

MAINE STATE LEGISLATURE

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



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

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

Volume I

First Regular Session

December 1, 2004 - March 30, 2005

First Special Session

April 4, 2005 – May 25, 2005

Pages 1-736

ERRATA:

**The header on page H-711
of this file should read**

“May 24, 2005”

instead of

“May 25, 2005”.

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
FIRST SPECIAL SESSION
22nd Legislative Day
Tuesday, May 24, 2005

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

Prayer by Reverend Lionel G. Chouinard, Holy Trinity Parish, Lisbon Falls.

National Anthem by Monmouth Middle School 4th Grade Chorus.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 253)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

May 19, 2005

Honorable Beth Edmonds, President of the Senate

Honorable John Richardson, Speaker of the House

122nd Maine Legislature

State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1649 An Act To Amend the Maximum Allowable Tuition for Students

L.D. 1655 An Act To Establish the Maine Graduate Retention Loan Program

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Elizabeth H. Mitchell

Senate Chair

S/Rep. Jacqueline Norton

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 254)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

May 19, 2005

Honorable Beth Edmonds, President of the Senate

Honorable John Richardson, Speaker of the House

122nd Maine Legislature

State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 176 An Act To Eliminate Limitations on Access to Medications under Certain State Programs

L.D. 1072 An Act To Require Health Care Providers To Contain Costs

L.D. 1310 An Act To Ensure Rural Access to Prescription Drugs

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Arthur F. Mayo, III

Senate Chair

S/Rep. Hannah Pingree

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 255)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON JUDICIARY**

May 17, 2005

Honorable Beth Edmonds, President of the Senate

Honorable John Richardson, Speaker of the House

122nd Maine Legislature

State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 591 An Act To Clarify the Provisions for Child Support Orders Providing Health Insurance for Children

L.D. 718 An Act To Increase the Amount of Equity in a Principal Residence That Is Exempt from Attachment

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Barry J. Hobbins

Senate Chair

S/Rep. Deborah Pelletier-Simpson

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 256)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON JUDICIARY**

May 19, 2005

Honorable Beth Edmonds, President of the Senate

Honorable John Richardson, Speaker of the House

122nd Maine Legislature

State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 732 An Act To Provide a Defense in Protection from Abuse Orders

L.D. 894 An Act To Require Guardians ad Litem To Receive Counseling Training

L.D. 908 An Act To Protect Homosexuals from Discrimination

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,
S/Sen. Barry J. Hobbins
Senate Chair
S/Rep. Deborah Pelletier-Simpson
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 257)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

May 19, 2005

Honorable Beth Edmonds, President of the Senate
Honorable John Richardson, Speaker of the House
122nd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Legal and Veterans Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 254 An Act To Change the Minimum Requirement for a Political Party To Be Recognized
L.D. 1007 An Act To Eliminate Certain Limitations in the Siting of Agency Liquor Stores

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,
S/Sen. Kenneth T. Gagnon
Senate Chair
S/Rep. John L. Patrick
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 258)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON NATURAL RESOURCES**

May 19, 2005

Honorable Beth Edmonds, President of the Senate
Honorable John Richardson, Speaker of the House
122nd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 1664 An Act To Limit Mercury Emissions from Crematoria

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,
S/Sen. Scott W. Cowger
Senate Chair
S/Rep. Theodore Koffman
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 259)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON BUSINESS RESEARCH AND ECONOMIC
DEVELOPMENT**

May 19, 2005

Honorable Beth Edmonds, President of the Senate
Honorable John Richardson, Speaker of the House
122nd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1484 An Act To Protect Consumers and Enhance Real Estate Practice
L.D. 1651 An Act To Register Canadian Pharmacies To Provide Safe Reimportation of Prescription Drugs

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,
S/Sen. Lynn Bromley
Senate Chair
S/Rep. Nancy E. Smith
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 260)

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

May 23, 2005

Honorable Millicent M. MacFarland
Clerk of the House
#2 State House Station
Augusta, ME 04333-0002

Dear Clerk MacFarland:
Pursuant to my authority under Resolves 2005, Chapter 19, I am pleased to appoint the following to serve on the Secretary of State's Working Group to Develop Voting Systems Standards:

Edward Gorham of Randolph
Michael Bigos of Auburn
Trevor Bragdon of Augusta

Should you have questions regarding these appointments, please do not hesitate to contact me.

Sincerely,
S/John Richardson
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 344)

**MAINE SENATE
122ND LEGISLATURE
OFFICE OF THE SECRETARY**

May 23, 2005

Honorable John Richardson
Speaker of the House
2 State House Station
Augusta, ME 04333-0002

Dear Speaker Richardson:

In accordance with Joint Rule 506 of the 122nd Maine Legislature, please be advised that the Senate today confirmed the following nominations upon the recommendation of the Committee on Education and Cultural Affairs:

The nomination of Charles J. O'Leary of Orono for appointment to the University of Maine System, Board of Trustees.

Cynthia Phinney of New Sharon and Merle R. Nelson of Falmouth for reappointment to the Maine Community College System, Board of Trustees. The nomination of Andrea L. Watkins of Windsor for appointment to the Maine Community College System, Board of Trustees.

The nomination of Terri L. Thompson of Gorham, Susan Blethen of Falmouth and William J. Horn of Lewiston for appointment to the Governor Baxter School for the Deaf, School Board. The nomination of Diane St. Lawrence of New Portland for reappointment to the Governor Baxter School for the Deaf, School Board.

The nomination of Dr. William F. Bergen of Presque Isle, Nancy J. Violette of Lisbon, and Margaret D. Copelin of Benton for reappointment to the Maine School of Science and Mathematics, Board of Trustees. The nomination of Samuel C. Goldman of Brooksville for appointment to the Maine School of Science and Mathematics, Board of Trustees.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Don Robataille, of Lewiston, who completed the daunting challenge of bicycling across America at 70 years of age. He continues to do long-distance bicycling, and is an inspiration for young and old. Married for 50 years and father of 5 children, Mr. Robataille worked for the Coca Cola Company for 35 years before retiring to realize his dream. We congratulate Mr. Robataille on his transcontinental journey and extend our wishes for many more adventures;

(HLS 122)

Presented by Representative CRAVEN of Lewiston.

Cosponsored by Representative SAMPSON of Auburn, Representative MAKAS of Lewiston, Representative WALCOTT of Lewiston, Representative O'BRIEN of Lewiston, Senator ROTUNDO of Androscoggin.

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

READ.

