

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session

beginning January 8, 2014

beginning page H-1301

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
SECOND REGULAR SESSION
16th Legislative Day
Wednesday, February 26, 2014

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

Prayer by Reverend Mark Glovin, The First Universalist Church in Rockland.

National Anthem by Cindy Morin, Greene.

Pledge of Allegiance.

Doctor of the day, Rodney Lahren, M.D., Fort Kent.

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

The Journal of yesterday was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 365)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

February 26, 2014

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Please be advised that pursuant to his authority, Governor Paul R. LePage has nominated the following:

On February 24, 2014

Judge John B. Beliveau of Lewiston for appointment as an Active Retired Judge of the Maine District Court.

Pursuant to Title 4, MRSA, §157-B, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Mark W. Eves

Speaker of the House

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

The Following Communication: (S.C. 768)

**MAINE SENATE
126TH LEGISLATURE
OFFICE OF THE SECRETARY**

February 25, 2014

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 126th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Nils R. Whitman, Jr. of Marshfield for appointment to the Washington County Development Authority.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Pursuant to Statute

Combat Sports Authority of Maine

Representative HERBIG for the **Combat Sports Authority of Maine** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 12: Rules for Mixed Martial Arts, a Late-filed Major Substantive Rule of the Combat Sports Authority of Maine (EMERGENCY)

(H.P. 1285) (L.D. 1793)

Be **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

ORDERS

On motion of Representative ROTUNDO of Lewiston, the following Joint Order: (H.P. 1284)

ORDERED, the Senate concurring, that the Joint Standing Committee on Appropriations and Financial Affairs shall report out, to the House, a bill to make supplemental appropriations and allocations for the expenditures of State Government and to change certain provisions of the law necessary to the proper operations of State Government to address supplemental funding needs projected for the fiscal year ending June 30, 2014.

READ and **PASSED.**

Sent for concurrence.

**REPORTS OF COMMITTEE
Divided Reports**

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Authorize Municipalities To Impose Service Charges on Tax-exempt Property Owned by Certain Nonprofit Organizations"

(H.P. 660) (L.D. 936)

Signed:

Senators:

HASKELL of Cumberland

MILLETT of Cumberland

Representatives:

GOODE of Bangor

BROOKS of Winterport

MOONEN of Portland

STANLEY of Medway

TIPPING-SPITZ of Orono

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-622)** on same Bill.

Signed:
Senator:
THOMAS of Somerset

Representatives:
BENNETT of Kennebunk
JACKSON of Oxford
KNIGHT of Livermore Falls
LIBBY of Lewiston
MAREAN of Hollis

READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-624)** on Bill "An Act To Preserve Head Start and Child Care Services" (H.P. 1205) (L.D. 1682)

Signed:
Senators:
CRAVEN of Androscoggin
LACHOWICZ of Kennebec

Representatives:
FARNSWORTH of Portland
CASSIDY of Lubec
DORNEY of Norridgewock
GATTINE of Westbrook
McELWEE of Caribou
PETERSON of Rumford
STUCKEY of Portland

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

Signed:
Senator:
HAMPER of Oxford

Representatives:
MALABY of Hancock
SANDERSON of Chelsea
SIROCKI of Scarborough

Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-624)** Report.

READ.

Representative FARNSWORTH of Portland 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.

Six Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as**

Amended by Committee Amendment "A" (H-618) on Bill "An Act To Create the Children's Wireless Protection Act" (H.P. 711) (L.D. 1013)

Signed:
Senator:
JACKSON of Aroostook

Representatives:
BEAVERS of South Berwick
DUNPHY of Embden
HARVELL of Farmington
NEWENDYKE of Litchfield
RUSSELL of Portland

Six Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:
Senators:
CLEVELAND of Androscoggin
YOUNGBLOOD of Penobscot

Representatives:
HOBBINS of Saco
GIDEON of Freeport
RYKERSON of Kittery
TIPPING-SPITZ of Orono

READ.

