

MAINE STATE LEGISLATURE

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

Volume III

Second Regular Session

April 7, 2006 - May 24, 2006

Appendix
House Legislative Sentiments
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Pages 1488-2248

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
 SECOND REGULAR SESSION
 42nd Legislative Day
 Friday, April 14, 2006

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

Prayer by Reverend David Garnett, Open Door Bible Church, Lisbon.

Pledge of Allegiance.

Doctor of the day, David McDermott, M.D., Dover-Foxcroft.

The Journal of yesterday was read and approved.

Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Create a Property Tax Exemption for Lobster Traps (S.P. 656) (L.D. 1739) (C. "A" S-552)

FAILED of **FINAL PASSAGE** in the House on April 12, 2006.

Came from the Senate **FINALLY PASSED** in **NON-CONCURRENCE**.

The House voted to **ADHERE**.

Non-Concurrent Matter

Bill "An Act To Establish a High-risk Health Insurance Pool" (H.P. 1365) (L.D. 1945)

Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **INSURANCE AND FINANCIAL SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-950)** in the House on April 13, 2006.

Came from the Senate with the Reports **READ** and the Bill and Accompanying Papers **RULED NOT PROPERLY BEFORE THE BODY** in **NON-CONCURRENCE**.

The House voted to **ADHERE**.

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

ORDERS

On motion of Representative DAVIS of Falmouth, the following Joint Order: (H.P. 1502)

ORDERED, the Senate concurring, that the Commission To Study Access to Birth Certificates and Medical Records for Adult Adoptees is established as follows.

1. Commission established. The Commission To Study Access to Birth Certificates and Medical Records for Adult Adoptees, referred to in this order as "the commission," is established.

2. Membership. The commission consists of the following 7 members:

A. Three members of the Senate, appointed by the President of the Senate; and

B. Four members of the House of Representatives, appointed by the Speaker of the House.

3. Commission chairs. The first-named Senator is the Senate chair of the commission and the first-named member of the House is the House chair of the commission.

4. Appointments; convening of commission. All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all

appointments have been made. When the appointment of all members has been completed, the chairs of the commission shall call and convene the first meeting of the commission, which must be no later than June 1, 2006.

5. Duties. The commission shall hold its meetings at various locations in the State to be determined by the chairs. The commission shall gather information and request necessary data from public and private entities and stakeholders in order to:

A. Study the issues surrounding access by adult adoptees to original birth certificates;

B. Study the issues surrounding access by adult adoptees to relevant medical records; and

C. Review the laws of other states regarding access by adult adoptees to original birth certificates and medical records, including, but not limited to, Oregon, New Hampshire and Alabama.

6. Staff assistance. The Legislative Council shall provide necessary staffing services to the commission.

7. Compensation. Legislative members of the commission are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the commission.

8. Report. No later than November 1, 2006, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Judiciary and the Legislative Council.

9. Extension. If the commission requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension. Upon submission of its required report, the commission terminates.

10. Budget. The chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission chairs and staff with a status report on the commission's budget, expenditures incurred and paid and available funds.

READ and **PASSED**.

Sent for concurrence. **ORDERED SENT FORTHWITH**.

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 61)

ORDERED, that Representative Herbert Adams of Portland be excused Monday, March 27th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Randy E. Hotham of Dixfield be excused Tuesday, March 7th, Thursday, March 9th, Tuesday, March 14th, Thursday, March 16th, Tuesday, March 21st, Wednesday, March 22nd, Thursday, March 23rd, Monday, March 27th, Tuesday, March 28th, Wednesday, March 29th, Thursday, March 30th, Friday, March 31st, Monday, April 3rd, Tuesday, April 4th, Wednesday, April 5th and Monday, April 10th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Anne C. Perry of Calais be excused Monday, April 10th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative James M. Schatz of Blue Hill be excused Wednesday, April 12th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas F. Shields of Auburn be excused Tuesday, April 11th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Douglas A. Thomas of Ripley be excused Wednesday, April 5th, Thursday, April 6th, Friday, April 7th, Monday, April 10th and Tuesday, April 11th for health reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Maine Central Institute Vocal Jazz Ensemble, for its outstanding first-place finish in Division II vocal jazz groups at the 2006 Maine All-State Vocal Jazz and Show Chorus Festival, which is held each year as a showcase for the top vocal groups in the State. This is the 5th straight year that Maine Central Institute has captured top honors. The musicians and singers were also recognized as having the outstanding rhythm section in their division. We extend our congratulations to these talented students and to their director Mr. Dean Neal for their successes and recognize them for their hard work;

(HLS 1854)

Presented by Representative FITTS of Pittsfield.

Cosponsored by Senator GAGNON of Kennebec.

On **OBJECTION** of Representative FITTS of Pittsfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the following members of the Mt. Ararat High School "Eagles" Boys Soccer Team, of Topsham, who are the 2005 Kennebec Valley Athletic Conference Champions and the 2005 Eastern Maine Class A Champions: Russ Bouchard, CJ Dirago, Noah Greenlaw, Tucker Jones, Caleb Levesque, Adam Paine, Jamie Reilly, Nate Sherwood, Tyler Simpson, Matt Snyder, Ryan Vermette, Brian Andreasen, Jacob Farmer, Patrick Hunt, Andrew Pelletier, Justin Simpson, Bobby Van Note, Ted Vosmus, Alden Blease, Brian Bousquet-Smith, Greg Hurley, Kurt Prescott, Scott Pullen, Andrew Snyder, Scott Rogers, and Brian Sherwood; and Head Coach Rick Renaud, Assistant Coaches Tom Fournier and Mitch Guerette, Athletic Director Colin Roy and Athletic Trainer Kate Anagonostis. The Eagles were undefeated and untied in their 2005 season until the State Championship game, which was decided on a second round of penalty kicks after the full regulation game plus 2 15-minute overtime periods. The team's record for the past 4 years is 57-6-4. The team was crowned the Kennebec Valley Athletic Conference Champions for 4 consecutive years, appeared in the Eastern Maine Class A final for 4 consecutive years, was Eastern Maine Champion in 2003 and State Champion in 2003. Head coach Rick Renaud was named Kennebec Valley Athletic Conference Coach of the Year for 2005, the Kennebec Valley Athletic Conference East Coach of the Year and the Maine State Coach of the Year for 2003 and 2005. In addition, Tyler Simpson was named to the Maine Sunday Telegram All-State Soccer team, Ryan Vermette was named Honorable Mention for the All-State team and both players were named to the All-Class Eastern Maine State Team and the Eastern Maine Class A team. Ryan Vermette, Tyler

Simpson and Matt Snyder were named to the All-KVAC South First Team and Caleb Levesque was named to the All-KVAC Second Team. Adam Paine was named to the All-Academic team. We extend our congratulations to the members of the team and the coaching and support staff on their accomplishments;

(HLS 1855)

Presented by Representative HUTTON of Bowdoinham.