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

Recognizing:

Martin E. Ryan, of Wells, Director of Athletics at Kennebunk High School, who has been chosen as the 2005 National Athletic Director of the Year by the National Council of Secondary School Athletic Directors. Mr. Ryan is recognized as an outstanding leader who maintains athletics as an integral part of the total educational program. As an exemplary administrator, he promotes the involvement of as many students as possible and emphasizes both athletic and academic achievement. He is committed to excellence and to the young people at Kennebunk High School for whom he promotes athletics as a vehicle to learn important lessons about life. We extend our congratulations to Mr. Ryan on his receiving this award;

(HLS 754)

Presented by Representative BABBIDGE of Kennebunk.

Cosponsored by Senator SULLIVAN of York, Senator NASS of York, Representative COLLINS of Wells, Representative DAIGLE of Arundel, Representative SEAVEY of Kennebunkport, Representative MOULTON of York.

On **OBJECTION** of Representative BABBIDGE of Kennebunk, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. This is the first time that I have risen to speak on a sentiment.

Mr. Speaker, Men and Women of the House, this is a special honor for me. Marty Ryan is a friend and colleague at Kennebunk High School. Perhaps you have heard this story about Bobby Jones, who was a great golfer and the most admired sportsman of his time.

Jones addressed the ball in the woods and inadvertently touched it. When he returned to the fairway he announced his error and took the penalty stroke. He ended up losing the tournament by one stroke. The newspapers heralded him for his honesty. Jones was confused by the hoopla and stated, "You don't congratulate a fellow for not robbing a bank, do you? Honesty should be expected." Likewise, when Mr. Ryan first came to Kennebunk and organized an awards night, he put together a great program. At lunch the next day I congratulated him on an outstanding job. His reply, "Chris did you expect something other than that?" Mr. Ryan is committed to excellence. He has added to each season's awards banquet a surprise student speaker who reflects on the impact athletics has made in his or her life, and this has become one of the most moving, and inspiring, experiences for those fortunate to be in attendance.

Marty Ryan has been an educator for thirty-six years, the last twenty-six as athletic director in Wells and Kennebunk. He is a published writer and recognized leader, having served as the Executive Director of the Maine Interscholastic Athletic Administrators Association.

Nominated by Principal Nelson Beaudoin for this award, Mr. Ryan was selected as the 12-state Eastern Region nominee, one of six finalists nationwide who traveled to Chicago in search of the honor bestowed on Mr. Ryan. I congratulate Marty Ryan for being recognized for exemplifying the highest standards of his profession as the 2005 Athletic Director of the Year. Thank you Mr. Speaker.

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

Representative **COLLINS**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have known Marty Ryan for a good many years. He worked for the Wells School System as a mentor for many children going through the system.

Marty was a very strict disciplinarian, which was good for our youth. He always stressed honesty, hard work and doing the right thing. Many of us in Wells were saddened when he left the Wells system and went to our neighbor to the north, Kennebunk. Both towns have been enriched by his guidance and help with our youth.

Throughout the years in the Wells system Marty produced many a championship team. Always guiding the youth in the right way. My congratulations to Marty on receiving this award. It is well deserved.

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

Representative **HOGAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I too know Marty Ryan quite well. I was a coach at Old Orchard Beach for quite a few years and we actually coached against each other obviously. He was a pain in the you know what, but I say that in all do respect because when you played a Marty Ryan football team you had to be prepared to play your best and do your best because if you didn't you were going to get white washed. He is an outstanding man.

While doing play by play radio for some of the Biddeford and Thornton football games, I actually had him on the radio at half time and I got into the history of Marty a little bit. Very, very impressive and I am sure this is very well deserved today. Marty I see you up in the audience there, so congratulations to you.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative Sykes.

Representative **SYKES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I would also like to offer my congratulations to Marty Ryan on this award. Whether it was at Wells High School or Kennebunk High School or working with the Maine Principals Association committees, Marty was a quality individual and I think probably the greatest attribute that I can cite from Marty is the positive role model that he presented to youngsters under his control. Kennebunk High School and Wells High School, which are high schools that I was associated with were competitors, always well respected and I think a lot of this is because of Marty Ryan's dedication and I offer my congratulations to Marty on this well deserved award. Thank you.

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

Representative **BOWLES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Obviously Marty Ryan has many friends in this body and over the years he has made many friends amongst the students and the faculty that served with them.

My wife's family all attended Wells High School and I have known Marty for years and I have known of him and his exploits. I know the regard that my family has had for Marty and we appreciate all that he has done for the youth of Maine.

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

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

Expression of Legislative Sentiment recognizing Don Robataille, of Lewiston.

(HLS 122)

Which was **TABLED** by Representative CUMMINGS of Portland pending **PASSAGE**.

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

Representative **CRAVEN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am really proud to welcome Don Robitaille and his wife Jeanine to the Maine State House of Representatives today. Don has lived in Lewiston all his life and took early retirement to realize his dream of cycling across America.

I met Don last summer when he was the guest speaker at a meeting of L.A. Trails, to which I belong, to tell his story. My admiration for him grew when I discovered that he was a great storyteller as well as a great athlete, and what better fodder for stories than the people he met and got to know on his adventure?

When Don turned 70 years old he took his bike and cycled clear across the United States without company and without support. He completed the journey in three months. Three years later Don continues to be an avid bicyclist. Don is an inspiration and model for everyone to stay active and healthy regardless of their age. I want to publicly congratulate Don for being a true Maine hero that the rest of us can emulate as we age. Thank you Mr. Speaker.

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-226)** on Bill "An Act To Prevent Campaigning at Polling Places"

(S.P. 572) (L.D. 1598)

Signed:

Senators:

PLOWMAN of Penobscot

GAGNON of Kennebec

Representatives:

FISHER of Brewer

OTT of York

PINKHAM of Lexington Township

VALENTINO of Saco

HOTHAM of Dixfield

MOORE of Standish

BLANCHETTE of Bangor

BROWN of South Berwick

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

Signed:

Senator:

MITCHELL of Kennebec

Representatives:

PATRICK of Rumford

TUTTLE of Sanford

Came from the Senate with the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

On motion of Representative PATRICK of Rumford, the Minority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass** on Resolve, Directing the Department of Professional and Financial Regulation and the Maine Community College System To Develop a Proposal To Certify Home Repair Tradespersons To Perform Limited Plumbing and Electrical Work (H.P. 987) (L.D. 1423)

Signed:

Senators:

BROMLEY of Cumberland
HOBBINS of York

Representatives:

SMITH of Monmouth
FARRINGTON of Gorham
BEAUDETTE of Biddeford
JACOBSEN of Waterboro
CROSBY of Topsham

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

Signed:

Senator:

DOW of Lincoln

Representatives:

O'BRIEN of Lewiston
AUSTIN of Gray
ROBINSON of Raymond
RECTOR of Thomaston
BERUBE of Lisbon

READ.