On motion of Representative HOBBINS of Saco, **TABLED** pending **ACCEPTANCE** of either 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. 671) (L.D. 1705) Bill "An Act To Conform the Maine Tax Laws to the United States Internal Revenue Code" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass**:

(S.P. 648) (L.D. 1655) Bill "An Act To Amend the Military Bureau Laws" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-395)**

(S.P. 684) (L.D. 1725) Bill "An Act To Provide for the 2014 and 2015 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY) Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-394)**

(H.P. 1156) (L.D. 1585) Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 1262) (L.D. 1758) Bill "An Act To Clarify the Use of the Term 'Civil Violation' in the Motor Vehicle Statutes" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 34) (L.D. 39) Bill "An Act To Expand the Number of Qualified Educators" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-621)**

(H.P. 951) (L.D. 1327) Bill "An Act To Provide Greater Options for Transportation of Public School Students for

Cocurricular Activities" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-625)**

(H.P. 1187) (L.D. 1615) Bill "An Act To Amend the Election Laws" (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-620)**

(H.P. 1202) (L.D. 1679) Bill "An Act To Appropriate Funds for the Ongoing Operation of the Maine Criminal Justice Academy" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-617)**

(H.P. 1220) (L.D. 1696) Bill "An Act To Extend the Veterans' Property Tax Exemption to Veterans Who Served in Iraq or Afghanistan" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-623)**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** 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:

ENACTORS
Emergency Measure

An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit

(H.P. 534) (L.D. 783)
(C. "B" H-611)

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. 138 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 To Amend the Process Controlling the Transfer of a Student between School Administrative Units

(H.P. 1162) (L.D. 1591)
(C. "A" H-612)

An Act To Designate the Maine Armed Forces Museum Operated by the Maine Military Historical Society as the Official State Military History Museum

(S.P. 645) (L.D. 1653)

An Act To Amend Maine's Emergency Management Laws

(S.P. 650) (L.D. 1672)

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 Fund the Maine HIV Prevention Education Program within the Department of Education

(H.P. 1223) (L.D. 1699)
(C. "A" H-613)

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

On motion of Representative FREDETTE of Newport, was **SET ASIDE**.

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

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

The **SPEAKER**: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Though this may be a program that we have found some value in as we're looking across state government, this is a federal grant that has been retracted and is not being issued again and now in order to continue this program, it must be funded from state dollars. This is something that is happening with many programs and I just think that what we need to do is when we're trying to fill a \$47 million hole, when we're trying to adequately fund a lot of programs that we are not at this current time adequately funding, that we need to be very careful about what we choose to fund. If the federal government feels as though this program is not worthy of them continuing to offer a grant for, then maybe we ought to consider not putting our taxpayer dollars there, saving them for a program where they could be better utilized. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker. I'm just looking for some clarification in regards to the committee's action, so I would ask the Clerk to read the Committee Report. Thank you.

Representative **McCABE** of Skowhegan **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The **SPEAKER**: The Chair recognizes the Representative from Windham, Representative Pringle.

Representative **PRINGLE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am the sponsor of this bill and I rise surprised to find that there would be opposition to it. Allow me to explain why we submitted it and put in a request for state funds. The HIV Prevention Education Program has been in the Department of Education since the late 1980s and has been extremely successful. What it is is a train the trainer program. In other words, there are resources used in the Department of Education to train health educators throughout the state and schools to have the skills to help train young people about reasons for delaying sexual activity as young teenagers and adolescents, and also to explain the risks of undertaking unprotected sexual activity as teenagers, particularly with regard to sexually transmitted diseases including HIV. The success of this program is documented by the data which we submitted to the Legislative Council to explain why this was an important program that shouldn't wait for next year's Legislature and also to the Education Committee to explain why we felt it was important enough for state funding. When you compare the teen pregnancy rate in Maine, which is much lower than the national average, you can recognize that abstinence education and sexuality education in Maine has been highly successful and I'm sorry I didn't come prepared with my numbers, but all of the data we presented to the Education Committee. Also, the HIV infection rate in this group of teenagers to young adults in Maine compared to the nation is much, much lower.

This is a program that saves money. It saves the state a lot in terms of support for mothers with unplanned pregnancies or

teen pregnancies. It also saves the cost for treating one new HIV infection over its lifetime is I think close to \$400,000 and the cost of this program at its peak was \$220,000. When we look at the costs saved, the cost effectiveness of this program for the state is huge. If you just prevent one HIV infection a year, you have more than paid back for the program. We also were able to reduce the fiscal note so that it was not required in this year's budget, so that it would be part of the next year's budget. We've submitted a budget for \$150,000 and we would hope that perhaps we will get federal grants in the future. The reason the federal grants were not obtained this past year and made this an emergency is that the federal programs decided to put money ranked in higher incidence states. It's one of those catch-22s where the state has been successful in reducing HIV infections and because of that, we became less competitive for a grant. But we heard unanimously from health educators that if we do not continue this program, it will start to be felt and it will raise costs for the state government, and so the committee voted unanimously in support of extending this program. Thank you.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Prevention is the most cost-effective thing we can do. Unfortunately, what we see is we are often the victim of our own success. By preventing one case of HIV, one case of a sexually transmitted disease, one incidence of a teen pregnancy is far, far more cost effective than treating these diseases or having a teenager have a child when they are not ready to have a child. I strongly support enactment of this bill. It only makes sense and is far, far more cost effective than treatment.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Chase.