Cosponsored by Senator MAYO of Sagadahoc, Representative GROSE of Woolwich, Representative CROSBY of Topsham, President EDMONDS of Cumberland, Representative PERCY of Phippsburg.

On **OBJECTION** of Representative HUTTON of Bowdoinham, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Bowdoinham, Representative Hutton.

Representative HUTTON: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Wow, what a soccer team, Kennebec Valley Athletic Champions, Eastern Maine Class A Champions. I'd like to extend my congratulations to the team, with so many award winners like Tyler Simpson, Ryan Vermette, Matt Snyder, Adam Paine, Caleb Levesque and so many other great team players how could you fail. To head coach Rick Renaud, congratulations on being named Kennebec Valley Coach of the Year 2005, Kennebec Valley Athletic Conference East Coast Coach of the Year and Maine Coach of the Year for 2003 and 2005. It's through coaches like you that our children learn the skills to succeed on the field and in the world. Thank you to your assistant coaches too, Tom Fournier and Mitch Guerette for your dedication to our young people. I'd also like to congratulate the support staff, the Athletic Director Colin Roy and Athletic Trainer Kate, and I will never be able to pronounce Kate's last name so I won't try. I just wanted to put in an aside, that athletic trainer Kate was also an athletic trainer to the Olympics in Greece a few years ago so she's a very qualified person to be doing this job and helping our kids stay health enough to play. So, what a great year you have all had and all I can say is "Go Eagles."

The **SPEAKER**: The Chair recognizes the Representative from Topsham, Representative Crosby.

Representative CROSBY: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I want to read just a little bit of a story that came out the day after this fateful game, "Waiting to Exhale" was the headline. "It was what neither wanted to do to get what both wanted to have even as the Scarborough and Mt. Ararat Boys Soccer Team engaged in the shot-out to determine last Saturday's Class A State Championship. One half expected an executioner's drum roll to accompany each player's slow shuffle to the penalty hash. Make no mistake those shot-outs are grim affairs and Saturday, both teams deserved better. Scarborough, which carried much of the play against a very tuff and very resilient Mt. Ararat, deserved to capture its first State championship since 1999 in regulation and the Eagles who carried a perfect record into last Saturday deserved a more dignified end." I want to congratulate the Mt. Ararat Boys High School Soccer Team for a great run; Scarborough won the title from 1973 to 1976, 4 years. Mt. Ararat won the title in 1994 against Portland 1 to 0 and against Scarborough 1 to 0 in 2003. What I can assure the people that are watching high school boys soccer is that this team will be back next year because we have 4 of those young men mentioned for major titles in State soccer, Ryan, Matt, Adam and Caleb will be back. Only 5 seniors are leaving from the team, so

I would like to recognize those 5 seniors before we recognize the whole team, if they could just stand if they are here. The seniors who are here who lead this team, Russ Bouchard, CJ Dirago, Tucker Jones, Jamie Reilly, and Tyler Simpson, seniors who lead this team. I want to thank you for the opportunity to honor this team today in the legislature.

The SPEAKER: The Chair recognizes the Representative from Woolwich, Representative Grose.

Representative GROSE: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I would like to extend my congratulations to the members of the Mt. Ararat High School Eagles, job well done.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Curley.

Representative CURLEY: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I appreciate the good Representative from Topsham for mentioning the Scarborough State Class A Soccer Champions. I want to congratulate the Mt. Ararat High School Eagles, it was a wonderful game. We often talk about what's wrong with school athletics, I think the team here and also the Scarborough High School Soccer Team, in that game and the entire season, and their coaches represented everything that's right with our young people and with athletics today. I want to commend them for their sportsmanship and thank them for joining us. Thank you.

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

REPORTS OF COMMITTEE

Refer to the Committee on Health and Human Services Pursuant to Public Law

Report of the **Joint Standing Committee on Health and Human Services** on Bill "An Act To Establish the Hospital and Health Care Provider Cooperation Act"

(S.P. 852) (L.D. 2110)

Reporting that it be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** pursuant to Public Law 2005, chapter 394, section 8.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Ought to Pass as Amended

Report of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Prevent State Taxpayers from Subsidizing Large Employers"

(S.P. 727) (L.D. 1927)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-580)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-580) AS AMENDED BY SENATE AMENDMENT "A" (S-604)** thereto.

Report was **READ**.

Representative TARDY of Newport **REQUESTED** a roll call on **ACCEPTANCE** of the Unanimous Committee Report.

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

Representative SHIELDS of Auburn **REQUESTED** that the Clerk **READ** the Committee Report.

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

The SPEAKER: The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative PINGREE: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I just want to quickly take this opportunity to recognize the good Representative from Auburn who won't be with us next year, he's in his 8th year and spent 8 years on Health and Human Services. This bill before us came in, in a very contentious posture, but we worked very hard on it. The title of it will change when the bill is engrossed. It really turned into what could be a useful study of employer based health care in the State of Maine, so I encourage people to vote with the unanimous committee report, because I think what we did in many hard work sessions trying to figure out what to do with this bill. People thought that we couldn't come to a unanimous agreement and we did. I thank the good Representative from Auburn for pointing out the committee report and I urge people on both sides of the aisle to accept it.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Unanimous Committee Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 513

YEA - Adams, Annis, Ash, Babbidge, Barstow, Beaudette, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Campbell, Canavan, Clark, Daigle, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fischer, Flood, Gerzofsky, Glynn, Goldman, Grose, Hanley S, Harlow, Hogan, Hotham, Hutton, Jackson, Jennings, Joy, Koffman, Lerman, Lewin, Lundeen, Makas, Marley, Marrache, Mazurek, McFadden, Merrill, Miller, Mills, Moody, Norton, O'Brien, Paradis, Patrick, Percy, Perry, Pilon, Pineau, Pingree, Pinkham, Piotti, Richardson W, Rines, Saviello, Sherman, Shields, Simpson, Smith N, Smith W, Thompson, Tuttle, Twomey, Valentino, Vaughan, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Austin, Berube, Bierman, Bishop, Bowen, Bowles, Brown R, Browne W, Bryant-Deschenes, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosby, Crosthwaite, Curley, Curtis, Davis G, Davis K, Duprey, Edgecomb, Fisher, Fitts, Fletcher, Hall, Hamper, Hanley B, Jacobsen, Jodrey, Kaelin, Lansley, Lindell, Marean, McCormick, McKane, McKenney, McLeod, Millett, Moulton, Muse, Nass, Nutting, Ott, Plummer, Rector, Richardson D, Richardson E, Richardson M, Robinson, Rosen, Seavey, Sykes, Tardy, Thomas, Trahan.

ABSENT - Blanchard, Craven, Cummings, Dugay, Emery, Greeley, Moore G, Sampson, Schatz, Stedman.

Yes, 84; No, 57; Absent, 10; Excused, 0.