Representative SMITH of Monmouth moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Prohibit a Registered Sex Offender from Residing within 1,000 Feet of the Residence of Any Child, a School, Day Care Center or Playground"

(H.P. 207) (L.D. 282)

Signed:

Senator:

DIAMOND of Cumberland

Representatives:

BLANCHETTE of Bangor
PLUMMER of Windham
HANLEY of Gardiner
CHURCHILL of Washburn
GERZOFKY of Brunswick
SYKES of Harrison
GROSE of Woolwich
PARADIS of Frenchville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-471)** on same Bill.

Signed:

Senators:

CLUKEY of Aroostook
NUTTING of Androscoggin

Representatives:

GREELEY of Levant
DAVIS of Augusta

READ.

On motion of Representative BLANCHETTE of Bangor, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-464)** on Bill "An Act To Restore Funding for the Reading Recovery Program"

(H.P. 1138) (L.D. 1615)

Signed:

Senator:

SCHNEIDER of Penobscot

Representatives:

DAVIS of Falmouth
FINCH of Fairfield
EDGECOMB of Caribou
GOLDMAN of Cape Elizabeth
STEDMAN of Hartland
CAIN of Orono
MERRILL of Appleton

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

Signed:

Senators:

MITCHELL of Kennebec
TURNER of Cumberland

Representatives:

NORTON of Bangor
MAKAS of Lewiston
LANSLEY of Sabattus

READ.

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

Representative STEDMAN of Hartland **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority **Ought to Pass as Amended** Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 190

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Bierman, Bishop, Blanchard, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brautigam, Brown R, Browne W, Bryant, Bryant-Deschenes, Burns, Cain, Campbell, Canavan, Carr, Cebra, Churchill, Clark, Clough, Collins, Craven, Cressey, Crosby, Crosthwaite, Cummings, Curley, Curtis, Davis G, Davis K, Driscoll, Duchesne, Dunn, Duplessie, Duprey, Eberle, Eder, Edgecomb, Emery, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Fletcher, Flood, Glynn, Goldman, Grose, Hall, Hamper, Hanley B, Hanley S, Harlow, Hogan, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Koffman, Lansley, Lerman, Lewin, Lindell, Lundeen, Makas, Marean, Marley, Mazurek, McCormick, McFadden, McKane, McKenney, McLeod, Merrill, Miller, Millett, Mills, Moody, Moore G, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Ott, Paradis, Patrick, Pelletier-Simpson, Percy, Perry, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Rector, Richardson D, Richardson E, Richardson M,

Richardson W, Rines, Robinson, Rosen, Sampson, Saviello, Schatz, Seavey, Sherman, Shields, Smith N, Smith W, Stedman, Sykes, Tardy, Thomas, Thompson, Trahan, Tuttle, Twomey, Valentino, Vaughan, Walcott, Watson, Wheeler, Woodbury, Mr. Speaker.

NAY - NONE.

ABSENT - Berube, Daigle, Dudley, Dugay, Gerzofsky, Greeley, Hotham, Marraché, Webster.

Yes, 142; No, 0; Absent, 9; Excused, 0.

142 having voted in the affirmative and 0 voted in the negative, with 9 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-464)** was **READ** by the Clerk and **ADOPTED.** The Bill was assigned for **SECOND READING** Wednesday, May 25, 2005.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Amend the Land Use Regulation Laws"

(H.P. 488) (L.D. 668)

Signed:

Senators:

HOBBS of York
BROMLEY of Cumberland

Representatives:

PELLETIER-SIMPSON of Auburn
FAIRCLOTH of Bangor
GERZOFKY of Brunswick
CANAVAN of Waterville
BRYANT of Windham
DUNN of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-465)** on same Bill.

Signed:

Senator:

HASTINGS of Oxford

Representatives:

SHERMAN of Hodgdon
CARR of Lincoln
BRYANT-DESCHENES of Turner
NASS of Acton

READ.

Representative PELLETIER-SIMPSON of Auburn moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending her 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:

(H.P. 211) (L.D. 286) Bill "An Act To Eliminate the State Planning Office" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-476)**

(H.P. 584) (L.D. 825) Resolve, To Establish 3-1-1 as a Statewide Business Assistance Services Line Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-475)**

(H.P. 680) (L.D. 970) Bill "An Act To Improve Sentencing for Serious Offenders" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-474)**

(H.P. 804) (L.D. 1161) Bill "An Act To Require Notification from the Department of Environmental Protection and the Maine Land Use Regulation Commission upon Permit Application, Issuance and Denial" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-477)**

(H.P. 990) (L.D. 1426) Bill "An Act To Amend Certain Milk and Milk Products Laws" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-470)**

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

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

BILLS IN THE SECOND READING

House

Bill "An Act To Ensure Fair Reimbursement for the Medical Care Provided to State Inmates"

(H.P. 20) (L.D. 17)

House as Amended

Bill "An Act To Improve the Efficiency of the Legislature"

(H.P. 567) (L.D. 802)

(C. "A" H-447)

Bill "An Act Relating to Disclosures in Political Advertising"

(H.P. 771) (L.D. 1118)

(C. "A" H-451)

Resolve, To Encourage Personal and Family Financial Management Education (EMERGENCY)

(H.P. 916) (L.D. 1318)

(C. "A" H-463)

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.

Bill "An Act To Repeal the Tax on Private Nonmedical Institutions" (EMERGENCY)

(S.P. 52) (L.D. 146)

(C. "A" S-173)

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

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

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended.**

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

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

ROLL CALL NO. 191

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Bierman, Bishop, Blanchard, Blanchette, Bliss, Bowen, Bowles, Brautigam, Brown R, Browne W, Bryant, Bryant-

Deschenes, Burns, Cain, Campbell, Canavan, Carr, Cebra, Churchill, Clark, Clough, Collins, Craven, Cressey, Crosby, Crosthwaite, Cummings, Curley, Curtis, Davis G, Davis K, Duchesne, Dudley, Dunn, Duprey, Eberle, Eder, Edgecomb, Emery, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Fletcher, Gerzofsky, Glynn, Goldman, Grose, Hall, Hamper, Hanley B, Hanley S, Harlow, Hogan, Hotham, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Koffman, Lansley, Lewin, Lindell, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McFadden, McKane, McKenney, McLeod, Merrill, Miller, Millett, Mills, Moody, Moore G, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Ott, Paradis, Patrick, Percy, Perry, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Rines, Robinson, Rosen, Sampson, Saviello, Schatz, Seavey, Sherman, Shields, Smith N, Smith W, Stedman, Sykes, Tardy, Thomas, Thompson, Trahan, Tuttle, Valentino, Vaughan, Watson, Wheeler, Woodbury, Mr. Speaker.

NAY - Brannigan, Flood, Pelletier-Simpson, Twomey, Walcott.

ABSENT - Berube, Daigle, Driscoll, Dugay, Duplessie, Greeley, Lerman, Webster.

