

MAINE STATE LEGISLATURE

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

Volume III

First Special Session

April 1, 2008 - April 18, 2008

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House Legislative Sentiments
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Pages 1358-2163

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
FIRST SPECIAL SESSION
7th Legislative Day
Thursday, April 10, 2008

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

Prayer by Prayer by Reverend Alice A. Hildebrand, First Congregational Church of Deer Isle and Sunset Congregational Church, UCC.

National Anthem by Durham/Pownal Middle School Band.

Pledge of Allegiance.

Doctor of the day, Lisa Letourneau, M.D., M.P.H., Scarborough.

The Journal of yesterday was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 924)

JOINT RESOLUTION HONORING THE KIWANIS CLUBS OF MAINE, PARTICULARLY THE KIWANIS CLUB OF GORHAM FOR OPERATION HOLIDAY CHEER

WHEREAS, Kiwanis is an organization made up of approximately 8,000 clubs in 96 countries with over 260,000 adult members, including 32 clubs in the State of Maine with over 1,500 adult members; and

WHEREAS, members of Kiwanis place special emphasis on service to children and youth through initiatives intended to improve the quality of life of children in communities around the world; and

WHEREAS, on July 17, 2007, the Kiwanis Club of Gorham was chartered; and

WHEREAS, on July 21, 2007, the Kiwanis Club of Gorham, subsequently joined by other Kiwanis Clubs in Maine, launched Operation Holiday Cheer, a program to provide a holiday gift to each participating child of Maine's military families; and

WHEREAS, there are over 9,000 children in the State of Maine that have a parent that serves in the military during the holidays; and

WHEREAS, Operation Holiday Cheer acquired, wrapped and distributed a holiday gift to each participating military child in over 140 cities and towns throughout the State of Maine; and

WHEREAS, each package contained a letter that read: "On behalf of the Kiwanis Clubs of Maine and the people of the State of Maine, we would like to offer you this token of our appreciation for your sacrifice. You are the child of a Maine military family and the bravery that you show every day by sharing your parent to help protect our country is being recognized and honored. You should be extremely proud of your service to our country and should know that we, the Kiwanis and the people of Maine, stand proudly beside you. We wish you and your family a Happy Holiday Season!!"; and

WHEREAS, the sacrifices and bravery of the children of military families have been acknowledged, commended and rewarded by the Kiwanis Clubs of Maine through Operation Holiday Cheer; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-third Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize and honor the Kiwanis Clubs of Maine, particularly the Kiwanis Club of Gorham, for their acknowledgement and recognition of the sacrifices, courage and heroism of the children of Maine's military families through Operation Holiday Cheer; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Kiwanis Club of Gorham with our appreciation.

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

READ and **ADOPTED** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 517)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

April 8, 2008

Honorable Beth Edmonds, President of the Senate

Honorable Glenn Cummings, Speaker of the House

123rd Maine Legislature

State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

- L.D. 65 An Act To Provide Funding for Mentoring Programs
- L.D. 120 An Act To Provide Transitional Support for the Downeast Heritage Museum in Calais
- L.D. 186 An Act To Provide Funding to the St. Francis Water District for New Wells
- L.D. 189 An Act To Invest in an Allied Health Center at Northern Maine Community College
- L.D. 314 An Act To Restore Funding for the Reading Recovery Program
- L.D. 425 An Act Regarding the Accounting Procedure for Certain State Programs
- L.D. 646 An Act To Support and Expand Regional Teacher Development Centers and Early College Readiness Programs
- L.D. 721 An Act To Restore Support for HIV and AIDS Treatment and Prevention
- L.D. 744 An Act To Stabilize and Expand Funding for the Graduate School of Biomedical Science at the University of Maine
- L.D. 782 An Act To Establish a New Method of Determining the State Budget
- L.D. 793 An Act To Provide Essential Library Resources to All Maine Communities
- L.D. 804 An Act To Ensure Responsible Government Spending, Investment and Educational Efficiency
- L.D. 1190 An Act To Promote Economic Growth through Education for Androscoggin County
- L.D. 1268 An Act To Fund the Nursing Education Loan Repayment Program and Fund
- L.D. 1654 An Act To Reduce the Cost of the Unfunded Liability of the State Employee and Teacher Retirement Fund and To Reduce the Cost to Maine Citizens of Purchasing State Bonds

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

Sincerely,

S/Sen. Margaret Rotundo

Senate Chair

S/Rep. Jeremy Fischer

House Chair

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 518)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

