

MAINE STATE LEGISLATURE

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

Volume II

First Special Session

May 26, 2005 – June 17, 2005

Second Special Session

July 29, 2005

Second Regular Session

January 4, 2006 - April 6, 2006

Pages 737-1487

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
SECOND REGULAR SESSION
23rd Legislative Day
Tuesday, March 14, 2006

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

Prayer by Pastor Steve Straubel, United Baptist Church, Littleton.

National Anthem by Maranacook Community High School Concert Chorus and Show Chorus, Readfield.

Pledge of Allegiance.

The Journal of Thursday, March 9, 2006 was read and approved.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Prohibit Parking in Access Aisles"
(EMERGENCY)

(H.P. 1213) (L.D. 1706)

Majority (11) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-764)** in the House on February 28, 2006.

Came from the Senate with the Minority (2) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-765)** in **NON-CONCURRENCE**.

On motion of Representative MARLEY of Portland, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 398)

STATE OF MAINE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

March 1, 2006

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 Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1781 An Act To Require Mandatory Training for Law Enforcement Officers and Prosecutors Regarding Interaction with People with Developmental Disabilities, Including Autism Spectrum Disorders

L.D. 1810 An Act Regarding Criminal History Record Checks

L.D. 1859 An Act To Inform and Protect the Public Regarding State Employees with Certain Criminal Records

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

Sincerely,

S/Sen. Bill Diamond

Senate Chair

S/Rep. Patricia A. Blanchette

House Chair

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 399)

STATE OF MAINE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE

March 1, 2006

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 Inland Fisheries and Wildlife has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1704 An Act To Amend the Laws Governing the Archery Hunting Season

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

Sincerely,

S/Sen. Bruce Bryant

Senate Chair

S/Rep. Thomas R. Watson

House Chair

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 400)

STATE OF MAINE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON LABOR

March 1, 2006

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 Labor has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1794 An Act To Improve the Maine Enterprise Option Program

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

Sincerely,

S/Sen. Ethan Strimling

Senate Chair

S/Rep. William J. Smith

House Chair

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 396)

STATE OF MAINE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON TRANSPORTATION

March 9, 2006

The Honorable John Richardson

Speaker of the House of Representatives

The Honorable Beth Edmonds
President of the Senate
122nd Legislature
State House
Augusta, ME 04333

Dear Mr. Speaker and Madam President:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Transportation from the review and evaluation of the Maine Turnpike Authority under the State Government Evaluation Act. In its review, the committee found that the Maine Turnpike Authority is operating within its statutory authority.

Sincerely,

S/Senator Dennis S. Damon

Chair

S/Representative Boyd P. Marley

Chair

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

The Following Communication: (H.C. 397)

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
AUGUSTA, MAINE 04333**

March 7, 2006

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Enclosed please find my official certification to the 122nd Legislature of the citizen initiative petition entitled "An Act to Create the Taxpayer Bill of Rights."

Sincerely,

S/Matthew Dunlap

Secretary of State

**STATE OF MAINE
DEPARTMENT OF STATE**

I, **Matthew Dunlap, Secretary of State**, hereby certify that written petitions bearing signatures of 51,611 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on October 21, 2005 and October 24, 2005, requesting that the Legislature consider an act entitled "An Act to Create the Taxpayer Bill of Rights."

I **further certify** that the number of valid signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 50,519.

I **further certify** that a challenge to the Secretary of State's determination of validity has been filed in Superior Court pursuant to 21-A M.R.S.A. §905 sub-§2. The Superior Court is required by statute to render a decision on or before April 7, 2006, but that decision may be further appealed to the Supreme Judicial Court, which is required by statute to render a decision within 30 days of the date of the Superior Court's decision. Accordingly, judicial review of the determination may not be resolved prior to the adjournment of the Second Regular Session of this Legislature.

I **further certify** that the text of the legislation circulated on this petition's behalf is attached herewith.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the eighth day of March in the year two thousand and six.

