

MAINE STATE LEGISLATURE

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House of Representatives
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State of Maine

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ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
SECOND REGULAR SESSION
20th Legislative Day
Tuesday, March 4, 2008

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

Prayer by Reverend Casey Collins, Calvary United Methodist Church, Lewiston.

National Anthem by Mitch Thomas, Durham.

Pledge of Allegiance.

Doctor of the day, James K. VanKirk, M.D., Veazie.

The Journal of Thursday, February 28, 2008 was read and approved.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Fund the Universal Childhood Immunization Program"

(H.P. 1603) (L.D. 2242)

Sponsored by Representative CONNOR of Kennebunk.

Cosponsored by Senator MARRACHÉ of Kennebec and Representatives: BEAUDOIN of Biddeford, CAMPBELL of Newfield, CRAVEN of Lewiston, FAIRCLOTH of Bangor, FINLEY of Skowhegan, MILLER of Somerville, PINGREE of North Haven, Senator: RAYE of Washington.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Increase the Number of Mandated Reporters of Abuse, Neglect or Exploitation"

(H.P. 1604) (L.D. 2243)

Sponsored by Representative SIMPSON of Auburn.
(GOVERNOR'S BILL)

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

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

Sent for concurrence.

Bill "An Act Concerning Traffic Safety Cameras"

(H.P. 1605) (L.D. 2244)

Sponsored by Representative PILON of Saco.

Cosponsored by Senator DAMON of Hancock and Representative: MARLEY of Portland.

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

Committee on **TRANSPORTATION** suggested.

On motion of Representative HILL of York, **TABLED** pending **REFERENCE** and later today assigned.

Pursuant to Statute

Department of Inland Fisheries and Wildlife

Representative JACKSON 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,

Open Water and Ice Fishing Regulations, a Major Substantive Rule of the Department of Inland Fisheries and Wildlife (EMERGENCY)

(H.P. 1602) (L.D. 2241)

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.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Maine Troop Greeters, of Bangor, on the occasion of their greeting the 3,000th flight of members of the United States Armed Forces traveling to and from harm's way overseas. At all hours of the day, the Maine Troop Greeters of the Bangor area have met the flights of personnel who have landed in Bangor. The troop greeters continue to be an extraordinary example of generosity and dedication and exemplify the best of the Bangor area and the State of Maine. As the 3,000th flight arrives in Bangor, we send our appreciation to the Armed Forces for their dedicated service to our Nation, and we thank the Maine Troop Greeters for their comforting role as greeters;

(HLS 1057)

Presented by Representative BLANCHETTE of Bangor.

Cosponsored by Senator PERRY of Penobscot, Representative NORTON of Bangor, Representative FAIRCLOTH of Bangor, Representative DUNN of Bangor, Representative FISHER of Brewer, Representative JOHNSON of Greenville, Senator SMITH of Piscataquis.

On **OBJECTION** of Representative BLANCHETTE of Bangor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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. It is with a great deal of pleasure that I was able to put this sentiment in for the Troop Greeters, who are coming up on their 3,000th flight of men and women that have gone over and served America, in their proudest tradition. I am proud of my Troop Greeters and will always be proud of the service that they offer, but I have to tell you that they pale in comparison to the young men and women that have gone over and put their life on the line, many of them giving their life, or many of them giving their limbs in service to the United States, and they never complain. We sometimes think that we are a nation of weak individuals that cannot stand up to aggression, and I hate to tell you that when you walk through there and you see these young men and women coming back off the plane, they are on American soil and the smile on their face and the happiness in their eyes: we are home, we are loved and we are appreciated.

Ladies and Gentlemen, there is no city in the State of Maine that is any more proud of their Troop Greeters, or the people that have gone over there, than the people of Bangor, Maine. I have greeters over there that are 85, pushing 90 years old, that are up in all kinds of weather, traveling to the airport, giving out goodies

and souvenirs of Bangor. The first thing they are handed is a cell phone when they come through the gangplank way, so that they can call home and touch base with their relatives. We are very, very proud of our people in Maine, and I am very, very proud of all of the people all the way from Milo, Greenville, and Houlton, anywhere north and south of Bangor that come in to greet my troops.