April 9, 2008

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

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

- L.D. 817 An Act To Support the Maine Keeping Seniors Home Program
- L.D. 925 An Act To Provide Funds To Support Residential Programs for People with Developmental Disabilities
- L.D. 1848 An Act To Promote Sustainable Prosperity
- L.D. 1852 An Act To Provide Taxpayer Relief

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

Sincerely,

S/Sen. Margaret Rotundo

Senate Chair

S/Rep. Jeremy Fischer

House Chair

READ and **ORDERED PLACED ON FILE.**

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 item:

In Memory of:

Irving Lee Lawrence, of Kittery, a United States Navy veteran of World War II and a longtime employee of the United States Naval Shipyard in Kittery. Mr. Lawrence was born in Dansville, New York. He came to New England seeking work, first at the Quincy, Massachusetts shipyard and then in Kittery, where he worked for almost 39 years. Mr. Lawrence and his wife of 63 years, Evelyn, were active members of the town's social and religious life. He is survived by his wife and his four sons, Jeff, Gary, Jon and Mark and their families. He will be greatly missed and long remembered by his loving family and many friends;

(HLS 1189)

Presented by Representative WHEELER of Kittery.
Cosponsored by Representative HILL of York, Senator BOWMAN of York.

On **OBJECTION** of Representative WHEELER of Kittery, was **REMOVED** from the Special Sentiment Calendar.

READ and **ADOPTED** and sent for concurrence.

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Representative PERRY for the **Joint Standing Committee on Health and Human Services** on Bill "An Act Regarding Flavored Cigarettes and Cigars" (EMERGENCY)

(H.P. 1676) (L.D. 2316)

Reporting **Ought to Pass** pursuant to Joint Order, H.P. 1656.

Report was **READ.**

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

Divided Reports

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Change the Formula for Calculation of the Motor Vehicle Excise Tax"

(H.P. 1633) (L.D. 2270)

Signed:

Senator:

STRIMLING of Cumberland

Representatives:

RAND of Portland

CLARK of Millinocket

WOODBURY of Yarmouth

GOULD of South Berwick

CHASE of Wells

KNIGHT of Livermore Falls

WATSON of Bath

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-974)** on same Bill.

Signed:

Senators:

PERRY of Penobscot

NASS of York

Representatives:

PIOTTI of Unity

PILON of Saco

LANSLEY of Sabattus

READ.

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

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

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-978)** on Bill "An Act To License Home Building and Improvement Contractors"

(H.P. 756) (L.D. 1038)

Signed:

Senators:

BROMLEY of Cumberland

SCHNEIDER of Penobscot

Representatives:
BEAULIEU of Auburn
SAMSON of Auburn
MacDONALD of Boothbay
PRESCOTT of Topsham
SMITH of Monmouth
CLEARY of Houlton

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

Signed:
Senator:
COURTNEY of York

Representatives:
AUSTIN of Gray
RECTOR of Thomaston
BEAUDETTE of Biddeford
SILSBY of Augusta

READ.

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

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-983)** on Bill "An Act To Establish a Uniform Building and Energy Code"

(H.P. 1619) (L.D. 2257)

Signed:
Senators:
BROMLEY of Cumberland
SCHNEIDER of Penobscot

Representatives:
BEAULIEU of Auburn
SAMSON of Auburn
MacDONALD of Boothbay
SILSBY of Augusta
SMITH of Monmouth
BEAUDETTE of Biddeford
CLEARY of Houlton

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-984)** on same Bill.

Signed:
Senator:
COURTNEY of York

Representatives:
AUSTIN of Gray
PRESCOTT of Topsham
RECTOR of Thomaston

READ.

Representative SMITH of Monmouth 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.

CONSENT CALENDAR

First Day

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

1660) (L.D. 2302) Bill "An Act To Remove Impediments to Changing County Government Fiscal Years" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-979)**

On motion of Representative BARSTOW of Gorham, 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.

ENACTORS

Emergency Measure

An Act Regarding the Maine Regulatory Fairness Board

(H.P. 1371) (L.D. 1937)

(C. "A" H-933)

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

Emergency Measure

An Act To Provide Tax Treatment Consistency for Limited Liability and S Corporations

(H.P. 1433) (L.D. 2049)

(C. "A" H-919)

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. 122 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 Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2008-09 and To Require Notation of Tax Enhancement Programs Approved by the County Commissioners

(H.P. 1613) (L.D. 2251)

(C. "A" H-920)

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. 120 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 Reduce the Amount Collected for the Purpose of the E-9-1-1 System

(H.P. 1628) (L.D. 2265)

(C. "A" H-929)

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

Representative PIEH of Bremen **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. 366