S/MATTHEW DUNLAP

Secretary of State

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

The Following Communication: (S.P. 799)

**STATE OF MAINE
122ND MAINE LEGISLATURE**

March 6, 2006

Sen. Elizabeth M. Schneider

Senate Chair, Joint Standing Committee on State and Local Government

Rep. Christopher R. Barstow

House Chair, Joint Standing Committee on State and Local Government

122nd Legislature

Augusta, ME 04333

Dear Senator Schneider and Representative Barstow:

Please be advised that Governor John E. Baldacci has nominated the following as members of the Civil Service Appeals Board:

Julie Armstrong of Cape Elizabeth for appointment

Bent Schlosser of Vassalboro for reappointment

Nelson E. Durgin of Bangor for reappointment

John R. Hanson of Bangor for reappointment

Pursuant to Title 5 M.R.S.A. §7081, these nominations will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Sincerely,

S/Beth Edmonds

President of the Senate

S/John Richardson

Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT.**

READ and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

The Following Communication: (S.P. 800)

**STATE OF MAINE
122ND MAINE LEGISLATURE**

March 6, 2006

Sen. Elizabeth H. Mitchell

Senate Chair, Joint Standing Committee on Education and Cultural Affairs

Rep. Jacqueline R. Norton

House Chair, Joint Standing Committee on Education and Cultural Affairs

122nd Legislature

Augusta, ME 04333

Dear Senator Mitchell and Representative Norton:

Please be advised that Governor John E. Baldacci has nominated the following as members of the Maine School of Science and Mathematics Board of Trustees:

Richard A. Oravetz of Holden for appointment

Michael D. Pearson of Enfield for appointment

Jeremy M. Usher of Dresden for appointment

David C. Haines of Auburn for appointment

Pursuant to Title 20-A M.R.S.A. §8204, these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,
S/Beth Edmonds
President of the Senate
S/John Richardson
Speaker of the House

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

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

The Following Communication: (S.P. 802)

**STATE OF MAINE
122ND MAINE LEGISLATURE**

March 7, 2006

Sen. Elizabeth H. Mitchell
Senate Chair, Joint Standing Committee on Education and Cultural Affairs
Rep. Jacqueline R. Norton
House Chair, Joint Standing Committee on Education and Cultural Affairs
122nd Legislature
Augusta, ME 04333

Dear Senator Mitchell and Representative Norton:
Please be advised that Governor John E. Baldacci has nominated the following as members to the School Board of the Governor Baxter School for the Deaf:

Sarah M. Whitfield of Wiscasset for appointment
Romy Victoria Spitz of Portland for reappointment
David Gaul of Damariscotta for reappointment
Donald Miller of West Bath for reappointment

Pursuant to Title 20-A §7406, these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,
S/Beth Edmonds
President of the Senate
S/John Richardson
Speaker of the House

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

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

The Following Communication: (S.P. 803)

**STATE OF MAINE
122ND MAINE LEGISLATURE**

March 7, 2006

Sen. Elizabeth M. Schneider
Senate Chair, Joint Standing Committee on State and Local Government
Rep. Christopher R. Barstow
House Chair, Joint Standing Committee on State and Local Government
122nd Legislature
Augusta, ME 04333

Dear Senator Schneider and Representative Barstow:
Please be advised that Secretary of State Matthew Dunlap has nominated James S. Henderson of Harpswell for reappointment as the State Archivist.

Pursuant to Title 5 M.R.S.A. §93, this nomination will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Sincerely,
S/Beth Edmonds
President of the Senate
S/John Richardson
Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

READ and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

The Following Communication: (S.C. 519)

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

March 9, 2006

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

Dear Clerk MacFarland:

Please be advised the Senate today adhered to its previous action whereby it accepted the Majority Ought Not to Pass Report from the Committee on Taxation on Bill "An Act To Exempt Vegetable Seeds for Home Gardens from the Sales Tax" (H.P. 1263) (L.D. 1823).