Yes, 138; No, 5; Absent, 8; Excused, 0.

138 having voted in the affirmative and 5 voted in the negative, with 8 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

Bill "An Act To Amend the Hospital Tax"

(S.P. 224) (L.D. 687)
(C. "A" S-164)

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

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

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended.**

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

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

ROLL CALL NO. 192

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Bierman, Bishop, Blanchard, Blanchette, Bliss, Bowen, Bowles, Brautigam, Brown R, Browne W, Bryant, Bryant-Deschenes, Burns, Cain, Campbell, Canavan, Carr, Cebra, Churchill, Clark, Clough, Collins, Craven, Cressey, Crosby, Crosthwaite, Cummings, Curley, Curtis, Davis G, Davis K, Duchesne, Dunn, Duprey, Eberle, Edgecomb, Emery, Farrington, Finch, Fischer, Fitts, Fletcher, Flood, Gerzofsky, Glynn, Goldman, Grose, Hamper, Hanley B, Hanley S, Harlow, Hogan, Hotham, Hutton, Jackson, Jacobsen, Jennings, Joy, Kaelin, Koffman, Lansley, Lewin, Lindell, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McFadden, McKane, McKenney, McLeod, Merrill, Miller, Millett, Moody, Moore G, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Ott, Paradis, Patrick, Percy, Perry, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Rines, Robinson, Rosen, Sampson, Saviello,

Schatz, Seavey, Shields, Smith N, Smith W, Stedman, Sykes, Tardy, Thomas, Thompson, Trahan, Tuttle, Valentino, Vaughan, Watson, Wheeler, Woodbury, Mr. Speaker.

NAY - Brannigan, Dudley, Eder, Pelletier-Simpson, Sherman, Twomey, Walcott.

ABSENT - Berube, Daigle, Driscoll, Dugay, Duplessie, Faircloth, Fisher, Greeley, Hall, Jodrey, Lerman, Mills, Webster.

Yes, 131; No, 7; Absent, 13; Excused, 0.

131 having voted in the affirmative and 7 voted in the negative, with 13 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

Bill "An Act To Repeal Tax and Match"

(S.P. 236) (L.D. 699)
(C. "A" S-193)

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

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

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended.**

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

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

ROLL CALL NO. 193

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Bierman, Bishop, Blanchard, Blanchette, Bowen, Bowles, Brautigam, Brown R, Browne W, Bryant, Bryant-Deschenes, Burns, Cain, Campbell, Canavan, Carr, Cebra, Churchill, Clark, Clough, Collins, Craven, Cressey, Crosby, Crosthwaite, Cummings, Curley, Curtis, Davis G, Davis K, Duchesne, Dunn, Duprey, Eberle, Edgecomb, Emery, Faircloth, Farrington, Finch, Fischer, Fitts, Fletcher, Flood, Gerzofsky, Glynn, Goldman, Greeley, Grose, Hall, Hamper, Hanley B, Hanley S, Harlow, Hogan, Hotham, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Koffman, Lansley, Lewin, Lindell, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McFadden, McKane, McKenney, McLeod, Merrill, Miller, Millett, Moody, Moore G, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Ott, Paradis, Patrick, Percy, Perry, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Rines, Robinson, Rosen, Sampson, Saviello, Schatz, Seavey, Shields, Smith N, Smith W, Stedman, Sykes, Tardy, Thomas, Thompson, Trahan, Tuttle, Valentino, Vaughan, Watson, Wheeler, Woodbury, Mr. Speaker.

NAY - Brannigan, Dudley, Eder, Hutton, Mills, Pelletier-Simpson, Sherman, Twomey, Walcott.

ABSENT - Berube, Bliss, Daigle, Driscoll, Dugay, Duplessie, Fisher, Lerman, Webster.

Yes, 133; No, 9; Absent, 9; Excused, 0.

133 having voted in the affirmative and 9 voted in the negative, with 9 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended** in **NON-CONCURRENCE** and sent for concurrence.

Bill "An Act To Require a Criminal Background Check for the Initial Licensure of Emergency Medical Services Personnel"

(H.P. 702) (L.D. 1018)

(C. "A" H-472)

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

On motion of Representative TUTTLE of Sanford, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENGROSSED** as Amended and later today assigned.

Bill "An Act To Require Alcohol Retailers To Post Signs Regarding the Laws Governing Alcohol"

(H.P. 738) (L.D. 1085)

(C. "A" H-455)

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

On motion of Representative RINES of Wiscasset, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENGROSSED** as Amended and later today assigned.

ENACTORS

Emergency Measure

An Act To Promote Economic Development in Commercial and Downtown Areas of the State

(S.P. 463) (L.D. 1336)

(C. "A" S-204)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 119 voted in favor of the same and 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding the Unused Pharmaceutical Disposal Program

(S.P. 609) (L.D. 1644)

(H. "A" H-426)

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

Emergency Measure

Resolve, To Establish a Commission To Evaluate Criteria for Siting Agency Liquor Stores

(S.P. 574) (L.D. 1600)

(C. "A" S-206)

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

On motion of Representative CUMMINGS of Portland, the Resolve was placed on the Special Study Table pursuant to Joint Rule 353 pending **PASSAGE TO BE ENACTED**.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 2: Aquaculture Lease Regulations - Lighting Standards and Noise and Visual Impact Standards, a Major Substantive Rule of the Department of Marine Resources

(H.P. 1142) (L.D. 1619)

(C. "A" H-408)

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

Mandate

An Act To Establish Harbor Master Standards and Training Requirements

(S.P. 584) (L.D. 1603)

(C. "A" S-207)

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

On motion of Representative CUMMINGS of Portland, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Acts

An Act To Recognize the Federal Salary Level for Overtime When Higher than the State Level

(H.P. 165) (L.D. 214)

An Act To Provide Tax Incentives to Small Businesses

(H.P. 446) (L.D. 613)

(C. "A" H-109; S. "B" S-191)

An Act Regarding the Collection, Use, Verification and Storage of Social Security Numbers

(H.P. 540) (L.D. 763)

(C. "A" H-368)

An Act Regarding Licensing Boards

(S.P. 505) (L.D. 1480)

(C. "A" S-208)

An Act To Amend the Laws Governing Reimbursement of Nursing Facilities and Nursing Home Admission Contracts

(S.P. 509) (L.D. 1483)

(C. "A" S-211)

An Act To Increase Faculty in Maine Nursing Education Programs

(H.P. 1051) (L.D. 1494)

(C. "A" H-401)

An Act Pertaining to Reporting of Prescription Drug Advertising Costs

(S.P. 534) (L.D. 1539)

(C. "A" S-210)

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 Improve Procedures for Assessing the Mental Health Services Needs of Older Individuals

(S.P. 171) (L.D. 545)
(C. "A" S-209)

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 Create Freedom of Citizen Information Regarding Ballot Questions

(H.P. 648) (L.D. 929)
(C. "A" H-412)

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

On motion of Representative PATRICK of Rumford, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and specially assigned for Wednesday, May 25, 2005.