84 having voted in the affirmative and 57 voted in the negative, with 10 being absent, and accordingly the Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-580)** was **READ** by the Clerk. **Senate Amendment "A" (S-604)** to **Committee Amendment "A" (S-580)** **READ** by the Clerk and **ADOPTED**. **Committee Amendment "A" (S-580)** as **Amended by Senate Amendment "A" (S-604)** thereto **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-580) as Amended by Senate Amendment "A" (S-604)** thereto in concurrence.

Report of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Ensure the Availability of Consumer-directed Personal Assistance Services

(S.P. 769) (L.D. 1991)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-581)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-581) AS AMENDED BY SENATE AMENDMENT "A" (S-600)** thereto.

Report was **READ** and **ACCEPTED**. The Resolve **READ ONCE**. **Committee Amendment "A" (S-581)** **READ** by the Clerk. **Senate Amendment "A" (S-600)** to **Committee Amendment "A" (S-581)** **READ** by the Clerk and **ADOPTED**. **Committee Amendment "A" (S-581)** as **Amended by Senate Amendment "A" (S-600)** thereto **ADOPTED**.

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

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED** as **Amended by Committee Amendment "A" (S-581) AS AMENDED BY Senate Amendment "A" (S-600)** thereto in concurrence.

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

Divided Report

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-597)** on Bill "An Act To Implement Certain Recommendations of the Washington County Economic Development Task Force" (S.P. 743) (L.D. 1944)

Signed:

Senators:

BROMLEY of Cumberland
HOBBINS of York

Representatives:

CROSBY of Topsham
BEAUDETTE of Biddeford
BERUBE of Lisbon
FARRINGTON of Gorham
SMITH of Monmouth
RECTOR of Thomaston
ROBINSON of Raymond
AUSTIN of Gray
O'BRIEN of Lewiston
JACOBSEN of Waterboro

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-598)** on same Bill.

Signed:

Senator:

DOW of Lincoln

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-597)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-597)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** as **Amended by Committee Amendment "A" (S-597)** in concurrence. **ORDERED SENT FORTHWITH**.

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1012)** on Bill "An Act To Increase Access to Health Insurance Products"

(H.P. 1285) (L.D. 1845)

Signed:

Senators:

SULLIVAN of York
MAYO of Sagadahoc

Representatives:

PERRY of Calais
BRAUTIGAM of Falmouth
PILON of Saco
MARRACHÉ of Waterville
HARLOW of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-1013)** on same Bill.

Signed:

Senator:

MILLS of Somerset

Representatives:

McKANE of Newcastle
LINDELL of Frankfort
VAUGHAN of Durham
GLYNN of South Portland
RICHARDSON of Warren

READ.

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

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "C" (H-1014)** on **RESOLUTION**, Proposing an Amendment to the Constitution of Maine To Limit the Rate of Change in Taxable Value of Homestead Land

(H.P. 7) (L.D. 2)

Signed:

Senators:

PERRY of Penobscot
STRIMLING of Cumberland

Representatives:

CLARK of Millinocket

WOODBURY of Yarmouth
HUTTON of Bowdoinham
WATSON of Bath

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "D" (H-1015)** on same RESOLUTION.

Signed:
Senator:
COURTNEY of York

Representatives:
HANLEY of Paris
McCORMICK of West Gardiner
CLOUGH of Scarborough
SEAVEY of Kennebunkport

READ.

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

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

CONSENT CALENDAR

First Day

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

(S.P. 759) (L.D. 1972) Bill "An Act To Preserve Maine's Working Waterfront" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-602)**

(S.P. 842) (L.D. 2100) Bill "An Act To Amend the Charter of the Anson Water District" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-601)**

(H.P. 1439) (L.D. 2041) Bill "An Act To Enhance Maine's Energy Independence and Security" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1024)**

(H.P. 1493) (L.D. 2101) Bill "An Act Regarding Prepaid Contracts for Heating Fuel" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1025)**

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

CONSENT CALENDAR

Second Day

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

(H.P. 1471) (L.D. 2080) Bill "An Act To Accelerate Private Investment in Maine's Wireless and Broadband Infrastructure" (C. "A" H-1018)

(H.P. 1475) (L.D. 2087) Bill "An Act To Implement Recommendations Concerning Temporary Guardian and Conservator Laws" (C. "A" H-1023)

(H.P. 1477) (L.D. 2089) Bill "An Act To Require Registration by Residential Construction Contractors" (C. "A" H-1006)

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

ENACTORS

Emergency Measure

An Act To Establish the Midcoast Regional Redevelopment Authority

(H.P. 1371) (L.D. 1957)
(C. "A" H-981)

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

Representative DUPLESSIE of Westbrook **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 Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 514

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Berube, Bierman, Bishop, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brautigam, Brown R, Browne W, Bryant, Bryant-Deschenes, Burns, Cain, Campbell, Canavan, Carr, Cebra, Churchill, Clark, Clough, Collins, Cressey, Crosby, Crosthwaite, Curley, Curtis, Daigle, Davis G, Davis K, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Duprey, Eberle, Eder, Edgcomb, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Glynn, Goldman, Greeley, Grose, Hall, Hamper, Hanley B, Hanley S, Harlow, Hogan, Hotham, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Koffman, Lansley, Lerman, Lewin, Lindell, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McFadden, McKane, McKenney, McLeod, Merrill, Miller, Millett, Mills, Moody, 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, Saviello, Seavey, Sherman, Shields, Simpson, Smith N, Smith W, Sykes, Tardy, Thomas, Thompson, Trahan, Tuttle, Twomey, Valentino, Vaughan, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - NONE.

ABSENT - Blanchard, Craven, Cummings, Dugay, Emery, Moore G, Sampson, Schatz, Stedman.

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

Emergency Measure

An Act To Prevent Unauthorized Practice of Immigration and Nationality Law

(H.P. 1398) (L.D. 1996)
(C. "A" H-977)

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

Acts

An Act Concerning Technical Changes to the Tax Laws

(S.P. 668) (L.D. 1751)
(C. "A" S-571)

An Act To Provide Emergency Regional Economic Development Assistance for Brunswick Naval Air Station

(H.P. 1369) (L.D. 1955)
(C. "A" H-980)

An Act To Increase Consumer Awareness of Prescription Drug Pricing

(H.P. 1392) (L.D. 1987)
(S. "A" S-587 to C. "A" H-965)

An Act Regarding Storm Water Program Administration

(H.P. 1435) (L.D. 2035)
(S. "A" S-594 to C. "A" H-879)

An Act To Implement the Recommendations of the Commission To Reform the State Budget Process

(S.P. 790) (L.D. 2045)
(C. "A" S-570)

An Act To Facilitate the Regionalization of Emergency Communications Dispatching Services

(S.P. 818) (L.D. 2086)
(C. "A" S-583)

An Act To Allow a Second Opportunity for Retired Teachers To Elect To Rejoin the Teacher Group Accident and Sickness and Health Insurance Plan

(H.P. 1484) (L.D. 2092)
(C. "A" H-986)

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 Establish the Work Group To Review and Recommend Improvements for the Certificate of Need Program

(H.P. 1254) (L.D. 1814)
(C. "A" H-934)

Resolve, Directing the Department of Agriculture, Food and Rural Resources to Conduct Outreach Activities Pertaining to Animal Identification

(H.P. 1293) (L.D. 1853)
(H. "A" H-988 to C. "B" H-918)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Purchase the Department of Labor Building on 19 Union Street in Augusta

(H.P. 1311) (L.D. 1871)
(S. "A" S-576)

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 Regarding the Maine Insurance Guaranty Association

(H.P. 1463) (L.D. 2068)
(S. "A" S-584 to C. "A" H-941)

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.