Sincerely,
S/Joy J. O'Brien

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (S.C. 525)

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

March 13, 2006

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

Dear Clerk MacFarland:

With reference to the Senate's action whereby it insisted and asked for a Committee of Conference on the disagreeing action between the two branches of the Legislature on Bill, "An Act to Amend the Laws Relating to Motorized Scooters, Motor-driven Cycles and Mopeds" (H.P. 1027) (L.D. 1464).

The President has appointed as conferees on the part of the Senate the following:

Senator Damon of Hancock
Senator Bryant of Oxford
Senator Savage of Knox

Sincerely,
S/Joy J. O'Brien

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Allow an Insured To Terminate Life Insurance Coverage under a Policy Owned by Another"

(H.P. 1455) (L.D. 2059)

Sponsored by Representative JACKSON of Allagash.

Cosponsored by Senator MARTIN of Aroostook and Representatives: CUMMINGS of Portland, FARRINGTON of Gorham, FISCHER of Presque Isle, PERRY of Calais, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: President EDMONDS of Cumberland, STRIMLING of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act Regarding the Maine Insurance Guaranty Association"

(H.P. 1463) (L.D. 2068)

Sponsored by Representative SMITH of Van Buren. (GOVERNOR'S BILL)

Cosponsored by Senator STRIMLING of Cumberland.

Committee on **LABOR** suggested and ordered printed.

REFERRED to the Committee on **LABOR** and ordered printed.

Sent for concurrence.

Bill "An Act To Allow Heavy Equipment To Be Moved during Nighttime"

(H.P. 1454) (L.D. 2058)

Sponsored by Representative JACKSON of Allagash.

Cosponsored by Senator MARTIN of Aroostook and Representatives: CLARK of Millinocket, FISCHER of Presque Isle, HOGAN of Old Orchard Beach, PARADIS of Frenchville, PATRICK of Rumford, Speaker RICHARDSON of Brunswick, Senator: President EDMONDS of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **TRANSPORTATION** suggested and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** and ordered printed.

Sent for concurrence.

**Pursuant to Resolve
Secretary of State**

Representative SIMPSON for the **Secretary of State** pursuant to Resolve 2005, chapter 103 asks leave to report that the accompanying Bill "An Act To Issue Certificates of Title for Single-unit Mobile Homes"

(H.P. 1457) (L.D. 2061)

Be **REFERRED** to the Committee on **JUDICIARY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Department of Education

Representative NORTON for the **Department of Education** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of the Final Repeal of Portions of Chapter 130: Rules for Equivalent Instruction Programs, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education (EMERGENCY)

(H.P. 1464) (L.D. 2069)

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Department of Health and Human Services

Representative PINGREE for the **Department of Health and Human Services** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter III, Section 50: Intermediate Care Facilities for the Mentally Retarded, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1458) (L.D. 2062)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Department of Health and Human Services

Representative PINGREE for the **Department of Health and Human Services** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 33: Home Day Care Provider Rules, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1459) (L.D. 2064)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Department of Inland Fisheries and Wildlife

Representative WATSON for the **Department of Inland Fisheries and Wildlife** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 1.03: Waters of Special Significance, a Major Substantive Rule of the Department of Inland Fisheries and Wildlife (EMERGENCY)

(H.P. 1461) (L.D. 2066)

Be REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Department of the Secretary of State, Bureau of Corporations, Elections and Commissions

Representative PATRICK for the **Department of the Secretary of State, Bureau of Corporations, Elections and Commissions** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 520: Rules Regarding Publication of Public Comments on Statewide Referenda, a Major Substantive Rule of the Department of the Secretary of State, Bureau of Corporations, Elections and Commissions (EMERGENCY)

(H.P. 1462) (L.D. 2067)

Be **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Public Utilities Commission

Representative BLISS for the **Public Utilities Commission** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

(H.P. 1456) (L.D. 2060)

Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

REPORTS OF COMMITTEE

Refer to the Committee on Agriculture, Conservation and Forestry

Pursuant to Statutes

Representative PIOTTI for the **Joint Standing Committee on Agriculture, Conservation and Forestry** on Bill "An Act To Implement Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Regarding Pesticide Registration"

(H.P. 1460) (L.D. 2065)

Reporting that it be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Sent for concurrence.

