. 65) (L.D. 176) Bill "An Act To Amend and Clarify the Maine Uniform Securities Act" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-18)**

(S.P. 187) (L.D. 494) Bill "An Act Regarding Maine Commercial Motor Carrier Safety Regulations" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-16)**

(H.P. 15) (L.D. 11) Bill "An Act To Allow Vehicles Engaged in Snow Removal or Sanding Operations on Public Ways To Use Preemptive Traffic Light Devices" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-33)**

(H.P. 207) (L.D. 298) Bill "An Act Regarding the Membership of the Emergency Medical Services' Board" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-35)**

(H.P. 247) (L.D. 342) Bill "An Act To Waive Driver's License and Nondriver Identification Card Fees for Current and Recently Discharged Members of the Armed Forces" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-34)**

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

(S.P. 431) (L.D. 1237) Resolve, Directing the Department of Corrections To Amend Its Rules Pertaining to Certification of Batterer Intervention Programs (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

On motion of Representative DION of Portland, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Resolve was **READ ONCE**.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Volk, who wishes to address the House on the record.

Representative **VOLK**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. In reference to Roll

Call No. 22, on LD 455, had I been present, I would have voted yes.

**ENACTORS
Emergency Measure**

Resolve, Directing the Department of Corrections To Amend Its Rules Pertaining to Certification of Batterer Intervention Programs

(S.P. 431) (L.D. 1237)

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

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **FINAL PASSAGE**.

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

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

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. 24

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gillway, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Schneck, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Bolduc, Campbell R, Gilbert, Goode, Knight, Kusiak, Malaby, Peterson, Pringle, Saxton, Shaw.

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

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

On motion of Representative DION of Portland, the House adjourned at 11:10 a.m., until 10:00 a.m., Thursday, April 4, 2013.