YEA - Annis, Austin, Ayotte, Babbidge, Barstow, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Boland, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter, Casavant, Cebra, Chase, Clark, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Duprey, Eaton, Eberle, Edgcomb, Faircloth, Farrington, Finch, Finley, Fisher, Fletcher, Flood, Gifford, Giles, Gould, Grose, Hamper, Hanley S, Haskell, Hayes, Hinck, Hogan, Jackson, Jacobsen, Johnson, Jones, Joy, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Miramant, Nass, Patrick, Pendleton, Peoples, Percy, Pieh, Pilon, Pineau, Pingree, Piotti, Plummer, Pratt, Prescott, Rector, Richardson D, Robinson, Rosen, Samson, Sarty, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walker, Watson, Weaver, Weddell, Wheeler, Mr. Speaker.

NAY - NONE.

ABSENT - Adams, Beaudette, Bliss, Brautigam, Canavan, Cleary, Connor, Conover, Dunn, Emery, Fischer, Fitts, Gerzofsky, Greeley, Harlow, Hill, Kaenrath, Mills, Moore, Muse, Norton, Perry, Pinkham, Priest, Rand, Richardson W, Rines, Webster, Woodbury.

Yes, 122; No, 0; Absent, 29; Excused, 0.

122 having voted in the affirmative and 0 voted in the negative, with 29 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Preserve Access to Assisted Living Services for Maine's Elderly and Disabled Citizens

(H.P. 1447) (L.D. 2063)
(C. "A" H-922)

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

Emergency Measure

Resolve, Regarding Legislative Review of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education and the State Board of Education

(H.P. 1503) (L.D. 2123)
(C. "B" H-869)

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

Representative EDGECOMB of Caribou **REQUESTED** a roll call on **FINAL PASSAGE**.

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

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

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. 367

YEA - Adams, Babbidge, Barstow, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Boland, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter, Casavant, Craven, Crockett, Dill, Driscoll, Duchesne, Duprey, Eaton, Eberle, Faircloth, Fisher, Flood, Gerzofsky, Giles, Grose, Hanley S, Harlow, Haskell, Hayes, Hinck, Hogan, Jacobsen, Jones, Koffman, Makas, Marley, Mazurek, McDonough, Miller, Millett, Miramant, Nass, Patrick, Peoples, Percy, Pilon, Pineau, Pingree, Piotti, Plummer, Pratt, Priest, Rector, Robinson, Samson, Savage, Schatz, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Tardy, Treat, Tuttle, Valentino, Wagner, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Cebra, Chase, Clark, Cleary, Cotta, Cray, Crosthwaite, Curtis, Edgcomb, Farrington, Finch, Finley, Fletcher, Gifford, Gould, Hamper, Jackson, Johnson, Joy, Knight, Lansley, Lewin, Lundeen, MacDonald, Marean, McFadden, McKane, McLeod, Pendleton, Pieh, Prescott, Richardson D, Richardson W, Rosen, Sarty, Saviello, Silsby, Sykes, Theriault, Thibodeau, Thomas, Tibbetts, Trinward, Vaughan, Walker, Weaver.

ABSENT - Beaudette, Bliss, Brautigam, Canavan, Connor, Conover, Dunn, Emery, Fischer, Fitts, Greeley, Hill, Kaenrath, Mills, Moore, Muse, Norton, Perry, Pinkham, Rand, Rines, Woodbury.

Yes, 80; No, 49; Absent, 22; Excused, 0.

80 having voted in the affirmative and 49 voted in the negative, with 22 being absent, and accordingly the Resolve **FAILED FINAL PASSAGE** and was sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Major Substantive MaineCare Benefits Manual, Chapter III, Section 21, Home and Community Benefits for Members with Mental Retardation or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services

(H.P. 1649) (L.D. 2287)
(C. "A" H-944)

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

Acts

An Act To Raise the Meal Allowance for Members of the Board of Environmental Protection and the Maine Land Use Regulation Commission

(S.P. 763) (L.D. 1969)
(C. "B" S-489)

An Act To Clarify the Authority of the Board of Directors of Regional School Unit No. 1