Ladies and Gentlemen, I thank you for the privilege of being able to put this sentiment in to recognize 3,000 flights. I hope when we hit 3,000 that this war comes to an end and we will not have to do it, but I tell you that the Troop Greeters will be there if it hits 30,000 more in a day's time, they will be there to welcome these troops home. Thank you, Mr. Speaker.

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. I can tell you that nobody in this body is as proud as I am of having the Bangor International Airport in their district, so that this thing can happen in my district. I am so proud of all these people who go and welcome the troops back home. I know how important that is, and I am so glad that these people know how important it is to welcome those troops. I will tell you that as the spouse of someone who came back years ago under different conditions, this is so important to their future mental health and the welfare of their families. Again, thank you Troop Greeters for all that you do. If anyone has been there and watched them do it, it is a wonderful thing. Thank you, thank you.

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

Representative **PERRY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am actually glad to be able to speak to this, not as a Bangor Representative, but as Representative from the State of Maine. I have a brother-in-law who is one of the greeters. I have had the privilege of staying with him overnight on one of those snowy nights, and actually have them plan for when a plane is coming in to get up and go, even in a storm, to greet. The stories that he is able to tell of the people who are coming back, newborns they have not seen yet with the ability to call their families.

What I am proud of is that we are the first people in the country they see, and to have us greet them and welcome them at the very beginning of their journey back home means a lot to them, and I can be very proud of the people of the State of Maine who show such a commitment for so long, to make sure that our men get welcomed back.

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. I have been flying out of Bangor quite a bit lately and it seems every time I go there and see the Troop Greeters, the first person I always see is the Representative from Brewer, Representative Fisher. He is there every single time that I go to the airport, whether I fly out, or one of my kids, he is there hugging them, high-fiving them, giving them encouragement, and is usually the last person they see before they get on the plane. I tell you, it always brings tears to my eyes seeing that, being a former soldier myself, seeing that positive encouragement. There is not one bit of partisanship, it is all positive. I would like to appreciate you, Representative Fisher, for all that you do for the troops. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Acton, Representative Nass.

Representative **NASS**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I, too, would like

to give thanks to the greeters. Recently, my nephew came back from his second tour in Iraq, and the first thing he did when he called us was to tell us how wonderful it was to be greeted in Maine, in such a fashion, so my heart goes out to the people who take the time to do this for our troops. It makes us really proud.

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

Recognizing:

the Cloudveil Company and Cameron Barker, of Jackson, Wyoming, for their expression of patriotism and support of our Nation's service men and women. During the 2007 Christmas season, the Cloudveil Company donated thousands of dollars' worth of outdoor apparel, including ski suits, pants, jackets and sweaters, to be presented to members of the Armed Forces returning from Iraq and Afghanistan. Most of the clothing was presented to the soldiers returning to the United States on Christmas Eve by members of the American Legion Department of Maine and the Maine Troop Greeters at Bangor International Airport. This generous and thoughtful expression of gratitude was deeply appreciated by the returning soldiers, and the gesture reflects the best of what America represents. We send our appreciation to the Cloudveil Company and Cameron Barker for their extraordinary generosity;

(HLS 1058)

Presented by Representative JOHNSON of Greenville. Cosponsored by Senator SMITH of Piscataquis, Senator PERRY of Penobscot, Representative NORTON of Bangor, Representative BLANCHETTE of Bangor, Representative FAIRCLOTH of Bangor, Representative DUNN of Bangor, Representative FISHER of Brewer.

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

READ.

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

Representative **JOHNSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It gives me a great deal of pleasure to bring this sentiment forward. I think it is an expression of the reach that the Troop Greeters have across the United States. Every year, we see letters to the editor expressing the appreciation of soldiers and other servicemen and women coming through the Bangor International Airport. The Cloudveil Company, of Wyoming, felt so strongly about it that they donated over 14 large boxes of first-rate apparel to be distributed to soldiers returning. My friend Randy Kluj, who is in the audience tonight, and his wife were there to hand out a lot of these apparel items, and I believe it is a deep expression of gratitude on behalf of the people of the State of Maine and our servicemen and women, that they would support this effort, so it is with great deal of pleasure that I recognize the Cloudveil Company. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Fisher.