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

An Act Relating to Payday Loans

(H.P. 1469) (L.D. 2076)
(C. "A" H-982)

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

On motion of Representative DUPLESSIE of Westbrook, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 515

YEA - Adams, Annis, Ash, Austin, Babbidge, Barstow, Beaudette, Berube, Bierman, Bishop, Blanchette, Bliss, Bowen, Bowles, Brautigam, Brown R, Browne W, Bryant, Bryant-Deschenes, Burns, Cain, Campbell, Canavan, Carr, Cebra, Churchill, Clark, Clough, Collins, Cressey, Crosby, Crosthwaite, Curley, Daigle, Davis G, Davis K, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Duprey, Eberle, Eder, Edgecomb, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Glynn, Goldman, Greeley, Grose, Hall, Hamper, Hanley B, Hanley S, Harlow, Hogan, Hotham, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Koffman, Lansley, Lerman, Lewin, Lindell, Lundeen, Makas, Marean, Marley, Marraché, Mazurek, McCormick, McFadden, McKane, McKenney, McLeod, Merrill, Miller, Millett, Mills, Moody, 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, Saviello, Seavey, Sherman, Shields, Simpson, Smith N, Smith W, Sykes, Tardy, Thomas, Thompson, Trahan, Tuttle, Twomey, Valentino, Vaughan, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - NONE.

ABSENT - Blanchard, Brannigan, Craven, Cummings, Curtis, Dugay, Emery, Moore G, Sampson, Schatz, Stedman.

Yes, 140; No, 0; Absent, 11; Excused, 0.

140 having voted in the affirmative and 0 voted in the negative, with 11 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate

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

UNFINISHED BUSINESS

The following matters, 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.

An Act To Encourage Reporting of Potential Fraud, Waste, Inefficiency and Abuse in State Government

(S.P. 658) (L.D. 1741)
(C. "A" S-543)

TABLED - April 6, 2006 (Till Later Today) by Representative BARSTOW of Gorham.

PENDING - **PASSAGE TO BE ENACTED.**

On motion of Representative SIMPSON of Auburn, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED.**

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

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (S-543)** was **ADOPTED.**

The same Representative **PRESENTED House Amendment "B" (H-1027)** to **Committee Amendment "A" (H-543)** which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Carr.

Representative **CARR**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. If I may, I just checked the amendment and sitting on that committee and I know that we had a lot of discussion on it. I was just wondering if we could have a little explanation as to why we had to have the amendment and I'm sure that there is, I am just not aware of it. If we could have a little explanation I would appreciate it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Simpson.

Representative **SIMPSON**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I would be happy to answer the good Representative Carr's question. The purpose of the amendment is to take out identifying information of the person that would be the subject of the complaint being public, the individual person. Because they would have no due process in the investigation or anything else. There was concern for people's privacy.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Trahan.

Representative **TRAHAN**: Mr. Speaker, may I pose a couple of questions through the Chair?

The SPEAKER: The Representative may pose his questions.

Representative **TRAHAN**: Could someone please explain why this legislation is needed considering the fact that last year we established a very similar program within DAFS?. I remember this bill going through here and being discussed. That created a similar hotline for state employees and others to report to DAFS, this type of thing. Also we now have a legislative oversight committee along with OPEGA to do a lot of this work. I am wondering why we are creating third one in 3 years. Can somebody answer that?

The SPEAKER: The Representative from Waldoboro, Representative Trahan has posed a question through the Chair

to anyone who may care to respond. The Chair recognizes the Representative from Auburn, Representative Simpson.

Representative **SIMPSON**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. The purpose of this fraud hotline in the Department of Audit and the reason we were working to create it in the way that it would work, is that nationally the auditors in many states have these. They have found millions and millions of taxpayer dollars that were not being used as wisely as they could have and in an effort to find as many ways as possible to promote good government and to give citizens access to a place to inform someone who'd have the ability to investigate what they see as a problem is in our opinion good government. The Department of Audit has the ability to examine the records of ever agency and department within State government and agencies with which we contract.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Trahan.

Representative **TRAHAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. That is what I was afraid of. I really want to ask the members of the body if we really want to do this and I will tell you a couple of reasons why. The State Auditor is charged with auditing an umbrella, a single audit of State government. When you have a hotline within the State Auditor's office to report inefficiency and waste in government, really what you are saying is that the State Audit office missed something. That is their job to do this type of thing and if there is going to be a hotline we already have a couple and we now have a legislative OPEGA office to do this type of thing. What I really think is going on ladies and gentlemen is a little bit of a territory war going on between these different audit functions. I know that the State Auditor is concerned and I don't blame her because she's brought those concerns to me, that officers will be, I guess, duplicating services. That has been brought to my attention by the auditor several times when I was working to bring OPEGA to this legislative body as an oversight arm. It appears to me that they are doing exactly what they asked me not to do when I brought OPEGA forward and that is duplicate services. I think this is totally unneeded, I think that it is more of a territory war going on between OPEGA and the Audit office and I am going to vote against this.

Representative **TRAHAN** of Waldoboro **REQUESTED** a roll call on the motion to **ADOPT House Amendment "B" (H-1027)** to **Committee Amendment "A" (H-543).**

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

On motion of Representative SIMPSON of Auburn, **TABLED** pending **ADOPTION** of **House Amendment "B" (H-1027)** to **Committee Amendment "A" (H-543)** and later today assigned. (Roll Call Ordered)

Resolve, To Ensure Financial Management at the Department of Health and Human Services

(S.P. 748) (L.D. 1949)
(C. "A" S-546)

TABLED - April 10, 2006 (Till Later Today) by Representative CUMMINGS of Portland.

PENDING - **FINAL PASSAGE.**

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

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

HOUSE DIVIDED REPORT - Majority (8) Ought to Pass as Amended by Committee Amendment "A" (H-987) - Minority (5) Ought Not to Pass - Committee on LABOR on Resolve, To Implement Recommendations of the Study Commission Regarding Liveable Wages Concerning Plans To Increase Wages to Maine Workers

(H.P. 1430) (L.D. 2032)

TABLED - April 11, 2006 (Till Later Today) by Representative SMITH of Van Buren.