(H.P. 1412) (L.D. 2028)
(C. "A" H-912)
An Act Concerning Technical Changes to the Tax Laws
(S.P. 823) (L.D. 2154)
(S. "A" S-550 to C. "A" S-508)
An Act To Advance the Maine Economy
(S.P. 827) (L.D. 2159)
(C. "A" S-566)
An Act To Protect Children from Hazardous Lead-based Paint
(H.P. 1584) (L.D. 2218)
(C. "A" H-921)
An Act Establishing an Outdoor Wood Boiler Fund
(S.P. 891) (L.D. 2263)
(C. "A" S-567)
An Act Regarding the Sunrise Review of Oral Health Care
Issues
(H.P. 1643) (L.D. 2277)
(C. "A" H-934)
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 a Statewide Protocol for the Early
Detection and Treatment of Autism
(S.P. 771) (L.D. 1977)
(C. "A" S-565)
Resolve, Directing the Commissioner of Agriculture, Food and
Rural Resources To Review and Make Recommendations
Regarding the Regulation of Dog and Cat Breeding Facilities
(H.P. 1394) (L.D. 2010)
(H. "B" H-924 to C. "A" H-803)
Resolve, To Establish a Moratorium on Development in Saco
Bay
(H.P. 1558) (L.D. 2188)
(C. "A" H-896)
Resolve, Authorizing the Creation of a Veterans Campus and
the Conveyance of the State's Interest in Certain Real Property in
the City of Bangor
(S.P. 904) (L.D. 2275)
(C. "A" S-568)
Reported by the Committee on **Engrossed Bills** as truly and
strictly engrossed, **FINALLY PASSED**, signed by the Speaker
and sent to the Senate.

An Act To Amend the Laws Concerning Genetically
Engineered Plants and Seeds
(H.P. 1159) (L.D. 1650)
(C. "A" H-851)
Was reported by the Committee on **Engrossed Bills** as truly
and strictly engrossed.
On motion of Representative EDGECOMB of Caribou, was
SET ASIDE.
The same Representative **REQUESTED** a roll call on
PASSAGE TO BE ENACTED.
More than one-fifth of the members present expressed a
desire for a roll call which was ordered.
The SPEAKER: A roll call has been ordered. The pending
question before the House is Passage to be Enacted. All those
in favor will vote yes, those opposed will vote no.
ROLL CALL NO. 368
YEA - Adams, Babbidge, Barstow, Beaudoin, Beaulieu, Berry,
Berube, Blanchard, Blanchette, Boland, Brautigam, Briggs,

Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter,
Casavant, Clark, Craven, Cray, Crockett, Curtis, Dill, Driscoll,
Duchesne, Duprey, Eaton, Eberle, Faircloth, Farrington, Finch,
Finley, Fisher, Fletcher, Flood, Gerzofsky, Gifford, Giles, Grose,
Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jacobsen,
Jones, Kaenrath, Knight, Koffman, MacDonald, Makas, Marean,
Marley, Mazurek, McDonough, McKane, Miller, Miramant, Nass,
Patrick, Pendleton, Peoples, Percy, Pieh, Pilon, Pineau, Pingree,
Piotti, Pratt, Priest, Rector, Robinson, Rosen, Sarty, Savage,
Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Sykes, Tardy,
Thibodeau, Treat, Trinward, Tuttle, Wagner, Walker, Watson,
Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Cebra, Chase, Cleary, Cotta,
Crosthwaite, Edgecomb, Gould, Hamper, Jackson, Johnson, Joy,
Lansley, Lewin, Lundeen, McFadden, McLeod, Millett, Plummer,
Prescott, Richardson D, Richardson W, Strang Burgess,
Sutherland, Theriault, Thomas, Tibbetts, Valentino, Vaughan,
Weaver.

ABSENT - Beaudette, Bliss, Canavan, Connor, Conover,
Dunn, Emery, Fischer, Fitts, Greeley, Mills, Moore, Muse, Norton,
Perry, Pinkham, Rand, Rines, Samson, Woodbury.

Yes, 99; No, 32; Absent, 20; Excused, 0.

99 having voted in the affirmative and 32 voted in the
negative, with 20 being absent, and accordingly the Bill was
PASSED TO BE ENACTED, signed by the Speaker and sent to
the Senate.

An Act To Update the Regional Greenhouse Gas Initiative
(H.P. 1381) (L.D. 1945)
(H. "A" H-932 to C. "A" H-768)

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

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

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

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

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

ROLL CALL NO. 369

YEA - Adams, Annis, Austin, Babbidge, Barstow, Beaudoin,
Beaulieu, Berry, Berube, Blanchard, Blanchette, Boland,
Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell,
Cray, Carter, Casavant, Chase, Clark, Cleary, Cotta, Craven,
Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne,
Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch,
Finley, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Giles, Gould,
Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck,
Hogan, Jackson, Jacobsen, Jones, Kaenrath, Knight, Koffman,
Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek,
McDonough, McFadden, McKane, Miller, Millett, Miramant, Nass,
Patrick, Pendleton, Peoples, Percy, Pieh, Pilon, Pineau, Pingree,
Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson D,
Richardson W, Robinson, Rosen, Sarty, Savage, Saviello,
Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess,
Sutherland, Sykes, Tardy, Theriault, Thibodeau, Treat, Trinward,
Tuttle, Valentino, Wagner, Walker, Watson, Weaver, Webster,
Weddell, Wheeler, Mr. Speaker.