Representative **CHASE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is another example of the federal government failing to give us money for programs that they start and then when it builds up, they eliminate the money and we're expected to step up to the plate again to pay the funds. Now, this particular situation, we have family planning, federal qualified health centers, family practices, our own doctors and health centers that are in schools right now that can do the very same thing that this money does in the state, so why do we need one more program that the federal government now doesn't feel is worth paying for but now we're going to pay for it ourselves? It makes no sense. As far as cost effective, I have had it right up to here with \$1 is going to save you \$7 down the – for years, the eight years I've been here, that's what I've heard. Somewhere there is billions of dollars hidden here that we've made by investing \$1 that is going to get us \$7 million somewhere else in savings. So I'm saying that this is just another ridiculous bill to pass forward. If the federal government doesn't think it's good enough, why should we prioritize our money, what little we have, to pay for this? Thank you.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Kusiak.

Representative **KUSIAK**: Thank you, Mr. Speaker, and thank you to Representative Pringle from Windham for bringing the need for this bill to our attention. Women and Men of the House, I rise to support this bill. I'm going to speak briefly from the letter that I wrote in support of it. This bill makes good fiscal sense to continue to educate youth and young adults in secondary schools about HIV and its prevention. The program is cost effective, as folks have mentioned on the floor. It's cost effective if it prevents just one case of HIV infection. Comprehensive sexuality education includes opportunities for students to learn about HIV

and its prevention from educators who are prepared fully to discuss the disease with them. In essence, comprehensive sexuality education saves lives and prevents teen pregnancies. Thank you.

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

ROLL CALL NO. 504

YEA - Beaudoin, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey Gattine, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaerirath, Kent, Kornfield, Kruger, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Maker, Marks, Mason, Mastraccio, McCabe, McGowan, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Peoples, Peterson, Plan'e, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Wilson, Winchenbach, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Giltway, Guerin, Harvell, Jackson, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Winsor, Wood.

ABSENT - Chapman, Gideon, Johnson D, Kumiega, McLean, Saxton.

Yes, 92; No, 53; Absent, 6; Excused, 0.

92 having voted in the affirmative and 53 voted in the negative, with 6 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Resolve, Directing the Department of Health and Human Services To Review the Use of Restraint and Seclusion at Mental Health Institutes

(H.P. 726) (L.D. 1031)
(C. "A" H-610)

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

On motion of Representative FREDETTE of Newport, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **FINAL PASSAGE**.

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

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

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-600)** - Committee on **CRIMINAL JUSTICE**

AND PUBLIC SAFETY on Bill "An Act To Improve the Maine Sex Offender Registry"

(H.P. 1160) (L.D. 1589)

TABLED - February 13, 2014 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

On motion of Representative DION of Portland, the Minority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-600) was READ** by the Clerk.

Representative MAKER of Calais **PRESENTED House Amendment "A" (H-619) to Committee Amendment "A" (H-600), which was READ** by the Clerk.

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

Representative MAKER: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I introduced the original bill after being contacted by a Department of Homeland Security Assistant Area Port Director stationed at the U.S.-Canada border in Calais. He informed me that a U.S. citizen – and I want to make sure that's clear it was a U.S. citizen, not a foreign person – convicted in Canada of sexual assault of a child under 16 was being deported back to the United States, but the state law enforcement agency would not authorize to place him on the sex offender registry because his conviction occurred outside the country. It has been a journey on this bill and I want to thank everyone who helped me work out the particulars and bring this amendment to fruition. I especially want to thank Representative Dion, of Portland, for his patience and his support of working out this bill. Every day there is another case of child sexual abuse and I hope that you join me in trying to plug this hole that will give free access to our children. This amendment will work out a procedure for notifying affected members of the public of the location of a person who was convicted in a foreign country of a crime that, if committed in this state, would subject a person to inclusion on this state's sex offender registry. Please follow my light and allow our children to have their voice. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative JONES: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I speak with concerns regarding this House Amendment to LD 1589 for the record, and I hope the task force takes these concerns into consideration when it issues its findings. It is commendable that this amendment recognizes the need to harmonize the catalog of sex offenses among international jurisdictions to insure the proper consideration of convicted offenders from other countries who take up residence in Maine. This amendment falls short by not directing the task force to evaluate the independence and impartiality of foreign courts and proper evidentiary requirements in determining guilt or innocence.