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

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. This is part of the living wage commission that was passed last year that I had the privilege to serve on. I must tell you that, I did vote for and one of the, I guess decisions that I regret, I did vote for the study for the living wage. Let me explain why I did it, because I don't think that there is such a thing and I wanted to be able to go on a commission to prove it. Actually I think that I proved to myself that there is no such thing as a living wage. Now let me explain. Every single person in here has a different living wage, depends where you live, depends how many kids you have, what kind of house you have, what kind of car you drive, how much driving habit you have, how warm you keep your house. Everybody has a different wage at which you live at and for us to tell the State or state workers or anybody what a living wage is for a certain group of people would absolutely be wrong. We could have a target area where we think people are at, but actually peg a number and say \$17.00 an hour for a single mom with 2 children. We just don't know where they live, we don't know what their habits are, we don't know how much they drive, we don't know how far they commute ever day. It is a moving target and it is always changing based on the price of gas, the price of oil, it is constantly moving up and down. What we are going to do here, is we are going to say, we are actually going to try and peg it and have the Department of Labor come up with a figure every single year, we are going to have them come up with this figure. I just think that is absolutely wrong. Now to put this in statue would be wrong too and that is a bill that I'm going to talk about in a few minutes, but this one actually creates two positions. We are actually going to create two positions of government with a fiscal note of \$187,000.00 a year to calculate this living wage. Why would we want to create 2 more positions just to do that?

Representative **LERMAN**: Point of order.

The **SPEAKER**: Would the Representative defer for a minute? The Chair recognizes the Representative from Augusta, Representative Lerman and inquires to why he rises.

Representative **LERMAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Point of order. I don't believe that the Representative is addressing issues relevant to this particular piece of legislation. I think his comments are relevant to a piece of legislation that will come before this body at a later date.

On **POINT OF ORDER**, Representative **LERMAN** of Augusta asked the Chair if the remarks of Representative **DUPREY** of Hampden were germane to the pending question.

The **SPEAKER**: The Chair would indicate that the Representative's comments are relevant, the fiscal note indicates the addition of a public service manager position and an economic research analyst position. Those were the discussion and the comments to which he was referring to earlier in his

discussion. His comments were both germane to the fiscal note and to the report itself. The Representative may proceed.

The Chair advised Representative **LERMAN** of Augusta that the remarks of Representative **DUPREY** of Hampden were germane to the pending question.

Representative **DUPREY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. In this bill we are going to try to raise the wages for Maine workers, but we are also going to interfere with the collective bargaining process. Far be it for me to ever want to interfere with the collective bargaining process by trying to raise wages for state workers, school teachers, and municipal employees, but we are going to do it and it is going to cost \$187,000.00 a year for us to do something that should be done through collective bargaining. If the unions want to get a living wage they need to negotiate it.

Representative **DUPREY** of Hampden **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**: The Chair recognizes the Representative from Augusta, Representative Lerman.

Representative **LERMAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I would like to clarify exactly what this bill does because I believe that you may have gotten some information that isn't completely accurate. Again this is one of the recommendations that came out of the Study Commission on Liveable Wages. It is 1 of a number of pieces of legislation that we have considered in 1 of 17 recommendations overall that were made by the Commission. As we have discussed in the past just a reminder, 1/3 of the workers in the State of Maine, 1 out of 3 workers in the State of Maine currently earn less than the liveable wage. Alright, so we are talking about a significant number of people in our State, a significant number of our constituents in each and every one of our districts who are having a very difficult time making ends meet. That is only increasing over time as their wages get adjusted on an annual basis less than the cost of acquiring those things that are fundamental to meeting the basic needs of themselves and their families. This particular bill says it recognizes that the policies established and the statues passed by this body and the legislature as a whole influence the number of people in Maine who earn less than the liveable wage. Some portion of that 1/3 of our friends and neighbors who barely can make ends meet, if at all, are making that amount of money because of actions that we take. What this is is an attempt at is to look at, what are those policies, what adjustments would be appropriate to bring people up to the point where they are acknowledged for the hard work that they do, that they can in fact make ends meet at a very, very basic level as a result of working hard on a full time basis. So this particular piece of legislation, this particular recommendation of the Liveable Wage Commission simply says lets look at what it would take to bring up to a liveable wage, wages of people who work in various governmental levels or whose pay is influenced by policies and rates of reimbursement paid by State government. So, it's a long term plan for certain portions of the population I just defined; it's a 5-year plan for others for others it's a 10-year plan. The intention to characterize this as something that gets in the way of collective bargaining I believe is inaccurate and an effort to mislead you. This doesn't suggest that, it just looks at what can we do as a body, what can we do as State government to adjust the way we do what we do to bring people up to a liveable wage level, that's all this bill does. Now you may choose to support it or not, but please be clear as to exactly what this legislation says. I hope you'll support it, I think it is important

that we indicate a commitment to Maine workers, that we understand that they should be amply paid or reasonably paid for the work that they do. That we believe that it isn't right that people work on a full time basis and can't feed or house their families that that isn't right that it isn't right that we pay wages that require that they take public assistance to be able to meet the needs of their family. That it isn't right that they have to go on MaineCare to make sure that their families get healthcare even though they and possibly their partner or spouse works on a fulltime basis. That it simply isn't right that we are setting up a lot of people within our society who can't rely on the hard work that they do to be able to acquire basic things, food, shelter, clothing, housing, transportation, to be able to stay viable parts of the workforce. You know it's because people earn less than liveable wage that some people in fact can not stay as part of the workforce, they can't afford a car that will get them to work, they can't afford housing to stay warm, they can't afford to live where they work, so it only exacerbates for them the cost of maintaining employment. This is an effort to do it. By the way at point we will actually get to the bill that talks about the calculation of the liveable wage and I look forward to that discussion to be able to show you that, in fact, the target that we are talking about 1st of all is sensitive to regional differences, 2nd of all is sensitive household size and 3rd is very conservative based on some very, very conservative assumptions, but that is a discussion for another day. I urge you to support this legislation, I think it's the right message to send to the hard working folks of the State of Maine and I think it should reflect our commitment to making sure that people who do work full time, who are important working contributing members of our society or family here in Maine can support their families. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Kaelin.

Representative **KAELIN**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **KAELIN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Is there anything in this study or this bill that ties a person's educational attainment or job experience to the concept of a living wage?

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

Representative **LERMAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. In response to the question the answer is, no. It really looks at, in this particular case, well the concept of liveable wage is really tied to somebody, to what people make, not necessarily to their educational level, but what in fact do they make, what in fact does it cost for them to be able to secure the basics, housing, transportation, food and other basic needs. So it's not tied to educational level.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Kaelin.

Representative **KAELIN**: I appreciate that answer and for that reason I'm going to push red on this bill because I think that this is how you get to liveable wages in this society, through your own personal initiative and that I don't think that it's our responsibility to make sure that everybody gets a standard wage for just showing up. For that reason I'm going to push a red button here. Thank you.