An Act To Increase County Filing Fees

(H.P. 745) (L.D. 1092)

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

On motion of Representative TARDY 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: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 194

YEA - Adams, Ash, Babbidge, Barstow, Beaudette, Bishop, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Bryant-Deschenes, Burns, Cain, Canavan, Craven, Crosby, Crosthwaite, Cummings, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Eberle, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Goldman, Grose, Hanley S, Harlow, Hogan, Jackson, Jennings, Koffman, Lundeen, Makas, Marley, Marraché, Mazurek, McFadden, Miller, Moody, Moulton, Muse, Norton, Ott, Paradis, Patrick, Pelletier-Simpson, Percy, Perry, Pilon, Pineau, Pingree, Piotti, Plummer, Rines, Sampson, Saviello, Schatz, Smith N, Smith W, Thompson, Twomey, Valentino, Walcott, Watson, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Bierman, Bowen, Bowles, Brown R, Browne W, Campbell, Carr, Cebra, Churchill, Clark, Clough, Collins, Cressey, Curley, Curtis, Davis G, Davis K, Duprey, Edgecomb, Fitts, Fletcher, Flood, Glynn, Greeley, Hall, Hamper, Hanley B, Hotham, Jacobsen, Jodrey, Joy, Kaelin, Lansley, Lewin, Lindell, Marean, McCormick, McKane, McKenney, Merrill, Millett, Moore G, Nass, Nutting, Ott, Pinkham, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Seavey, Sherman, Shields, Stedman, Sykes, Tardy, Thomas, Trahan, Tuttle, Vaughan.

ABSENT - Berube, Daigle, Dugay, Eder, Emery, Hutton, Lerman, McLeod, Mills, O'Brien, Webster.

Yes, 76; No, 64; Absent, 11; Excused, 0.

76 having voted in the affirmative and 64 voted in the negative, with 11 being absent, and accordingly the Bill was

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

Resolve, Regarding the No Child Left Behind Act of 2001

(S.P. 212) (L.D. 676)
(C. "A" S-200)

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

On motion of Representative TARDY 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.

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.

ROLL CALL NO. 195

YEA - Adams, Ash, Babbidge, Barstow, Beaudette, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Campbell, Canavan, Clark, Craven, Crosby, Cummings, Davis G, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Gerzofsky, Glynn, Goldman, Grose, Hanley S, Harlow, Hogan, Hutton, Jackson, Jennings, Jodrey, Koffman, Lansley, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, Merrill, Miller, Moody, Norton, O'Brien, Paradis, Patrick, Pelletier-Simpson, Percy, Perry, Pilon, Pineau, Pingree, Piotti, Richardson D, Rines, Sampson, Saviello, Schatz, Shields, Smith N, Smith W, Stedman, Thompson, Trahan, Tuttle, Twomey, Valentino, Walcott, Watson, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Bierman, Bishop, Bowen, Bowles, Brown R, Browne W, Bryant-Deschenes, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosthwaite, Curley, Curtis, Davis K, Duprey, Edgecomb, Fletcher, Flood, Greeley, Hall, Hamper, Hanley B, Hotham, Jacobsen, Joy, Kaelin, Lewin, Lindell, McCormick, McFadden, McKane, McKenney, Millett, Moore G, Moulton, Muse, Nass, Nutting, Ott, Pinkham, Plummer, Rector, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Seavey, Sherman, Sykes, Tardy, Thomas, Vaughan.

ABSENT - Berube, Daigle, Dugay, Emery, Lerman, McLeod, Mills, Webster.

Yes, 85; No, 58; Absent, 8; Excused, 0.

85 having voted in the affirmative and 58 voted in the negative, with 8 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Resolve, To Increase Small Business Access to State Contracts

(H.P. 699) (L.D. 1015)
(C. "A" H-400)

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

On motion of Representative CUMMINGS of Portland, 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.

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.

ROLL CALL NO. 196

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Bierman, Bishop, Blanchard, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brautigam, Brown R, Browne W, Bryant, Bryant-Deschenes, Burns, Cain, Campbell, Canavan, Carr, Cebra, Churchill, Clark, Clough, Collins, Craven, Cressey, Crosby, Crosthwaite, Cummings, Curley, Curtis, Davis G, Davis K, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Duprey, Eberle, Eder, Edgecomb, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Glynn, Greeley, Grose, Hall, Hamper, Hanley B, Hanley S, Harlow, Hogan, Hotham, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Koffman, Lansley, Lewin, Lindell, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McFadden, McKane, McKenney, Merrill, Miller, Millett, Mills, Moody, Moore G, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Ott, Paradis, Patrick, Pelletier-Simpson, Percy, Perry, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Rines, Robinson, Rosen, Sampson, Saviello, Schatz, Seavey, Sherman, Shields, Smith N, Smith W, Stedman, Sykes, Tardy, Thomas, Thompson, Trahan, Tuttle, Twomey, Valentino, Vaughan, Walcott, Watson, Wheeler, Woodbury, Mr. Speaker.

NAY - NONE.

ABSENT - Berube, Daigle, Dugay, Emery, Goldman, Lerman, McLeod, Webster.

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

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 (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (H-369)** - Committee on **TRANSPORTATION** on Bill "An Act To Reduce School Truancy"

(H.P. 370) (L.D. 495)

TABLED - May 17, 2005 (Till Later Today) by Representative MARLEY of Portland.

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

Representative TARDY of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought to Pass as Amended** Report.

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

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Marley.

Representative **MARLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I was excited there for a moment. It looked like it was going to go under the hammer so just to give you an idea of what this report does is that it clarifies that public school students under the age of 17 may not apply for a permit or a license unless they can declare

that they have not been habitually truant and it also repeals this provision June 2008 and we put the sunset in there because of concerns that if this law went into effect and there are unintended consequences, though we believe that the only consequences are going to be positive consequences that will help address the drop out rate and the truancy problems. It would be an opportunity for the Legislature to look at this and review this issue again.

I am special education teacher when I am not in the Legislature and truancy is a significant problem in our public schools and I don't think anyone would argue that it is generally accepted that the amount of money one will earn in their lives can be tied to the amount of education they have.

Currently, the law makes the parent responsible for the child's school attendance. As we have heard - and as many of us have spoken about anecdotally - there are number of parents, grandparents and others in roles of guardianship that have students that are out of control and they don't know how to say no and they don't know how to deal with the attendance issue.

Currently, 23 states link the ability to get a drivers license with school attendance and I was going to just hit on a couple of those to give you some of the success stories and then hopefully that will be the only time I get up. I won't drag this out.