NAY - Ayotte, Cebra, Gifford, Johnson, Joy, McLeod,
Thomas, Tibbetts, Vaughan.

ABSENT - Beaudette, Bliss, Canavan, Connor, Conover, Dunn, Emery, Fischer, Greeley, Lansley, Mills, Moore, Muse, Norton, Perry, Pinkham, Rand, Rines, Samson, Woodbury.

Yes, 122; No, 9; Absent, 20; Excused, 0.

122 having voted in the affirmative and 9 voted in the negative, with 20 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Amend Motor Vehicle Laws

(H.P. 1459) (L.D. 2075)

(C. "A" H-913)

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

On motion of Representative MARLEY of Portland, was **SET ASIDE**.

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

An Act To Fund the Universal Childhood Immunization Program

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

(C. "A" H-931)

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

On motion of Representative FAIRCLOTH of Bangor, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 370

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Barstow, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter, Casavant, Cebra, Chase, Clark, Cleary, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Jacobsen, Johnson, Jones, Joy, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Miramant, Nass, Pendleton, Peoples, Percy, Pieh, Pilon, Pineau, Pingree, Piotti, Plummer, Pratt, Prescott, Priest, Richardson D, Richardson W, Robinson, Rosen, Samson, Sarty, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudette, Bliss, Canavan, Connor, Conover, Dunn, Emery, Fischer, Greeley, Mills, Moore, Muse, Norton, Patrick, Perry, Pinkham, Rand, Rector, Rines, Woodbury.

Yes, 131; No, 0; Absent, 20; Excused, 0.

131 having voted in the affirmative and 0 voted in the negative, with 20 being absent, and accordingly the Bill was

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

An Act To Strengthen Maine's Consumer Protections against "Slamming"

(H.P. 1632) (L.D. 2269)

(C. "A" H-893; S. "A" S-

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

On motion of Representative FAIRCLOTH of Bangor, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 371

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Barstow, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter, Casavant, Cebra, Clark, Cleary, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Grose, Hamper, Hanley S, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Jacobsen, Jones, Joy, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Miramant, Nass, Patrick, Pendleton, Peoples, Percy, Pilon, Pineau, Pingree, Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson D, Richardson W, Robinson, Rosen, Samson, Sarty, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudette, Bliss, Canavan, Chase, Connor, Conover, Dunn, Emery, Fischer, Greeley, Harlow, Johnson, Mills, Moore, Muse, Norton, Perry, Pieh, Pinkham, Rand, Rines, Woodbury.

Yes, 129; No, 0; Absent, 22; Excused, 0.

129 having voted in the affirmative and 0 voted in the negative, with 22 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 Amend Certain Laws Related to Environmental Protection

(S.P. 809) (L.D. 2119)

(C. "A" S-482)

TABLED - April 1, 2008 (Till Later Today) by Representative KOFFMAN of Bar Harbor.

PENDING - PASSAGE TO BE ENACTED.

On motion of Representative KOFFMAN of Bar Harbor, 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-482)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-987)** to **Committee Amendment "A" (S-482)** which was **READ** by the Clerk.

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

Representative **KOFFMAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I wish to speak succinctly to my motion. This was essentially a technical bill that removes some conflicting language related to other legislation. It was pending passage and, therefore, we tabled this until that legislation moved through the process. Thank you, Mr. Speaker.

House Amendment "A" (H-987) to **Committee Amendment "A" (S-482)** was **ADOPTED**.

Committee Amendment "A" (S-482) as Amended by **House Amendment "A" (H-987)** thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (S-482)** as Amended by **House Amendment "A" (H-987)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

Bill "An Act To Allow Road Associations To Determine Assessments According to Majority Vote Cast at a Duly Held Meeting"

(H.P. 1488) (L.D. 2102)

- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-818) AS AMENDED BY SENATE AMENDMENT "B" (S-560)** thereto.

TABLED - April 9, 2008 (Till Later Today) by Representative **FISCHER** of Presque Isle.