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

Representative **LERMAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Just to address the concerns expressed by Representative Kaelin, this is one piece

of our recommendations as I have said on the floor of this body in the past. There were a number of recommendations that came out of the commission including a very strong recommendation to invest significantly in higher education and in economic development. This particular legislation simply, it can't exist within a vacuum and it isn't saying that people shouldn't take the initiative, what it is saying for those people who do some things that are fundamental to us getting by on a day to day basic, for the people who clean our houses, clean our chamber; distribute materials to us so that we can do our business, alright, the people who work in dietary positions in our schools systems. How about our teachers, that we pay our teachers a liveable wage, alright, how about the people who pump our gas, alright, how about the people who care for our parents or our children or for some of us in a few years, us. These are people who fulfill very important roles in our society and the point is not to give them other opportunities to get more education, not to say because you do that because you care for older people that's as far as you go, that we want you to stay there, you know, we want people to have access to education so that they can improve their lot. We want to do the research and development that will bring good paying jobs to the State of Maine, that's all part of our recommendation and part of what I think we all embrace and know is very important at this point for our State, but what this does say is for those people who fulfill roles in our society that we have valued at the point where they can't make ends meet, alright. For those people for however long they are in those positions that they should be given the decent enough treatment by society to have enough dignity, you know, to give them the dignity so that they can make ends meet while they are in those positions, whether it be for a few months, or whether it be for a lifetime. It's not insensitive to the excellent point of providing more opportunity for people to get more education and to better their lot, but it does acknowledge the fact that we need to do better for those people who are in the position of being on the lower end of the pay scale. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Burns.

Representative **BURNS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. As the good Representative from Augusta pointed out, it is about dignity, as he also pointed out and I haven't seen the documentation for this and I take him at his word that they are a third of our population that work hard and receive less than a liveable wage. I know from our discussions/debates on the minimum wage that I received literature from my colleagues who sit to the left of me, that indicated that those folks who receive the minimum wage, the less than a liveable wage, also are subsidized by the rest of us. So the reality is that we all pay the living wage already, but the taxpayers subsidize the living wage. There is no dignity, those folks who work hard for a living, whether they pump our gas and I don't know that they do that in this State anymore, because I know that I pump my own. Those folks that make that cup of coffee for me at Dunkin' Donuts, those folks who cook that vacuum packed steak for me up at the new elevation of fast food, they work hard for their money and when they go home what they've earned does not provide them sufficiently to fend for themselves. There is no self-reliance in these meager wages that we pay for this very necessary work that they do for us, but the reality is, we pay for it, we subsidize these meager wages. So it is truly in our interest and the interest of the people of the State of Maine to work in the direction of a liveable wage, a respectable wage. I urge you to vote in support of this measure.

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Duprey. Having spoken twice now requests unanimous consent to address the House a third time. Is there objection? Chair hears no objection, the Representative may proceed.

Representative **DUPREY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. We hear a lot about the recommendations of the Living Wage Commission. Now, anybody who knows me in here knows that when I worked on the Labor Committee, I always worked to compromise. I'm very fair for the most part. This commission was put together with people, 4 for and 3 against it, so we are stacked right against this right from the beginning. There was no reasons for us to run to a compromise, we were outnumbered right from the beginning. So there was no reason to say okay, let's find some common ground because when you got a majority you don't have to do that. So we're pretty much, yeah we had some input and yeah they did listen to us, but they pretty much came out with 15 bills or 13 bills or whatever that was what they wanted. Now we talk about this living wage concept, I spend two weeks in the Philippines in September; I do some missions and charity overseas every year, working at orphanages. You know the minimum wage over there is \$3.50 a day, you're like oh my god \$3.50 a day, who can live on that? That is poverty, that's slave labor, but when I was at MacDonald's there and I had a Big Mac, large fry and a large coke, it cost me 38 cents. It put everything in perspective. These people can live on that because that is a living wage for that country, they could live on \$3.50 a day. See if we were to take the minimum wage here and raise it to \$16.00 it would cost you \$15.00 for a Big Mac, large fry and a coke. We would still be subsidizing those people, except now we would be subsidizing at a much higher income level. See the target is always moving, the higher we raise wages, the higher things are going to cost, so the people at the bottom are always going to be poor except they are going to be poor at a higher income level, because 20 years ago we could all live on \$15,000.00 a year, comfortably. Things change over time. If we raise minimum wage to \$100.00 an hour, a \$100.00 an hour would be poverty. It's not the amount of money, you're always going to have people at the bottom; you're always going to have people at the top. The ones who want to work their way up, this is America you can do that. Nine years ago I didn't have anything. I lost everything in a failed business, worked hard for nine years, have done ok, because this is America and everybody has a level playing field, if you want to play. Thank you, Mr. Speaker.

The **SPEAKER**: The Representative from Auburn, Representative Shields has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Shields, Representative Shields.

Representative **SHIELDS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. For anyone who wishes to answer it. The bill indicates that part of this is to develop a 5 year plan to increase the wages of all State workers to a liveable wage. Now the other day, tell me if I am correct or not, I was told the liveable wage was \$9.00 to \$14.00 an hour, is that correct and are State employees being paid less than that?

The **SPEAKER**: The Chair recognizes the Representative from Augusta, Representative Lerman.

Representative **LERMAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. In response to the question posed by the good Representative from Auburn. In fact the calculation of liveable wage for this year using the methodology that being recommended by the study commission would range from \$9.00 to about \$14.00 - \$14.60 I believe it is,

depending upon household size, so you are accurate in that sense. Second, yes there are a number of State employees who make less than a liveable wage, even at the \$9.00 and change rate per hour. Also, just to clarify one further thing because of the apparent confusion between the two separate pieces of legislation, the fiscal note on this bill is to hire the staff to conduct the study and to develop the plan. It is not to calculate the liveable wage on an annual basis. That is not what the fiscal note on this bill represents, nor are the positions that are built in this bill. They don't have anything to do with the liveable wage; they have to do with the development of the plan as outlined in the legislation itself. Thank you, Mr. Speaker.

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

Representative **RICHARDSON**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I want to make two points that the good Representative from Augusta brought up. He said that the people who were, or that he went to a gas station and found out that he didn't get anybody to pump his gas, he had to do it himself. I think that one of the things that has happened in gas stations is that the owners or the financiers of gas stations have found out that the can't afford to pay to have people to pump your gas so they've mechanized it. This is going to happen every time you get the price of labor so high that it can't be factored into the sale of the product. The other point that he made was that we are subsidizing the lower, or the wage of the people he claims are suffering. My point, I guess, is that if these are State workers where is the money going to come from, but from us to pay their wages. Won't we still be subsidizing them after we have raised their wages another \$2, \$3, \$4 or \$5 it's all going to come from the taxes of the State of Maine. I don't understand how you can figure out that you're not subsidizing them, whether you're doing it with social programs or whether you're doing it with taxes. The pants have only got two pockets in them where our money is and it is going to come from one side or the other.