West Virginia first had the law in 1988, tying attendance to the license. State drop out rates were at 16% at that time and by the year 1997 that had dropped to 2.89%. Tennessee, they suspend, which is different than what we would do which would be up front. A student wouldn't be able to apply for a license, but they would not be suspended. Tennessee suspends the driving privileges of truant teenagers. From 1988 - 1999 they saw a decrease of 27% in truancy and then Florida over the last six years has tied the license to attendance data and have shown a 2.4% decrease in their drop out rate and an 11.4% increase in their graduation rate.

If you have worked with young people in school they talk about that independence that a license brings them. If you are talking about the maturity, and judgment and responsibility that should be demonstrated by a young person who wants to have the privilege to drive, they are similar as to the responsibilities of what school attendance asks for and what they need to do in the schools. We hope that you will support the Minority Report. Thank you.

Representative CANAVAN of Waterville assumed the Chair. The House was called to order by the Speaker Pro Tem.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Makas.

Representative **MAKAS**: Madam Speaker, Men and Women of the House. This is a bill that I submitted at the request of the Lewiston School Department and the Lewiston Police Department. Since that time we have had public hearings on the issue and there were many important points raised. We had a lot of calls from people that encouraged my support of it.

I wanted to point out a couple of issues of importance. One, this is only one solution to the problem of truancy. As the truant officer in Lewiston said, there are many things that can be done and this may only result in a small percentage of those who are truant going back to school, but every percentage, every student is important. Secondly, important testimony was presented by the Lewiston Police Department showing the amount of crime that was committed during school hours by juveniles and factoring out crimes that were committed within the school walls.

So, it was clearly crimes being committed by juveniles during the time when they should have been in school.

I wanted to highlight a couple of points. One of them, this law only applies to 15 and 16 year olds. Secondly, it only applies to applications for learner's permits and applications for drivers licenses. This does not take either of these away, it simply means that the young person will have difficulty getting those two things. Thirdly, the burden of proof is on the students themselves. The student must go to the school and get a form saying that they have not been declared a habitual truant. There is no burden on the Secretary of State's office. As some people pointed out this is only one of many things that a person must submit to show that they are eligible for either a learner or drivers permit. Fourthly, the term habitual truant is already defined by the law. Specifically, it is seven unexcused absences in a row or ten unexcused absences during a school term. Note that these are unexcused absences. Excuses can be made for valid reasons. The classification of someone as a habitual truant is appealable to the school or school board.

The final thing I wanted to mention is that the two strongest arguments against this law, one of them a number of people said isn't school attendance the responsibility of the parents. That would be so in an ideal world and as a truant officer in Lewiston pointed out, it is easy when the child is eight or nine or ten years old, but not when you are dealing with a student who is 15 or 16 and in many instances may be larger or stronger than the parent or parents. Secondly, the people pointed out that there may be a connection between school truancy and driving and a number of people said that it deals with responsibility.

I would like to conclude with one example: After the public hearings I received a call from a woman in my district. She was a grandmother and she asked me to please help to get this bill enacted. She said that her granddaughter who lives with her is "out of control" and when I told her that some people had questioned the connection between truancy and driver's permits and licenses she said that there was, of course, a connection. She said, "If a child or young person is not responsible enough to go to school I certainly don't want them driving around." So, please keep this grandmother in mind, as well as the many other parents, and grandparents who have asked us for their assistance in passing this legislation. I ask you to support the pending Ought to Pass motion on this bill. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Standish, Representative Moore.

Representative **MOORE**: Madam Speaker, May I pose a question through the Chair?

The SPEAKER PRO TEM: The Representative may pose his question.

Representative **MOORE**: Madam Speaker, Ladies and Gentlemen of the House. During the remarks that were just made there was reference to the definition of habitual truancy and that it is firmly established.. Nonetheless my experience has been that excused and unexcused absences vary from one school district to another. What might be excused in one district is not excused in another. I would like to ask if that has been explored by the actions of the committee?

The SPEAKER PRO TEM: The Representative from Standish, Representative Moore has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Portland, Representative Marley.

Representative **MARLEY**: Madam Speaker, Ladies and Gentlemen of the House. The good Representative from Standish is, I believe, a former superintendent and so he knows educational issues. If we are going by the state definition of

habitual truant, which we all know that the records are fairly clear and identified. Unexcused absences would not be included. I believe that there is actually a certification for students who are declared habitually truant and that may be under the current law as far as what the education committee passed two years ago so we are voting on that truancy law.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rockland, Representative Mazurek.

Representative **MAZUREK**: Madam Speaker, Ladies and Gentlemen of the House. I am going to ask you today to support the minority report because truancy is a very serious problem that occurs in many of our schools throughout the state.

I was a teacher in Connecticut, Rhode Island, Massachusetts and now in Maine and in each of those states kids who were truant caused problems and there was a common thread that kind of wove itself amongst all of those and that was the fact that truant kids usually result in poor grades and poor behavioral problems. When they were in school they were usually so far behind that they became discipline problems in the classes. They also cost us money. Usually these kids who quit school and do not graduate with good grades usually make less income and become use to our public assistance. They cost us more money, all of us.

We are talking here about people who are 16 and 17 years old and they need some guidance and direction. There are often other choices in the regular high school for them to get their education - the alternative school, home schooling and vocational schooling - so that they do have choices to get that education that is so vital for their success. We should be able to say no. We should not reward failure and bad behavior. Schools teach more than just the ABCs, they should be teaching responsibility, good citizenship and good behavior.

We already tell our students that we do interfere with their education. We say to our honor students in many cases that if they are on the honor roll then you are going to get a break in your insurance. We limit the number of hours a student may work. This law will go another step in helping our students become better citizens and better students. No it is not going to solve the truancy problem all by itself, but it is another tool to work toward that end.

We are often criticized that many of the laws we pass are simply laws without any teeth. However, this law does have some teeth. It is proactive and it puts some responsibility on the student. I hope you support me in the Minority Report, Ought to Pass. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Caribou, Representative Edgecomb.

Representative **EDGECOMB**: Madam Speaker, Ladies and Gentlemen of the House. A habitual truant is a student who is absent with unexcused absence for ten days total during the year or for seven consecutive days. I support efforts to keep kids in school, but this bill does not do that. The law currently provides a process with several steps, including an employer being in violation of the law for engaging or employing a truant student.

Here is why the law would not be effective. A student is not truant if the absence is excused. Some parents will send a note to school indicating that their child was sick. This would be an excused absence. Therefore, it would be easy for the student not to be in violation of the truancy law.

Most schools have very few habitual truancy cases. In my eight years as a school superintendent I only had to deal with one case. Furthermore, a student may choose to be a drop out to avoid loosing his or her license. Thank you Madam Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Frankfort, Representative Lindell.