Ought to Pass as Amended

Report of the Committee on **NATURAL RESOURCES** on Bill "An Act To Sustain Good Local Planning Practices" (EMERGENCY)

(S.P. 719) (L.D. 1802)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-470)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-470) AS AMENDED BY SENATE AMENDMENT "A" (S-474)** thereto.

Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (S-470)** was **READ** by the Clerk. **Senate Amendment "A" (S-474) To Committee Amendment "A" (S-470)** was **READ** by the Clerk and **ADOPTED**. **Committee Amendment "A" (S-470) as Amended by Senate Amendment "A" (S-474)** was thereto **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, March 16, 2006.

Divided Report

Eleven Members of the Committee on **NATURAL RESOURCES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-477)** on Bill "An Act To Limit Human Exposure to Mercury"

(S.P. 465) (L.D. 1338)

Signed:

Senators:

COWGER of Kennebec

MARTIN of Aroostook

SNOWE-MELLO of Androscoggin

Representatives:

KOFFMAN of Bar Harbor

JOY of Crystal

THOMPSON of China

ANNIS of Dover-Foxcroft

EBERLE of South Portland

DUCHESNE of Hudson

ROSEN of Bucksport

WHEELER of Kittery

One Member of the same Committee reports in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-478)** on same Bill.

Signed:

Representative:

TWOMEY of Biddeford

One Member of the same Committee reports in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Representative:

DAIGLE of Arundel

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-477)**.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Mr. Speaker, point of order.

The SPEAKER: The Representative may proceed

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I was afraid it was going to go under the hammer. I'm sorry, is it the appropriate time to speak about why I do not want people to vote for the Majority Report?

The SPEAKER: Will the Representative please defer because there is not a motion on the floor at this point.

READ.

On motion of Representative **KOFFMAN** of Bar Harbor, Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

On motion of Representative **TWOMEY** of Biddeford the House **RECONSIDERED** its action whereby Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I apologize; I was not the one that hollered, "hey." But, I won't blame anyone. This is really a very serious report and it came to our committee and how dare I stand up, being by myself on this bill, but I dare to stand up because there is no reason not to pass this legislation. This is about mercury amalgams. This is about having a replacement for those mercury amalgams and a lot of dentists have recognized that mercury is a problem. Amalgam fillings are 50 percent mercury; they are not silver. Yet, a Zogby poll says that only 35 percent of New Englanders know about that mercury. It is time to phase out our mercury fillings. They are no longer needed for any kind of cavity. Just ask dentists like Dr. Tom Anderson of Houlton, Dr. John Frachella of Bangor or Dr. Gerald Vermette of Skowhegan.

The Zogby poll says that New England voters favor banning mercury fillings by a lopsided 69 percent to 9 percent. That is eight to one. I repeat, only 9 percent of New Englanders want lawmakers to vote no on this amendment. They are still being used because they are a convenience for the dentist. They can be done faster. Many dental scholars believe that they crack the teeth leading to the need for root canals. Modern dentists no longer place mercury fillings. These fillings are a major source of exposure to mercury, so says the US Centers for Disease Control and Prevention. In fact, the government of Canada says that mercury fillings are the major exposure of mercury for most humans.

I ask the House to vote for Maine's children, born and unborn. The USA EPA says that one American woman in six of childbearing age has so much mercury in her body that she is at risk of having a brain damaged child. Young women should, therefore, have no unnecessary mercury exposure, nor should their young children, whose brains are still developing. That is why my minority report protects pregnant woman and children first then phases it out for all of us at a later date.

I ask the House to vote for Maine's environment. Mercury amalgam is the leading source of mercury in our wastewater. Each filling has as much mercury as a thermometer. With the use of cremation growing we are also pouring more and more mercury into the air. The report of the New England Zero Mercury Campaign says that there is more mercury in our teeth than in all other sources of mercury combined. We must quit adding to this problem. I ask the House to vote for Maine's taxpayers. Why should they have to pay to clean up mercury when dentists can substitute non-toxic materials instead?