Representative **FISHER**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I happened to be there the night this event happened and saw the looks of the young men and women who were passing through and were offered boxes and boxes of fine clothing to take home during the Christmas season. It was quite an event. I do not in any way shape or form want to blunt that one activity, but I would also like to comment on some of the others who provide similar services and are often forgotten.

U.S. Cellular and Unicef, for providing millions of minutes of

free phone time to the young men and women going over and coming back. Associations that are often found here on the floors of the capital—Maine auto dealers, Maine Dental Association, Delta Dental, the Bankers Association, credit unions—all have provided us with support of one sort or another. The Secretary of State has provided a carton of old license plates found in his offices, the Maine Patriot license plate from back in 1990, to be given to Maine soldiers passing through the airport. Maine Maritime, with some support for coins to give out to each unit coming through. Maine is scattered across the country because of what we do at the airport.

I do not particularly like to speak for a whole crowd of people, but I do express my appreciation on behalf of the Troop Greeters for the sentiments that you have offered us over the past four years. They are posted up at the airport; it is heartwarming to know that they are being recognized by this body. I appreciate the kind words from the good Representative from Hampden. Our rewards, however, are the opportunity to spend time with the Nation's very best. I wish you could all come up and meet these people, quality young men from the lowest ranking to the highest ranking that come through, you would be pleased. As we speak this morning, 250 from Camp Pendleton are at the airport heading over.

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

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Public Law

Report of the **Joint Standing Committee on Natural Resources** on Bill "An Act To Minimize the Potential for Slope Failure in Gravel Pits"

(S.P. 859) (L.D. 2227)

Reporting **Ought to Pass** pursuant to Public Law 2007, chapter 364.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, March 5, 2008.

Representative BLISS for the **Joint Standing Committee on Utilities and Energy** on Bill "An Act To Extend the ConnectME Authority"

(H.P. 1607) (L.D. 2246)

Reporting **Ought to Pass** pursuant to Public Law 2005, chapter 665, section 7.

Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, March 5, 2008.

Refer to the Committee on Agriculture, Conservation and Forestry Pursuant to Joint Order

Representative PIEH for the **Joint Standing Committee on Agriculture, Conservation and Forestry** on Bill "An Act To Promote the Agricultural Economy" (EMERGENCY)

(H.P. 1606) (L.D. 2245)

Reporting that it be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** pursuant to Joint Order, H.P. 1555.

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

Sent for concurrence.

Change of Committee

Representative PIEH from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Authorizing the State Tax Assessor To Sell 2 Certain Parcels of Land in the Unorganized Territory

(H.P. 1583) (L.D. 2217)

Reporting that it be **REFERRED** to the Committee on **TAXATION**.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **TAXATION**.

Sent for concurrence.

Divided Reports

Majority Report of the Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-412)** on Bill "An Act To Amend the Charter of the Kennebunk Light and Power District"

(S.P. 422) (L.D. 1221)

Signed:

Senators:

BARTLETT of Cumberland
HOBBINS of York

Representatives:

BLANCHARD of Old Town
BLISS of South Portland
ADAMS of Portland
BERRY of Bowdoinham
HINCK of Portland

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

Signed:

Senator:

SMITH of Piscataquis

Representatives:

THIBODEAU of Winterport
CURTIS of Madison
RINES of Wiscasset
FLETCHER of Winslow
FITTS of Pittsfield

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-412)**.

READ.

Representative BLISS of South Portland moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-699)** on Resolve, Regarding Special Education Evaluations

(H.P. 1387) (L.D. 1949)

Signed:

Senators:

BOWMAN of York
MITCHELL of Kennebec
MILLS of Somerset

Representatives:

NORTON of Bangor
FINCH of Fairfield
FARRINGTON of Gorham
HARLOW of Portland
SUTHERLAND of Chapman
EDGECOMB of Caribou
McFADDEN of Dennysville
MUSE of Fryeburg

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

Signed:

Representatives:

MAKAS of Lewiston
STRANG BURGESS of Cumberland

READ.

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

The Resolve was **READ ONCE. Committee Amendment "A" (H-699)** was **READ** by the Clerk and **ADOPTED**. The Resolve was assigned for **SECOND READING** Wednesday, March 5, 2008.