Representative **LINDELL**: Madam Speaker, Men and Women of the House. Here we go again! Picking on the youngsters who can't vote. Targeting them for more laws, more legislation and more hoops that they have to jump through to go about their daily lives. Madam Speaker I have read the bill. I have read the summary and I have read the majority report and I have read the minority report.

What this does, is that it doesn't just target habitual truants. It targets every single applicant for a drivers permit under the age of seventeen. It forces them to prove that they are not truants. In other words it presumes that they are truants and forces them to come up with the proof that they are not truants in order to get their drivers permit. Let's let these kids grow into adulthood without putting all of these additional pressures and burdens upon them to address this tiny, tiny, tiny little problem that frankly, is not an issue that we should be concerning ourselves with here in this house for so long a time. Let's leave it to the school districts to deal with truancy. They have the laws on the books. Let's vote Ought Not to Pass. Thank you.

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

Representative **HOGAN**: Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this minority report and appreciate all of the comments by the Representatives before me.

I do believe that in a perfect world this would be a fine bill, but we don't live in a perfect world and we all know that. There are too many kids out there, too many young adults who, hypothetically, wake up in the morning and their mother is gone, there is no father or there is no proactive education in that house. I don't want to hurt those kids any more than they have been hurt. I want to create a light at the end of the tunnel. We have to do that for all of these people. They are our constituents too and we have to be concerned for them, as we all are.

Also, I do believe that there is a legal question. This is my opinion, but I do have some paper to substantiate that. Bob O'Connell from the Secretary of State's Office also believes that there may be a constitutional problem and he does believe that you cannot deny without due process. There is one thought. Also, from the Department of Education, Shellie Reed came before our committee and this was a very close vote, seven to six. Shellie Reed came to our committee and opposed the bill. She doesn't believe that holding a license over a truant's head is the right thing to do. It is not going to solve mental health issues and what other issues they might have. She does not believe that these two things should be tied together. Paul Westfall, the head of the Juvenile Justice Advisory Group also believes that tying a license to truancy is the wrong thing to do.

You have to be considerate of these young people. I realize, like I said, that in a perfect world this would be fine, but there are too many kids there that do not have a real shot at life and I do not believe that putting another curb in the road is the proper thing to do for these students. You have to understand that we have five teachers on our committee and so there lies a good part of the vote and I certainly do respect all of them, but I am going to vote with the majority and I am opposing the minority Ought to Pass. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Harrison, Representative Sykes.

Representative **SYKES**: Madam Speaker, Men and Women of the House. I have worked my professional career for twenty nine years as a High School Principal in this state. Truancy was a problem yesterday and truancy is a problem today and truancy

is going to be a problem tomorrow. This bill is not going to impact the truancy rate at all in my opinion.

These young men and women that I have worked with for an awful lot of time don't know what they are going to do twenty minutes from now, let alone make the connection between being truant and applying for an instructors permit to drive a car. One of the worst things about this bill is that it identifies, categorizes and labels these people as habitual truants for maybe two years and prohibits them from applying for this instructors permit. One of the best things that we can do with these kids is to say, "Look, you made a mistake yesterday, you're going to pay that penalty." Maybe it's Saturday detention or whatever it has to be, but we are not going to judge you by the mistakes you made yesterday, but rather judge you by what you do when you realize you have made a mistake. We should give them the opportunity to have good attendance for the next year and maybe even two, because the bill talks about the current year and maybe the proceeding year. Don't penalize these kids. Let's give them the opportunity and not pass this bill. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Frenchville, Representative Paradis.

Representative **PARADIS**: Madam Speaker, Ladies and Gentlemen of the House. I would like to speak now for the more rural areas of this state. Some of the unintended consequences of this minority report, in areas where you have limited public transportation limit's a young persons ability to drive and greatly impacts the family. A licensed juvenile may be very important to a family where both parents work and there may be errands to run and it may also negatively impact the juveniles ability to work outside the home.

Over the years, as a teacher and as a student before that I remember many so called truant students and they are also very dependable. Truancy is between the school and the family and that's where it should be dealt with and many of these truant kids, whether they lived on the farm and worked on the farm for example, were the best young drivers. This is entirely the wrong way to go at it and I would encourage you to vote against this pending motion. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Lewiston, Representative Makas.

Representative **MAKAS**: Madam Speaker, Men and Women of the House. I would like to emphasize a couple of points. First of all, it is that this will not have any impact on increasing drop out because we are only speaking about students who are 15 and 16. By law they are supposed to be in school, they cannot voluntarily drop out of school until they reach seventeen. Secondly, I want to reiterate that this legislation does not take a learner's permit or driver's license away from anybody. It simply does not allow them to get it and it is one of several forms that they would have to submit in order to get either of those two items. As several people have pointed out during the public hearings, driving is a privilege and it involves responsibility. Third, as one of the good Representatives mentioned, that you do in fact need proof that you are not a habitual truant and looking at it that way, there would be the assumption that you are a habitual truant unless you show proof that you are not. By the same token, you also need proof of age. So, in a sense it is assuming that the student is not 15 or 16 or the proper age, so I don't think that that is really a valid age for going against this legislation. Fourthly, this is a small problem, but in some districts it is a major problem. I can't remember exactly, but I believe our truant officer said that there were as many as 40 or 50 truants in the city of Lewiston and statewide as many as 1000 habitual truants. Fifthly, someone mentioned the woman who came to speak who was, in fact, employed by the Department of

Education, but it was clearly expressed by the department the following day that she was speaking as an individual, not as a representative from the Department of Education. A sixth point, it is true that this is not going to resolve all truancy problems. It is one of many solutions and, as the officer pointed out when he spoke at the public hearing it is like if when you have a cold it may help to drink fluids and it may help to drink a lot of orange juice and it may help to stay warm and it may help to get extra rest. One of these alone may not do it, but one of them is certainly going to help some.

Another point is that this bill does not create the label for a habitual truant. That is already in laws created elsewhere. It simply uses that as a category by which the student must show that he or she is not a habitual truant in order to apply for either of those two items. One more point is that this takes into consideration excused absences and, as a matter of fact, the category of habitual truant takes that into consideration.

A student cannot get a work permit if he or she is a habitual truant, so it can't be said that the student might have to go to work and can't get to work because he or she can't drive. But, the last point I want to mention is that one of my respected colleagues said that we were not being considerate of young people by denying them the opportunity to have a learners permit or a drivers license. My feeling about that is that denying them a driver's license or a permit should not be considered inconsiderate. I think the inconsiderate thing is to allow a student, a young person, to start off on the wrong foot for their adult life by saying no matter what you do and how much you shirk your responsibility you are still able to get a drivers permit, a learners permit and a drivers license. So, I think we should be considerate and encourage young people to stay in school because that is where their future is. Thank you Madam Chair.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative SMITH: Madam Speaker, Ladies and Gentlemen of the House. I just have one brief point to make and I think it is a question of considering what the priorities are and what is more important and I believe that all of us will agree that the education for our children is the most important thing that we can do for them.