I ask the House to vote for Maine's economy. The continued pollution of our lakes and rivers means that tourists may look elsewhere to cleaner states and provinces. If we aren't the incubator state and ridding ourselves of mercury then surely

someone else will be. Much of our economy depends on clean waters.

Those are some of the talking points that were given to me. You know that when I stand up I usually speak from my heart. I listened very carefully to this bill in our committee and there was a heavy, heavy dental lobbyist who was against this. This is really ridiculous when we have substitutes. The arguments were that some of those composites we weren't sure of and that the science was still out. That is simply not true. We have dentists who are not using the mercury fillings any longer because we have to discard it. It pollutes our waters. This is to protect women and unborn children. This is to protect our lakes and rivers and there is enough scientific evidence to prove that this is something we can do now and that we must do now. Thank you Mr. Speaker, I ask the men and women to vote in opposition to the Majority Report.

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

Representative **KOFFMAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The Natural Resources Committee, over the last six years that I have been a member, has learned more about mercury amalgams than we ever thought that we wanted to know. Maine can be very proud of the work that we have done to reduce the amount of mercury coming into our environment. Through a number of legislative actions throughout the years we have removed mercury switches from automobiles, thermometers and thermostats, from incinerators and trash piles and taken many other steps to reduce the amount of mercury that might affect our children and it is a terribly important issue and we will continue to work on it. We deal not only with the mercury present in our own state, but with the mercury coming from coal fired plants around the country as it gets into the jet stream and moves its way to Maine and the Canadian provinces.

We have done a lot and we have learned a lot, but the science, most of us on committee felt, was not quite there in supporting an outright ban of mercury amalgam. Some of us even felt that it wasn't the role of our committee to judge the efficacy of particular dental procedures, although we did hear a lot about the various merits of composites and other alternatives to mercury amalgams. There were strong arguments on both sides, but at the end of the day the risk assessment is not clear and certainly not clear enough to have an outright ban. The amendment replaces the original bill with a ban and does require that the suppliers of mercury amalgam – there are only a few that supply it to our dentists – will report to the DEP the volume of mercury amalgam that they are selling in Maine to dentists so that we can, at least, track the amount of mercury that is involved with dentistry in Maine and continue working on this issue.

Finally, I want to mention that a very rigorous peer reviewed study has been done to determine whether the learning capacities of Maine children have been impacted from mercury, comparing them to other cohorts in other states. That study is completed but has not been published and made public yet. It will be in the summer. It is yet another reason why we didn't want to be precipitous about a ban, but rather get more information and if we ever come to this body with a ban you will be assured that there will be plenty of peer reviewed science supporting that policy decision. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Daigle.

Representative **DAIGLE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just want to be brief. I will be supporting the pending motion to accept the Majority Report of the committee. Though my particular

amendment was Ought Not to Pass for the entire bill I see it as a harmless solution to go with the Majority. I understand the emotion and the incredible amount of information about there about mercury and concerns about mercury. Many of them are legitimate and many of them I put in the same category as those Nigerian diplomats that want my bank accounts. But, in the end, I think the thing to do is what the committee has decided to do with a significant majority and that is the appropriate move for us today.

Representative HUTTON of Bowdoinham **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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 Bowdoinham, Representative Hutton.

Representative **HUTTON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I do believe that this is not an emotional issue, but rather a practical issue and the reason why I think that it is a practical issue is because we have to clean up the mess that mercury makes. If the mercury gets out into our environment we are then charged with making sure that we have clean lakes and clean streams. This is a money issue if you get down to it.