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. 516

YEA - Adams, Ash, Babbidge, Barstow, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Canavan, Clark, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Gerzofsky, Goldman, Grose, Harlow, Hogan, Hutton, Jackson, Jennings, Koffman, Lerman, Lundeen, Makas, Marley, Mazurek, Miller, Norton, O'Brien, Paradis, Patrick, Percy, Perry, Pilon, Pineau, Pingree, Piotti, Rines, Simpson, Smith N, Smith W, Thompson, Tuttle, Twomey, Valentino, Walcott, Watson, Webster, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Beaudette, Berube, Bierman, Bishop, Bowen, Bowles, Browne W, Bryant-Deschenes, Campbell, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosby, Crosthwaite, Curley, Curtis, Daigle, Davis G, Davis K, Duprey, Edgcomb, Finch, Fischer, Fitts, Fletcher, Flood, Glynn, Greeley, Hall, Hamper, Hanley B, Hanley S, Hotham, Jacobsen, Jodrey, Joy, Kaelin, Lansley, Lewin, Lindell, Marean, Marraché, McCormick, McFadden, McKane, McKenney, McLeod, Merrill, Millett, Mills, Moody, Moulton, Muse, Nass, Nutting, Ott, Pinkham, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Saviello, Seavey, Sherman, Shields, Sykes, Tardy, Thomas, Trahan, Vaughan.

ABSENT - Blanchard, Brown R, Craven, Cummings, Dugay, Emery, Fisher, Moore G, Sampson, Schatz, Stedman, Woodbury. Yes, 60; No, 79; Absent, 12; Excused, 0.

60 having voted in the affirmative and 79 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended Report was NOT ACCEPTED.**

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

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

SENATE REPORT - Ought to Pass as Amended by Committee Amendment "A" (S-575) - Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY on Bill "An Act To Enhance the Protection of Maine Families from Terrorism and Natural Disasters " (EMERGENCY)

(S.P. 789) (L.D. 2044)

- In Senate, Unanimous **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-575).**

TABLED - April 11, 2006 (Till Later Today) by Representative FISCHER of Presque Isle.

PENDING - ACCEPTANCE OF COMMITTEE REPORT.

Subsequently, the Unanimous Committee Report was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-575) was READ** by the Clerk.

Representative TUTTLE of Sanford **PRESENTED House Amendment "C" (H-1035) to Committee Amendment "A" (S-575),** which was **READ** by the Clerk.

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

Representative TUTTLE: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Many of us did have some concerns with the original piece of legislation, the Committees on Legal and Veterans Affairs and Criminal Justice actively worked on the bill and we came together with an agreement. We are hoping that you would accept this amendment on our behalf. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Blanchette.

Representative BLANCHETTE: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have had a chance to read the amendment that the good Representative from Sanford Representative Tuttle has presented and I want to thank him for that. I'm going to encourage all members of the House to support this and pass this bill out and put it out so that it becomes the law that we work from in the State of Maine. I appreciate and I really am very grateful to the members of the Legal and Vets Committee that took the time to look at this and to put some language in there that makes it a little easier for everybody to swallow, it's a good bill. I need to commend the task force of the Chief Executive that was formed to come out with this. The hundreds of hours and the hundreds and hundreds of miles that they traveled over this State listening to everybody that is concerned with the possibility of a natural or an unnatural disaster. I can tell you with this piece of legislation that, Maine, the State of Maine once again is following our motto "I Lead." Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Shields.

Representative SHIELDS: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I certainly concur with

spirit of this amendment. The thing that bothers me a little bit is the terminology, transfer a part of the rental income. I don't want to create any problems between departments and I just wondered if part has been defined?

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

Representative TUTTLE: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I'm glad the gentleman has posed that question we did make sure that did occur before amendment was passed. We did talk with both departments and they are in agreement, right now.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Gerzofsky.

Representative GERZOFSKY: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I also as chair of the task force endorse this amendment whole heartily. Thank you.

House Amendment "C" (H-1035) to Committee Amendment "A" (S-575) was ADOPTED.

Committee Amendment "A" (S-575) as Amended by House Amendment "C" (H-1035) thereto was ADOPTED.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-575) as Amended by House Amendment "C" (H-1035) thereto in NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

Bill "An Act To Make Minor Substantive Changes to the Tax Laws"

(H.P. 1218) (L.D. 1711)

TABLED - April 11, 2006 (Till Later Today) by Representative CUMMINGS of Portland.

PENDING - Motion of Representative MILLS of Farmington to INDEFINITELY POSTPONE HOUSE AMENDMENT "A" (H-1002) to COMMITTEE AMENDMENT "A" (H-974). (Roll Call Ordered)

Representative MILLS of Farmington **WITHDREW** her **REQUEST** for a roll call.

The same Representative **WITHDREW** her motion to **INDEFINITELY POSTPONE House Amendment "A" (H-1002) to Committee Amendment "A" (H-974).**

Representative LERMAN of Augusta **WITHDREW House Amendment "A" (H-1002) to Committee Amendment "A" (H-974).**

Subsequently, **Committee Amendment "A" (H-974) was ADOPTED**

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-974)** and sent for concurrence. **ORDERED SENT FORTHWITH.**

An Act To Implement the Recommendations of the Joint Standing Committee on Education and Cultural Affairs Regarding Review of the State Board of Education under the State Government Evaluation Act

(H.P. 1494) (L.D. 2103)

TABLED - April 11, 2006 (Till Later Today) by Representative NORTON of Bangor.

PENDING - PASSAGE TO BE ENACTED.

On motion of Representative NORTON of Bangor, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

The same Representative **PRESENTED House Amendment "A" (H-1017)** which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Hodgdon, Representative Sherman.

Representative **SHERMAN**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose his question.

Representative **SHERMAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have this amendment in front of me, it talks about the State board. As I read it, studying school consolidation, develops consolidation plans that has been stricken out and says "study administrative unit configuration." I wonder if the author of this amendment can tell us exactly what that means, the intent of it.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Norton.

Representative **NORTON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Actually what happened is in reviewing the duties, there were duties there that no longer were needed. They were actually old things that we took out. In taking out some of the language we had crossed out a sentence that didn't look crossed out to the Revisor's Office and so when the language came before us on the floor of the House. We had to go and revise or take that language out. All this does, there is a period after this, instead of consolidation the State board just didn't want to lose one of its duties. All this study does is it allows them to study whatever it is they think they want to study. We took away any authority for them to act on any of that and that's really all it does. Is a small thing, I suppose we could have just wiped the whole thing out, but they were fearful they were losing something that they wanted to talk about and that's about it.

The **SPEAKER**: The Chair recognizes the Representative from Hodgdon, Representative Sherman.

Representative **SHERMAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'm not sure if my question was answered directly, but I think it was indirectly. After we had a discussion last night about the labor market areas, the demise of rural school districts it seems to me that there is a big target on the back of the rural district. I would oppose this amendment.