Men and Women of the House, to insure the integrity of our foundational premises of "innocent until proven guilty," and due process, it's imperative that not only the crimes by consistent in nature and severity as those we carry on our own statutes, but the judicial system that has determined guilt and innocence reflect the high standards to which our own courts aspire. Additionally, convictions based on extortion, coercion, or torture, common in many parts of the world, should be carefully examined.

Mr. Speaker, Men and Women of the House, when we consider the questions of innocence and guilt and justice, we should carefully consider issues of equivalency, not only in the nature of the adjudicated crime committed, but also in the nature

of the system that determines the critical issues of innocence and guilt. We should make sure that if we are to implement a public safety regime that stigmatizes those who are indeed guilty, we need to insure that they are indeed guilty according to the high standards to which our own judicial system aspires. Thank you.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Wilson.

Representative WILSON: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise for just a quick moment. I serve on Criminal Justice and we considered this measure, and I want to say thank you to the Representative from Calais, Representative Maker, first off, for bringing this forward. It's a really important issue and the report that came out, that report ultimately wasn't because we didn't believe it wasn't a good issue, because we knew that it was. We struggled with how to administer that type of a system that was being proposed. Nonetheless, I thank the Representative from Calais. What I wanted to mention though really quickly because of comments that were made from the Representative from Freedom is, under the current system, we can already notify anybody of foreign convictions and that's important for us to know. While we may not be able to place them on the registry, we can already notify them. So I think that having a task force look at how we would notify them and how best to notify them of those foreign convictions is absolutely a great idea. I thank the Representative again from Calais for bringing forward this House Amendment because I think it makes sense. We should look at how we can notify them in a better and more timely manner because, you know, really, time is of the essence when you are dealing with types of convictions. Yes, the Representative from Freedom is correct. We can't put them on the registry, but there is nothing wrong and nothing unconstitutional with us currently, under current law, notifying individuals within our community of foreign convictions or convictions done in other states. We can already do that and we should already be doing that. Police chiefs have done that, sheriffs have done that and I encourage them to do that, and we should have them work together collaboratively to find a better way of notifying them because I think our communities have the right to know if somebody has been convicted. Even though the standards of foreign countries may not be the same as ours, they still have the right to know of a foreign conviction regardless of those standards. That's my opinion and I hope that you'll support me and support the Representative from Calais today.

Subsequently, **House Amendment "A" (H-619) to Committee Amendment "A" (H-600) was ADOPTED.**

Committee Amendment "A" (H-600) as Amended by House Amendment "A" (H-619) thereto was ADOPTED.

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

Under further suspension of the rules the Bill was: **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-600) as Amended by House Amendment "A" (H-619) thereto and sent for concurrence.**

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

SENATE PAPERS

The following Joint Resolution: (S.P. 715)

**JOINT RESOLUTION RECOGNIZING FEBRUARY AS
2-1-1 MAINE MONTH**

WHEREAS, 2-1-1 Maine is a comprehensive statewide directory of over 8,000 health and human services available in the State; and

WHEREAS, in order to promote the 2-1-1 Maine health and human services and emergency preparedness hotline, which helps Maine citizens get access to needed resources, we recognize February 2014 as 2-1-1 Maine Month; and

WHEREAS, 2-1-1 Maine helps to identify existing gaps in health and human services; and

WHEREAS, throughout the State, 2-1-1 Maine provides around-the-clock service through efficient and effective responses to questions arising from the growing complexities and needs in health, socioeconomic and human services; and

WHEREAS, 2-1-1 Maine provides emergency operations during times of natural and other disasters, including providing accurate and timely information for preparations and longer-term referrals for follow-up services, and valuable information for community planning and for future matching of resources and unmet needs; and

WHEREAS, over the course of this winter's storms, 2-1-1 Maine assisted the Maine Emergency Management Agency and the United States Small Business Administration with data collection for Preliminary Damage Assessments in 4 counties in Maine in order to request Federal Emergency Management Agency emergency funding; and

WHEREAS, since 2006, 2-1-1 Maine call specialists have assisted with more than 508,000 requests to locate health and human services information; and

WHEREAS, 2-1-1 Maine handles a number of specialized services, including assisting the Maine Center for Disease Control and Prevention with H1N1 influenza calls and the gambling helpline, and is also a resource to find information about such needs as heating assistance and tax preparation; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize February 2014 as 2-1-1 Maine Month.