I will be brief too, but if most of the dentists in this state, including my own dentist has started to use the other fillings and eliminate mercury from this waste stream I don't see why other dentists aren't taking that lead. I don't see why they are pushing for keeping mercury when we know the harm that it can do to the environment and how much it costs to clean it up. On that practical note I would just ask you to vote against this and go for Committee Amendment "B". Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. There is all kinds of scientific proof that we have the alternatives. It's about a matter of priorities. Emotions? You bet. And, I make no apologies for those. Emotions are connected to my brain and my brain tells my emotions that you had better speak on this because there are women, pregnant women, who are having this mercury put into their mouths and those children are going to suffer the effects. I think that many of you got swamped with emails. You told me in the hallways. We have gotten more emails on this subject and those were from people who had those mercury fillings and had them removed and who saw the difference in their bodies. I make no apologies for my emotions and I hope that you get a little emotional about this because this is serious. We have the alternatives and now we are the leaders that should really get this done. Thank you.

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

Representative **EDER**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. As the Representative from Bar Harbor has said, we have done a lot of good work to remove mercury from our environment. We all agree that we don't want mercury in our water. We all agree that we don't want mercury in the air, so why would we want mercury in our mouths? Let's use logic here and let's think about those pregnant mothers and those children. Mercury has been linked to mental illness when mercury is in the mouth in fillings. Please vote no on the pending motion.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Report "A" Ought

Not to Pass as Amended. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 374

YEA - Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Berube, Bierman, Bishop, Blanchard, Bliss, Bowen, Bowles, Brannigan, Brautigam, Brown R, Browne W, Cain, Campbell, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosby, Crosthwaite, Cummings, Curley, Curtis, Daigle, Davis G, Davis K, Duchesne, Dugay, Duprey, Eberle, Edgecomb, Faircloth, Finch, Fischer, Fisher, Fitts, Fletcher, Flood, Glynn, Goldman, Hall, Hamper, Hanley B, Hanley S, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Koffman, Lansley, Lewin, Marean, Marraché, McCormick, McFadden, McKane, McKenney, McLeod, Millett, Mills, Moody, Moore G, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Ott, Percy, Perry, Pilon, Pinkham, Piotti, Plummer, Rector, Richardson D, Richardson M, Richardson W, Robinson, Rosen, Sampson, Saviello, Seavey, Sherman, Shields, Simpson, Smith N, Stedman, Sykes, Tardy, Thomas, Thompson, Trahan, Tuttle, Valentino, Vaughan, Watson, Wheeler, Woodbury, Mr. Speaker.

NAY - Adams, Blanchette, Bryant, Bryant-Deschenes, Burns, Canavan, Clark, Craven, Driscoll, Dudley, Dunn, Eder, Farrington, Gerzofsky, Grose, Harlow, Hogan, Hutton, Jackson, Lerman, Lindell, Lundeen, Makas, Marley, Mazurek, Merrill, Miller, Paradis, Pineau, Pingree, Rines, Schatz, Smith W, Twomey, Walcott, Webster.

ABSENT - Duplessie, Emery, Greeley, Hotham, Patrick, Richardson E.

Yes, 109; No, 36; Absent, 6; Excused, 0.

109 having voted in the affirmative and 36 voted in the negative, with 6 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-477)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, March 16, 2006.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended** by **Committee Amendment "A" (H-809)** on **RESOLUTION**, Amending the Constitution of Maine To Lower the Age of Eligibility for Election to the House of Representatives (H.P. 1353) (L.D. 1912)

Signed:

Senators:

SCHNEIDER of Penobscot
ROTUNDO of Androscoggin

Representatives:

McFADDEN of Dennysville
BISHOP of Boothbay
CROSTHWAITE of Ellsworth
BROWNE of Vassalboro
BARSTOW of Gorham

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

Signed:

Senator:

ANDREWS of York

Representatives:

MOULTON of York
HARLOW of Portland
BLANCHARD of Old Town
MUSE of Fryeburg
SCHATZ of Blue Hill

READ.

On motion of Representative BARSTOW of Gorham, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The RESOLUTION was **READ ONCE**. **Committee Amendment "A" (H-809)** was **READ** by the Clerk and **ADOPTED**. The RESOLUTION was assigned for **SECOND READING** Thursday, March 16, 2006.