The **SPEAKER**: The Chair recognizes the Representative from Appleton, Representative Merrill.

Representative **MERRILL**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. In response to the question that was just put forth a couple of minutes ago and just to reiterate what the Representative from Bangor, Representative Norton just said. What this amendment does is actually it takes power away from the State Board of Education. The current law gives them the authority to go out and develop a plan for school consolidation. This actually takes that power away from them. This is a good amendment.

The **SPEAKER**: The Chair recognizes the Representative from Hodgdon, Representative Sherman.

Representative **SHERMAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I thank the gentle lady for the explanation it is much clearer, much simpler. Anything that takes power away from the State board, I'd be in favor of.

The Chair ordered a division on the motion to **ADOPT House Amendment "A" (H-1017)**.

A vote of the House was taken. 104 voted in favor of the same and 0 against, and accordingly **House Amendment "A" (H-1017)** was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-1017)** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

Bill "An Act To Extend the Lobbyist Reporting Requirements to Executive Branch Lobbying Activities"

(H.P. 1235) (L.D. 1727)

- In House, Minority (4) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LEGAL AND VETERANS AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-923)** on April 7, 2006.

- In Senate, Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **LEGAL AND VETERANS AFFAIRS READ** and **ACCEPTED** in **NON-CONCURRENCE**.

TABLED - April 12, 2006 (Till Later Today) by Representative **DUPLESSIE** of Westbrook.

PENDING - Motion of Representative **HOTHAM** of Dixfield to **RECEDE** and **CONCUR**. (Roll Call Ordered)

On motion of Representative **DUPLESSIE** of Westbrook, **TABLED** pending the motion of Representative **HOTHAM** of Dixfield to **RECEDE** and **CONCUR** and later today assigned. (Roll Call Ordered)

Expression of Legislative Sentiment in Memory of United States Army Specialist Dustin James Harris, of Patten

(HLS 1840)

TABLED - April 12, 2006 (Till Later Today) by Representative **BOWLES** of Sanford.

PENDING - ADOPTION.

The **SPEAKER**: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative **JOY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. After the joy of celebrating yesterday the return of the 152nd, it is unfortunate that I have to remind us that we are also in sorrow. I would like to first thank the Speaker and the President of the Senate allowing all of the members of both bodies to be included in the sponsorship of this. A loss of this nature is always much closer when, I've been close to the family all my life. The great-grandfather was our family doctor for a number of years, the grandfather grew up with my younger brothers and sisters and we played baseball many, many times. His mother was a student when I was principal of the junior high school at Katahdin. Known them practically all my life. This young man died bravely serving his country and if those of you who may have read the news articles regarding his loss and his achievements in such a young life, 21 years old, probably realize that he was doing what he wanted to do. I'm further saddened to learn just a short time ago that there is an outfit that is planning to picket his funeral ceremony and they are not nice people. I think it's tragic that we have people in our society who will not allow this young man to have his memorial service in dignity. I hope that as you leave this place today and you have few moments to say prayers for the family of this young man. I hope you will take that opportunity to expend those prayers. Thank you, Mr. Speaker.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** and sent for concurrence.

**REPORTS OF COMMITTEE
Ought to Pass Pursuant to Resolve**

Representative SIMPSON for the **Joint Standing Committee on Judiciary** on Bill "An Act To Implement the Recommendations of the Freedom of Access Advisory Committee"

(H.P. 1503) (L.D. 2111)

Reporting **Ought to Pass** pursuant to Resolve 2005, chapter 123.

Report was **READ** and **ACCEPTED**. The Bill **READ ONCE**.

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

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

CONSENT CALENDAR

First Day

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

(H.P. 1397) (L.D. 1995) Resolve, Directing the Department of Health and Human Services To Amend Its Rules To Ensure Efficiencies in the Billing and Delivery of Outpatient Clinical Services Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1033)**

On motion of Representative PINGREE of North Haven, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative **TABLED**, pending **ACCEPTANCE** of the Committee Report and later today assigned.

Second Day

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

(S.P. 759) (L.D. 1972) Bill "An Act To Preserve Maine's Working Waterfront" (C. "A" S-602)

(S.P. 842) (L.D. 2100) Bill "An Act To Amend the Charter of the Anson Water District" (C. "A" S-601)

(H.P. 1439) (L.D. 2041) Bill "An Act To Enhance Maine's Energy Independence and Security" (C. "A" H-1024)

(H.P. 1493) (L.D. 2101) Bill "An Act Regarding Prepaid Contracts for Heating Fuel" (C. "A" H-1025)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED AS AMENDED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED AS AMENDED** and sent for concurrence. **ORDERED SENT FORTHWITH**.

Reference was made to Bill "An Act To Make Revisions to the Laws Governing Pesticide Control"

(H.P. 1330) (L.D. 1890)

In reference to the action of the House on April 10, 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 PIOTTI of
Unity
Representative TWOMEY of
Biddeford

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

An Act Regarding the Maine Insurance Guaranty Association
(H.P. 1463) (L.D. 2068)
(S. "A" S-584 to C. "A" H-941)

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

Representative TARDY of Newport **WITHDREW** his **REQUEST** for a roll call.

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

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1026)** on Bill "An Act To Make Changes to the Laws Regarding Pine Tree Development Zones"

(H.P. 1483) (L.D. 2091)

Signed:

Senators:

HOBBINS of York

DOW of Lincoln

Representatives:

CROSBY of Topsham

JACOBSEN of Waterboro

BEAUDETTE of Biddeford

BERUBE of Lisbon

FARRINGTON of Gorham

SMITH of Monmouth

RECTOR of Thomaston

ROBINSON of Raymond

AUSTIN of Gray

O'BRIEN of Lewiston

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

Signed:

Senator:

BROMLEY of Cumberland

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-1026)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1026)** and sent for concurrence.

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

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.

Bill "An Act Regarding the Sentencing of Persons Convicted of Gross Sexual Assault against Victims under 12 Years of Age"

(H.P. 1499) (L.D. 2108)

(Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested)

TABLED - April 11, 2006 (Till Later Today) by Representative CUMMINGS of Portland.

PENDING - Motion of Representative DAVIS of Augusta to **INDEFINITELY POSTPONE** the Bill and accompanying papers. (Roll Call Ordered)

Representative DAVIS of Augusta **WITHDREW** her **REQUEST** for a roll call.

The same Representative **WITHDREW** her motion to **INDEFINITELY POSTPONE** the Bill and accompanying papers.

On motion of Representative TARDY of Newport, **TABLED** pending **REFERENCE** and later today assigned.

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

On motion of Representative CLARK of Millinocket, the House adjourned at 12:54 p.m., until 10:00 a.m., Wednesday, April 26, 2006 pursuant to the Joint Order (S.P. 854) and in honor and lasting tribute to Donald "Ducky" Dickinson, of Millinocket.