In this case here I will be supporting the Ought to Pass as Amended because I think it is time for us, the Legislature, like many parents do, to say no to a teenager and to say if you are not going to go to school then you won't have a drivers license. So, it is time for the Legislature, as any good parent would say, to say no and vote for the Ought to Pass as Amended.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Gray, Representative Austin.

Representative AUSTIN: Madam Speaker, Ladies and Gentlemen of the House. There is one component that I do not believe has been acknowledged in this discussion and that is the fact that it is usually guidance counselors that have to keep track of absenteeism. To me this is putting the burden of one more thing on what is probably one of the busiest offices in our high schools across the state and often times these folks are most understaffed. As we know, as time has gone along with all the social issues we have, this office is handling just about everything.

As was previously mentioned, if our students have good grades and maintain a certain average then they do get a discount on the family insurance for the car. Again, where do they go, back to the office. It is usually guidance because that is where the grades are kept and averaged. So, I guess I would just ask you all to consider if this isn't, in fact, a mandate on the

school system to do a lot of paperwork to help facilitate this particular issue. Thank you ladies and gentlemen of the house.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative BABBIDGE: Madam Speaker, Ladies and Gentlemen of the House. I bring to this conversation seven years as a drivers ed instructor and thirty three years in the classroom and when I heard of this bill I decided that I would go to committee and testify on its behalf. I think that this is a good bill and it is about responsibility. Obviously, I am looking at it from the educational perspective.

The school reform movements that have been going on for the last twenty years and, especially most recently, are designed to address every child and the fact is that schools are making every effort to make the school climate, the school experience, an offering of meaning for every person, I don't think that there is any doubt that keeping a student in a positive environment where they might have a mentor and where during advisory period they might have that conversation that could help them in their lives, is a positive thing.

I will respond to the Representative's comments about the burden of this process, at least in my own school. I went to the secretary in the main office who is in charge of attendance, and along as we had a form available, the process for her is merely looking on the computer screen and pressing a button. She said that it wouldn't be any burden at all to provide this form.

I also checked with the assistant principal and the thought, "You know, this might be something that would work, let's give it a go." I can say that this legislation does have a sunset provision and so I ask for your support for the minority Ought to Pass.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Minority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 197

YEA - Adams, Babbidge, Barstow, Blanchard, Blanchette, Bliss, Brautigam, Browne W, Bryant, Canavan, Craven, Cummings, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Eberle, Faircloth, Fisher, Goldman, Harlow, Hutton, Koffman, Lerman, Makas, Marley, Marraché, Mazurek, Miller, Moody, Norton, O'Brien, Patrick, Pelletier-Simpson, Percy, Perry, Pineau, Pingree, Piotti, Rines, Sampson, Smith W, Tuttle, Walcott, Watson, Wheeler, Mr. Speaker.

NAY - Annis, Ash, Austin, Beaudette, Bierman, Bishop, Bowen, Bowles, Brannigan, Brown R, Bryant-Deschenes, Cain, Campbell, Carr, Cebra, Churchill, Clark, Collins, Cressey, Crosby, Crosthwaite, Curley, Curtis, Davis G, Davis K, Duprey, Eder, Edgcomb, Farrington, Finch, Fitts, Fletcher, Flood, Gerzofsky, Glynn, Greeley, Grose, Hall, Hamper, Hanley B, Hanley S, Hogan, Hotham, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Lansley, Lewin, Lindell, Lundeen, Marean, McCormick, McFadden, McKane, McKenney, McLeod, Merrill, Millett, Mills, Moore G, Moulton, Muse, Nass, Nutting, Ott, Paradis, Pilon, Pinkham, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Saviello, Schatz, Seavey, Sherman, Shields, Smith N, Stedman, Sykes, Tardy, Thomas, Thompson, Trahan, Twomey, Valentino, Vaughan, Woodbury.

ABSENT - Berube, Burns, Clough, Daigle, Dugay, Emery, Fischer, Plummer, Webster.

Yes, 48; No, 94; Absent, 9; Excused, 0.

48 having voted in the affirmative and 94 voted in the negative, with 9 being absent, and accordingly the Minority **Ought to Pass as Amended Report was NOT ACCEPTED.**

Subsequently, the Majority **Ought Not to Pass Report was ACCEPTED** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 205) (L.D. 650) Bill "An Act To Protect Maine's Groundfishing Industry" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(S.P. 178) (L.D. 570) Bill "An Act To Require the Fair Application of the Mechanic's Lien Law" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-230)**

(S.P. 230) (L.D. 693) Bill "An Act To Increase Public Safety through the Enhancement of Law Enforcement for the Houlton Band of Maliseet Indians" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-229)**

(S.P. 401) (L.D. 1173) Resolve, Directing the Secretary of State To Design a Process for Early Voting Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-225)**

(S.P. 469) (L.D. 1342) Bill "An Act Reducing Oversight Expense for Decommissioning Nuclear Power Plants To Benefit Electric Ratepayers" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-227)**

(S.P. 516) (L.D. 1498) Resolve, To Establish the Committee To Study the Establishment of a Memorial for Emergency Medical Services Personnel and To Set Aside Space for That Memorial (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-222)**

(S.P. 551) (L.D. 1574) Bill "An Act To Assist Towns with the Implementation of the Laws Governing Growth Management" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-221)**

(S.P. 594) (L.D. 1612) Bill "An Act To Mandate E-9-1-1 TDD Testing and Training" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-228)**

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.

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

CONSENT CALENDAR

First Day

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

(H.P. 691) (L.D. 981) Bill "An Act To Change the Name of the Governor Baxter School for the Deaf" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-481)**

(H.P. 964) (L.D. 1387) Resolve, To Develop a Statewide Entrepreneurship Curriculum from Kindergarten through College Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-482)**

(H.P. 1060) (L.D. 1515) Resolve, To Establish a Responsive, Community-based, Cost-effective and Comprehensive Adult Mental Health System Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-479)**

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

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

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

Representative **PARADIS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. In reference to roll call number 181 on LD 581, had I been present I would have voted yea. Thank you.

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

Representative **FISHER**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Had I been in attendance on roll calls 192 and 193, I would have voted yea on both. Thank you Mr. Speaker.

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

Representative **MAZUREK**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. In reference to roll call number 1336, had I been present I would have voted yea. Thank you.

On motion of Representative **FISHER** of Brewer, the House a djourned at 11:23 a.m., until 9:00 a.m., Wednesday, May 25, 2005