CONSENT CALENDAR

First Day

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

(H.P. 1246) (L.D. 1806) Bill "An Act To Clarify Maine State Retirement System Benefits for Certain Legislators" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-824)**

(H.P. 1294) (L.D. 1854) Bill "An Act To Expand the Alternative Aid Program" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-820)**

(H.P. 1339) (L.D. 1898) Bill "An Act To Protect the Employment Rights of Military Reserve and National Guard Personnel" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-823)**

(H.P. 1391) (L.D. 1985) Bill "An Act To Make Revisions to the Maine Revised Statutes Relating to Agricultural Fairs" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-825)**

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

CONSENT CALENDAR

Second Day

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

(S.P. 776) (L.D. 2013) Resolve, Regarding a Monument for Women Veterans of Maine (EMERGENCY)

(S.P. 661) (L.D. 1744) Bill "An Act To Create the Washburn Water and Sewer District" (C. "A" S-476)

(S.P. 749) (L.D. 1952) Bill "An Act To Prevent the Use of Performance-enhancing Substances by Maine Student Athletes" (C. "A" S-479)

(S.P. 752) (L.D. 1958) Bill "An Act To Create a Children's Education Advocate" (C. "A" S-475)

(S.P. 765) (L.D. 1984) Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease for Veterans' Housing the Interests of the State in Hedin Hall at the Dorothea Dix Psychiatric Center (C. "A" S-480)

(H.P. 1405) (L.D. 2003) Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs - Private Non-Medical Institutions Level III, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1406) (L.D. 2004) Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs - Private Non-Medical Institutions Level IV, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1407) (L.D. 2005) Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the

Licensing and Functioning of Assisted Housing Programs - Private Non-Medical Institutions Level II, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1408) (L.D. 2006) Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level IV Residential Care Facilities, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1409) (L.D. 2007) Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Assisted Living Programs, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1410) (L.D. 2008) Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs - Private Non-Medical Institutions Level I, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1411) (L.D. 2009) Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level I Residential Care Facilities, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1412) (L.D. 2010) Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level II Residential Care Facilities, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 1413) (L.D. 2011) Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level III Residential Care Facilities, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 597) (L.D. 846) Bill "An Act To Prevent Discrimination against Persons without Health Insurance" (C. "A" H-816)

(H.P. 1096) (L.D. 1555) Bill "An Act To Improve Quality, Effectiveness and Efficiency in the Department of Health and Human Services" (C. "A" H-815)

(H.P. 1214) (L.D. 1707) Resolve, Directing the Commissioner of Health and Human Services To Develop Strategies To Keep Senior Citizens Safe from Falls (C. "A" H-814)

(H.P. 1292) (L.D. 1852) Bill "An Act To Amend the Laws Governing Permanency Guardians" (C. "A" H-817)

(H.P. 1327) (L.D. 1887) Bill "An Act To Update Licensing and Certification Requirements for Child Care Facilities and Family Child Care Providers" (C. "A" H-813)

(H.P. 1360) (L.D. 1919) Bill "An Act To Amend the Laws Governing Real Estate Appraiser Licensing To Comply with Federal Law" (C. "A" H-810)

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

BILLS IN THE SECOND READING

Senate as Amended

Bill "An Act To Amend the Maine Criminal Code and Various Provisions Related to Juveniles"

(S.P. 688) (L.D. 1771)
(C. "A" S-472)

House as Amended

Bill "An Act To Allow Smelt Dipping in Long Lake in Aroostook County"

(H.P. 1253) (L.D. 1813)
(C. "A" H-806)

Bill "An Act To Improve Water Monitoring at Clam Flats" (EMERGENCY)

(H.P. 1268) (L.D. 1828)
(C. "A" H-784)

Bill "An Act To Improve Substance Abuse Rehabilitation Services"

(H.P. 1315) (L.D. 1875)
(C. "A" H-818)

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

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

Bill "An Act To Establish Harbor Master Training Requirements"

(H.P. 1448) (L.D. 2054)

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

On motion of Representative KAELIN of Winterport, was **SET ASIDE**.

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

ENACTORS

Emergency Measure

An Act Relating to the Flanders Bay Community School District

(H.P. 1291) (L.D. 1851)

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. 142 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH**.