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-696)** on Bill "An Act To Amend the Public Works Contractors' Surety Bond Law of 1971"

(H.P. 1478) (L.D. 2092)

Signed:

Senators:

SULLIVAN of York
BOWMAN of York

Representatives:

BRAUTIGAM of Falmouth
CANAVAN of Waterville
CROCKETT of Augusta
VAUGHAN of Durham
TREAT of Hallowell
RICHARDSON of Warren
SAVAGE of Falmouth
CONOVER of Oakland
McKANE of Newcastle
PRIEST of Brunswick

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

Signed:

Senator:

SNOWE-MELLO of Androscoggin

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-696)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, March 5, 2008.

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-697)** on Bill "An Act Relating to Insurance Coverage for Colorectal Cancer Early Detection"

(H.P. 1495) (L.D. 2109)

Signed:

Senators:

SULLIVAN of York
BOWMAN of York
SNOWE-MELLO of Androscoggin

Representatives:

BRAUTIGAM of Falmouth
CANAVAN of Waterville
CROCKETT of Augusta
VAUGHAN of Durham
TREAT of Hallowell
RICHARDSON of Warren
SAVAGE of Falmouth
CONOVER of Oakland
PRIEST of Brunswick

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

Signed:

Representative:

McKANE of Newcastle

READ.

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

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

ROLL CALL NO. 220

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Bliss, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter, Casavant, Cebra, Chase, Clark, Cleary, Connor, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgcomb, Emery, Faircloth, Farrington, Finch, Finley, Fisher, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hill, Hinck, Hogan, Jackson, Johnson, Jones, Joy, Kaenrath, Knight, Koffman, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McLeod, Miller, Mills, Miramant, Moore, Muse, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rand, Rector, Richardson D, Richardson W,

Rines, Robinson, Rosen, Samson, Sarty, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - NONE.

ABSENT - Canavan, Conover, Dill, Fischer, Gerzofsky, Hayes, Jacobsen, Lansley, McKane, Millett, Theriault.

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 Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-697)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, March 5, 2008.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-701)** on Bill "An Act To Designate Certain Rules of the Bureau of State Police as Major Substantive Rules" (H.P. 1406) (L.D. 2022)

Signed:

Senators:

DAMON of Hancock

SAVAGE of Knox

Representatives:

BROWNE of Vassalboro

FISHER of Brewer

MAZUREK of Rockland

HOGAN of Old Orchard Beach

THOMAS of Ripley

CEBRA of Naples

ROSEN of Bucksport

THERIAULT of Madawaska

PEOPLES of Westbrook

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

Signed:

Representative:

MARLEY of Portland

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-701)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, March 5, 2008.

CONSENT CALENDAR

First Day

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

(H.P. 1536) (L.D. 2162) Resolve, Regarding Legislative Review of Portions of Chapter 850: Health Plan Accountability, a Major Substantive Rule of the Department of Professional and Financial Regulation (EMERGENCY) Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(H.P. 1564) (L.D. 2194) Resolve, Regarding Legislative Review of Portions of Chapter 26: Standards for Indoor Pesticide Applications and Notification for All Occupied Buildings Except K-

12 Schools, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 1578) (L.D. 2211) Resolve, Regarding Legislative Review of Portions of Chapter 29: Standards for Water Quality Protection, Section 6, Buffer Requirement, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control. (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 1410) (L.D. 2026) Resolve, To Reimburse School Administrative District No. 11 for the State Share of Retirement Contributions Paid in Error (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-702)**

(H.P. 1467) (L.D. 2081) Bill "An Act To Prohibit the Retail Sale and Distribution of Novelty Lighters" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-704)**

(H.P. 1499) (L.D. 2113) Bill "An Act To Implement the Recommendations of the Committee To Study the Prison Industries Program" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-705)**

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. 762) (L.D. 1968) Bill "An Act To Clarify the Election of Municipal Charter Commission Members" (C. "A" S-426)

(S.P. 808) (L.D. 2118) Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2009" (C. "A" S-428)

(H.P. 1519) (L.D. 2139) Resolve, Directing the Bureau of Financial Institutions To Study Data Security Breaches in the State (C. "A" H-698)

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 Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

(H.P. 1435) (L.D. 2051) Bill "An Act Regarding the Sale of Firearms to Minors" (C. "A" H-695)

On motion of Representative SYKES of Harrison, was **REMOVED** from the Second 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.