PENDING - Motion of Representative **BROWNE** of Vassalboro to **INDEFINITELY POSTPONE HOUSE AMENDMENT "A" (H-976)** to **COMMITTEE AMENDMENT "A" (H-818)**. (Roll Call Ordered)

The **SPEAKER**: A roll call having previously been ordered. The pending question before the House is Indefinite Postponement House Amendment "A" (H-976) to Committee Amendment "A" (H-818). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 372

YEA - Annis, Beaulieu, Berube, Blanchard, Browne W, Campbell, Cotta, Cray, Crosthwaite, Fitts, Flood, Hogan, Jacobsen, Knight, Mazurek, McFadden, McLeod, Millett, Plummer, Richardson D, Saviello, Sykes, Tardy, Thibodeau, Walker.

NAY - Adams, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Blanchette, Boland, Brautigam, Briggs, Bryant, Burns, Cain, Carey, Carter, Casavant, Cebra, Chase, Clark, Cleary, Craven, Crockett, Curtis, Dill, Driscoll, Duchesne, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fisher, Fletcher, Gerzofsky, Gifford, Giles, Gould, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Jackson,

Johnson, Jones, Joy, Kaenrath, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, McDonough, McKane, Miller, Miramant, Nass, Patrick, Pendleton, Peoples, Percy, Pieh, Pilon, Pineau, Pingree, Piotti, Pratt, Prescott, Priest, Rector, Richardson W, Robinson, Rosen, Samson, Sarty, Savage, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Theriault, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Watson, Weaver, Webster, Weddell, Wheeler, Mr. Speaker.

ABSENT - Bliss, Canavan, Connor, Conover, Dunn, Emery, Fischer, Greeley, Mills, Moore, Muse, Norton, Perry, Pinkham, Rand, Rines, Woodbury.

Yes, 25; No, 109; Absent, 17; Excused, 0.

25 having voted in the affirmative and 109 voted in the negative, with 17 being absent, and accordingly the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-976)** to **Committee Amendment "A" (H-818)** **FAILED**.

Subsequently, **House Amendment "A" (H-976)** to **Committee Amendment "A" (H-818)** was **ADOPTED**.

Senate Amendment "B" (S-560) to **Committee Amendment "A" (H-818)** was **ADOPTED**

Committee Amendment "A" (H-818) as Amended by **House Amendment "A" (H-976)** and **Senate Amendment "B" (S-560)** thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-818)** as Amended by **House Amendment "A" (H-976)** and **Senate Amendment "B" (S-560)** thereto in **NON-CONCURRENCE** and sent for concurrence.

ENACTORS

Emergency Measure

An Act To Amend the Maine Certificate of Need Act of 2002
(H.P. 1659) (L.D. 2301)
(H. "A" H-960)

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. 130 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

Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices

(H.P. 1621) (L.D. 2258)

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

Mandate

An Act To Aid Victims of Identity Theft in Securing a Police Report

(H.P. 1586) (L.D. 2220)
(C. "A" H-958)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section

21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 128 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 Create the Mental Health Homicide, Suicide and Aggravated Assault Review Board

(H.P. 1389) (L.D. 1951)
(C. "A" H-950)

An Act To Provide Ongoing Funding for the Historic Preservation Tax Credit

(S.P. 802) (L.D. 2008)
(C. "A" S-573)

An Act To Ensure That Children's Toys and Products Are Free of Lead

(H.P. 1437) (L.D. 2053)
(H. "A" H-955 to C. "A" H-930)

An Act To Implement the Recommendations of the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry

(H.P. 1554) (L.D. 2184)
(C. "A" H-953)

An Act To Allow Limited Charitable Solicitations by Law Enforcement Associations

(H.P. 1557) (L.D. 2187)
(C. "A" H-949)

An Act Concerning Public Records Exceptions

(H.P. 1579) (L.D. 2212)
(C. "A" H-957)

An Act To Amend the Municipal Tree Growth Reimbursement Formula

(H.P. 1639) (L.D. 2274)
(C. "A" H-952)

An Act To Improve the Administration of State-Municipal Revenue Sharing

(H.P. 1641) (L.D. 2276)
(C. "A" H-951)

An Act To Permit Persons 65 Years of Age or Older To Defer Payment of Property Taxes

(H.P. 1670) (L.D. 2310)

An Act To Invest in Maine's Young Children

(H.P. 1671) (L.D. 2311)

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

An Act To Prohibit Health Care Facilities from Charging for Treatment To Correct Mistakes or Preventable Adverse Events

(H.P. 1428) (L.D. 2044)
(H. "A" H-907 to C. "A" H-873)

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

On motion of Representative BRAUTIGAM of Falmouth, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 373

YEA - Adams, Annis, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter, Casavant, Chase, Clark, Cleary, Conover, Cotta, Craven, Cray, Crockett, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Faircloth, Farrington, Finch, Finley, Fischer, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Jacobsen, Johnson, Jones, Joy, Kaenrath, Knight, Koffman, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, Miller, Millett, Miramant, Nass, Patrick, Pendleton, Peoples, Percy, Pieh, Pilon, Pineau, Pingree, Piotti, Plummer, Pratt, Priest, Rector, Richardson D, Richardson W, Rosen, Samson, Sarty, Savage, Saviello, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Weaver, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Austin, Crosthwaite, Edgecomb, Fitts, Hamper, Lansley, McKane, McLeod, Prescott, Robinson, Vaughan, Walker.