Emergency Measure

An Act To Restore the Cost-sharing Agreement Established by the Voters of Maine School Administrative District No. 40

(H.P. 1344) (L.D. 1903)
(C. "A" H-771)

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. 131 voted in favor of the same and

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

Emergency Measure

An Act To Support Fishing Derbies

(S.P. 757) (L.D. 1967)
(C. "A" S-463)

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. 127 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

Acts

An Act To Increase Funding for the Intergovernmental Advisory Commission

(H.P. 1221) (L.D. 1714)
(C. "A" H-769)

An Act To Clarify the Charitable Solicitations Act

(S.P. 684) (L.D. 1767)
(C. "A" S-469)

An Act To Prevent Motor Fuel Spills from Aboveground Storage Tanks That Have Underground Piping

(S.P. 685) (L.D. 1768)
(C. "A" S-462)

An Act To Increase Certain Fees Paid for Service of Writs and Complaints

(S.P. 696) (L.D. 1779)
(C. "A" S-461)

An Act Concerning Members of School Administrative Districts' Finance Committees

(S.P. 697) (L.D. 1780)

An Act To Clarify the Time Period in Which Municipalities Must File Notices of Intent with the State for Purposes of Issuing Building Permits

(H.P. 1305) (L.D. 1865)
(C. "A" H-767)

An Act To Promote Youth Involvement in County and Local Government

(H.P. 1320) (L.D. 1880)
(C. "A" H-768)

An Act To Make Allocations from the Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2007

(S.P. 756) (L.D. 1966)

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. **ORDERED SENT FORTHWITH**.

Resolves

Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Regulation of Fire Alarm Contractors

(S.P. 524) (L.D. 1508)
(C. "A" S-468)

Resolve, Regarding Source Water Protection Recommendations

(S.P. 785) (L.D. 2037)

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

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

SENATE PAPERS

Bill "An Act To Clarify the Use of Dedicated Funds for the Preservation of Deeds Records"

(S.P. 804) (L.D. 2063)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 687) (L.D. 1770) Bill "An Act To Amend the Laws Governing Licensure of Workers in the Field of Radiologic Technology" (EMERGENCY) Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(S.P. 375) (L.D. 1058) Bill "An Act To Regulate the Use of Batteries Containing Mercury" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-483)**

(S.P. 755) (L.D. 1965) Bill "An Act To Ensure the Ability of Municipalities To Provide Assistance to Their Citizens" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-481)**

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass** on Bill "An Act To Implement the Recommendations of the Attorney General's Working Group Regarding Sentencing Factors for Crimes against Persons Who Are Homeless"

(H.P. 1442) (L.D. 2046)

Signed:

Senators:

DIAMOND of Cumberland
NUTTING of Androscoggin

Representatives:

BLANCHETTE of Bangor
GREELEY of Levant
GERZOFKY of Brunswick
GROSE of Woolwich

DAVIS of Augusta

PARADIS of Frenchville

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

Signed:

Senator:

CLUKEY of Aroostook

Representatives:

PLUMMER of Windham

HANLEY of Gardiner

CHURCHILL of Washburn

SYKES of Harrison

READ.

On motion of Representative BLANCHETTE of Bangor, the Majority **Ought to Pass** Report was **ACCEPTED.**

The Bill was **READ ONCE** and was assigned for **SECOND READING** Thursday, March 16, 2006.

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

Reference was made to Bill "An Act To Amend the Laws Relating to Motorized Scooters, Motor-driven Cycles and Mopeds" (EMERGENCY)

(H.P. 1027) (L.D. 1464)

In reference to the action of the House on March 9, 2006 whereby it insisted and joined in a Committee of Conference, the Chair appointed the following members on the part of the House as conferees:

Representative SAMPSON of Auburn
Representative HOGAN of Old Orchard Beach
Representative THOMAS of Ripley

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

On motion of Representative O'BRIEN of Lewiston, the House adjourned at 12:38 p.m., until 10:00 a.m., Thursday, March 16, 2006.