BILLS IN THE SECOND READING

House as Amended

Bill "An Act To Clarify the Application of Prevailing Wage Requirements"

(H.P. 328) (L.D. 412)
(C. "A" H-640)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence. **ORDERED SENT FORTHWITH.**

ENACTORS

Emergency Measure

An Act To Repeal the Ban on the Sale and Furnishing of Hard Snuff

(S.P. 755) (L.D. 1961)
(C. "A" S-423)

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. 135 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 Clarify Retirement Programs for Participating Local Districts

(H.P. 1530) (L.D. 2150)

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

Acts

An Act To Improve the Codification of Retirement Plans Administered by the Maine Public Employees Retirement System

(H.P. 1525) (L.D. 2146)

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, Authorizing the Commissioner of Administrative and Financial Services To Sell the Interests of the State in a Parcel of Property in Frenchville

(H.P. 1375) (L.D. 1941)
(H. "A" H-681 to C. "A" H-672)

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 28, 2008, 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 To Protect Children from Hazardous Lead-based Paint"

(H.P. 1584) (L.D. 2218)

(Committee on **HEALTH AND HUMAN SERVICES** suggested)
TABLED - February 25, 2008 (Till Later Today) by Speaker CUMMINGS of Portland.

PENDING - **REFERENCE.**

Subsequently, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, ordered printed and sent for concurrence.

HOUSE REPORT - **Ought to Pass pursuant to Public Law 2007, chapter 226, section 3** - Committee on **UTILITIES AND ENERGY** on Bill "An Act Regarding Tort Liability in the Provision of E-9-1-1 Access-only Service"

(H.P. 1599) (L.D. 2238)

TABLED - February 28, 2008 (Till Later Today) by Representative BLISS of South Portland.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

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

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, March 5, 2008.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-693)** - Committee on **UTILITIES AND ENERGY** on Resolve, Regarding Legislative Review of Portions of Chapter 3: Provision of Enhanced E-9-1-1 Access-only Service, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

(H.P. 1521) (L.D. 2141)

TABLED - February 28, 2008 (Till Later Today) by Representative BLISS of South Portland.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

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

The Resolve was **READ ONCE. Committee Amendment "A" (H-693)** was **READ** by the Clerk and **ADOPTED.** The Resolve was assigned for **SECOND READING** Wednesday, March 5, 2008.

Bill "An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Brewer High School District" (EMERGENCY)

(S.P. 864) (L.D. 2234)

- In Senate, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS.**

TABLED - February 28, 2008 (Till Later Today) by Representative PATRICK of Rumford.

PENDING - **REFERENCE IN CONCURRENCE.**

Subsequently, on motion of Representative PATRICK of Rumford, the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE** and sent for concurrence.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-707)** on Bill "An Act To Amend the Conflict of Interest Laws for Notaries Public"

(H.P. 1441) (L.D. 2057)

Signed:

Senators:

SCHNEIDER of Penobscot
BRANNIGAN of Cumberland
BENOIT of Sagadahoc

Representatives:

BARSTOW of Gorham
BOLAND of Sanford
WEAVER of York
BEAUDETTE of Biddeford
SIROIS of Turner
HAYES of Buckfield
COTTA of China
SCHATZ of Blue Hill

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

Signed:

Representatives:

CURTIS of Madison
JOY of Crystal

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-707)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, March 5, 2008.

Majority Report of the Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-706)** on Bill "An Act To Provide a Rebate for Clean Energy Geothermal Heating Units"

(H.P. 1376) (L.D. 1942)

Signed:

Senators:

BARTLETT of Cumberland
SMITH of Piscataquis
HOBBINS of York

Representatives:

RINES of Wiscasset
FLETCHER of Winslow
ADAMS of Portland
FITTS of Pittsfield
BERRY of Bowdoinham
HINCK of Portland
BLISS of South Portland
BLANCHARD of Old Town

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

Signed:

Representatives:

THIBODEAU of Winterport

CURTIS of Madison

READ.

On motion of Representative BLISS of South Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-706)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, March 5, 2008.

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

On motion of Representative CLARK of Millinocket, the House adjourned at 11:21 a.m., until 10:00 a.m., Wednesday, March 5, 2008.