ABSENT - Bliss, Canavan, Cebra, Connor, Curtis, Emery, Fisher, Mills, Moore, Muse, Norton, Perry, Pinkham, Rand, Rines, Schatz, Woodbury.

Yes, 122; No, 12; Absent, 17; Excused, 0.

122 having voted in the affirmative and 12 voted in the negative, with 17 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

ENACTORS

Emergency Measure

An Act To Establish the Shellfish Advisory Council and To Improve the Process of Reopening Clam Flats

(H.P. 1422) (L.D. 2038)
(H. "B" H-947 and H. "C" H-954 to C. "A" H-741)

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

Representative EATON of Sullivan **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. 374

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter, Casavant, Cebra, Chase, Clark, Cleary, Conover, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Jacobsen, Johnson, Jones, Joy, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Miramant, Nass, Patrick, Pendleton, Peoples, Percy, Pieh, Pilon, Pineau, Pingree, Piotti, Plummer, Pratt,

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

NAY - NONE.

ABSENT - Blanchette, Bliss, Canavan, Connor, Emery, Mills, Moore, Muse, Norton, Perry, Pinkham, Rand, Rines, Woodbury.

Yes, 137; No, 0; Absent, 14; Excused, 0.

137 having voted in the affirmative and 0 voted in the negative, with 14 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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 Lobbyist Disclosure"

(S.P. 481) (L.D. 1393)

(H. "A" H-968 to C. "A" S-479)

TABLED - April 9, 2008 (Till Later Today) by Representative TARDY of Newport.

PENDING - **PASSAGE TO BE ENGROSSED**. (Roll Call Ordered)

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

ROLL CALL NO. 375

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter, Casavant, Chase, Clark, Cleary, Conover, Cotta, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Jacobsen, Johnson, Jones, Joy, Kaenrath, Knight, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Miramant, Nass, Patrick, Pendleton, Peoples, Percy, Pieh, Pilon, Pineau, Pingree, Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson D, Richardson W, Robinson, Rosen, Samson, Sarty, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - NONE.

ABSENT - Bliss, Canavan, Cebra, Connor, Craven, Emery, Koffman, Mills, Moore, Muse, Norton, Perry, Pinkham, Rand, Rines, Woodbury.

Yes, 135; No, 0; Absent, 16; Excused, 0.

135 having voted in the affirmative and 0 voted in the negative, with 16 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee**

Amendment "A" (S-479) as Amended by House Amendment "A" (H-968) thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

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

HOUSE REPORT - **Ought to Pass** pursuant to Joint Order, H.P. 1656. Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Regarding Flavored Cigarettes and Cigars" (EMERGENCY)

(H.P. 1676) (L.D. 2316)

Which was **TABLED** by Representative CROSTHWAITE of Ellsworth pending **ACCEPTANCE** of the Committee Report.

The Committee Report was **ACCEPTED**.

The Bill was **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. **ORDERED SENT FORTHWITH**.

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

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-974)** - Committee on **TAXATION** on Bill "An Act To Change the Formula for Calculation of the Motor Vehicle Excise Tax"

(H.P. 1633) (L.D. 2270)

Which was **TABLED** by Representative PIOTTI of Unity pending **ACCEPTANCE** of either Report.

Representative PILON of Saco moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

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

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

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Watson.

Representative **WATSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Looking at this bill, the title, "An Act to Change the Formula for Calculation of the Motor Vehicle Excise Tax", it sounds like a bill you can take home and be proud of. You know your constituents have always complained about the automobile excise tax, it is one of the most consistent complaints we get. They buy a new car, a \$35,000 sticker price, they get it for \$20,000, go to a town office to register, and they find they are paying an excise tax based on the sticker price. They complain, they show a bill of sale and say I didn't buy this for \$30,000, I bought it for \$20,000 and I got a good deal, that is what I should pay a tax on. That is not the way the law works, and that is biggest complaint with automobile excise tax. It is not a sales tax; it is the tax you pay for the privilege of operating a motor vehicle in your municipality; it is collected by your municipality and goes to that coffer, the state is not involved with the exception of setting the rates. But the biggest complaint we have about automobile excise taxes is the fact they are based on the sticker price. If you go back and tell your constituents we fixed the excise tax, they will expect you to say that you fixed that part of it. That doesn't happen in this bill; the excise tax is still based on the manufacturer's suggest retail

price and not on what you actually paid.