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

READ and **ADOPTED** in concurrence.

The following Joint Resolution: (S.P. 716)

**JOINT RESOLUTION RECOGNIZING JUNE 7, 2014 AS
AROOSTOOK ASPIRATIONS INITIATIVE DAY**

WHEREAS, the Aroostook Aspirations Initiative is a project established to support the pursuit of higher education for students in Aroostook County, thereby encouraging economic development in the region; and

WHEREAS, the Aroostook Aspirations Initiative was founded by Raynold and Sandra Gauvin and Jason Parent, and the Gauvins provided \$300,000 to establish a scholarship fund for students in Aroostook County as an investment in the region's future prosperity; and

WHEREAS, the scholarship fund's purpose is to promote higher education by providing a \$1,000 scholarship each year for up to 4 years for a senior in each of the 16 high schools in Aroostook County, keeping Aroostook County students in Aroostook County; and

WHEREAS, each student will attend a higher education institution in the region, including Husson University, Northern

Maine Community College, the University of Maine at Fort Kent and the University of Maine at Presque Isle, and these 4 institutions will provide matching funds in each student's 2nd year further encouraging and supporting student success and promoting local higher education for local scholars; and

WHEREAS, the Aroostook Aspirations Initiative includes internship and entrepreneurial components and emphasizes the importance of encouraging the creativity, work ethic and solid citizenship of Aroostook County's young people; and

WHEREAS, the Aroostook Aspirations Initiative works with leading local businesses, nonprofit organizations and media partners in a collaborative approach to develop skills and networks of business and community connections; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, join with the citizens in Aroostook County in recognizing June 7, 2014 as Aroostook Aspirations Initiative Day in Maine.

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

READ and **ADOPTED** in concurrence.

BILLS IN THE SECOND READING

Senate as Amended

Resolve, To Create a State-run Virtual Academy Providing Maine Students with Access to Online Learning through Their Existing School Districts (EMERGENCY)

(S.P. 689) (L.D. 1736)

(C. "A" S-392)

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

On motion of Representative HUBBELL of Bar Harbor, was **SET ASIDE**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (S-392)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-631) to Committee Amendment "A" (S-392)** which was **READ**.

The **SPEAKER**: The Chair recognizes the Representative from Bar Harbor, Representative Hubbell.

Representative **HUBBELL**: Thank you, Mr. Speaker. This amendment simply removes the emergency preamble from the bill.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-631) to Committee Amendment "A" (S-392)**.

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 Adoption of House Amendment "A" (H-631) to Committee Amendment "A" (S-392). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 505

YEA - Beaudoin, Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Campbell J, Carey, Cassidy, Chenette, Chipman, Clark, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, Moriaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Peoples, Peterson, Plante, Powers, Priest,

Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Winchenbach, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Boland, Campbell R, Casavant, Chase, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Hayes, Jackson, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Wilson, Winsor, Wood.

ABSENT - Chapman, Johnson D, Kumiega, McLean, Saxton, Willette.

Yes, 88; No, 57; Absent, 6; Excused, 0.

88 having voted in the affirmative and 57 voted in the negative, with 6 being absent, and accordingly **House Amendment "A" (H-631)** to **Committee Amendment "A" (S-392)** was **ADOPTED**.

Committee Amendment "A" (S-392) as Amended by **House Amendment "A" (H-631)** thereto was **ADOPTED**.

The Resolve was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (S-392)** as Amended by **House Amendment "A" (H-631)** thereto in **NON-CONCURRENCE** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

Pursuant to his authority under House Rule 201.1 (H), the Chair appointed Representative COTTA of China to serve as Speaker Pro Tem when the House convenes on Thursday, February 27, 2014.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

On motion of Representative TIMBERLAKE of Turner, the House adjourned at 11:57 a.m., until 10:00 a.m., Thursday, February 27, 2014.