What this bill does is it reduces, by 3 mills, the excise tax that is paid in that first year. Then the mill rate paid in succeeding years is bumped up slightly, and then drops again in the seventh or eighth year, so all this does is ease the pain of that first year on a brand new car. If you are like most Mainers, we don't buy brand new cars; we buy three or four or five or six or seven year old cars, and we drive them until they are that age. This will not help the constituents in that situation.

I was in the minority on this bill, argued against in committee once I saw what the working group, which had done a great job and worked very hard, had come up with. The only reason I am opposed to it is because it does not hold out the promise of fixing the automobile excise tax, and if I try to explain this to a constituent, what we did here, all I can say is we saved you 3 mills on the excise tax the first year you register your brand new car, and I guarantee you the response will be a cross-eyed look saying what have you done for me lately. I encourage you to support the Minority Ought Not to Pass on this bill, I don't think it is a good law, I don't think it is going to help us back home, and it certainly doesn't answer the question or the complaints you get from your constituents about the automobile excise tax. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Pilon.

Representative **PILON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill, LD 2270, as my good friend from Bath has suggested, does not address the MSRP issue. However, the working group that was established—the members of the working group was the Maine Revenue Services, Maine Auto Dealers Association, the Bureau of Motor Vehicles, and Maine Municipal Association—and this working group went off last year, came back and reported this report, and this was a good first step in addressing the dreaded excise tax.

How many of us here love paying the annual excise taxes on our cars? Anyone want to raise their hand? A brand new car, 24 mills, Maine is one of the highest excise tax states; Arizona is the other highest excise tax state. What we are trying to do is relieve the pain when you go buy that new car at the town halls. So the group came back and said, yes, how can we ease the pain, and they came back and they said let's stretch out the years. Right now, it is a six-year buy down, so we stretched it out to eight years; the first year is 21 and the last year under this new bill is 3.5. Right now, you bought them out at 4, so you now bought them out at 3.5, not a bad deal.

The other thing was that we were able to negotiate, based on a consumer's credit history, is if you are credit worthy, you can now roll your taxes, your sales tax, and your excise tax in the first year of purchasing that new vehicle. What the dealer will do it cut back a check to you for the first year's excise tax, and you just take it to the town hall and pay your excise tax. I believe this is a good first step. I think that what it will do in the first year, if the Maine auto dealers start to publicize this, it will stimulate auto sales. A lot of people don't think that this is a good idea, that the municipalities will be losing revenues, but on the flip of that is, the first year, 21 mills from 24 mills, I believe that it will stimulate and the car auto dealers will see an increase in sales. So I would hope that you would follow my light and support LD 2270. 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. In my other life, the other hat that I wear, I do represent Bangor on the Bangor

City Council, and we have discussed this excise tax reduction and there is nobody here that would like any more than to take home this, what everyone perceives to be tax relief for our constituents. But I have to remind you that the excise tax stays exclusively in your home, or the majority of it does, and that is what fixes your roads. Now there are not too many of you here who can tell me that the roads in your municipality, whether you live up in Greenbush, or you live in Bath, or you live in Bangor, or maybe you are down in Portland where they are looking at huge layoffs due to the lack of revenue of some public safety employees. This is a 1.6 percent reduction in revenue to your cities on the year that that new vehicle has the most value, so this is a big hit to your municipal budgets.

Before you cast a final vote on this, I urge you to go out into the hall and use your little cell phone. You need to call your city manager or your lead assessor and say what is going to be the impact on my community if this bill passes. Short-term tax relief has a way of coming back and biting us with a larger ticket at a later date, and we all know the potholes that we have fallen in to and are out there waiting for us. They are like the little green monster on Pac Man: they are just clamping their jaws and going for our tires. So I urge you to defeat this Ought to Pass motion, although well intentioned and really trying to think about your constituents back home, you may end up, if you pass this in fact, costing them not only more money in car repairs but less money in roads repairs. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Allagash, Representative Jackson.

Representative **JACKSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Forgive me if I say anything that has already been said here today, I just came in, but this bill is like one of the things that made me want to come to Augusta. I remember in the 122nd, I think there were eight of us who put the same bill in to go back to the way it used to be. Does anyone remember that, whenever you went and registered your car and you actually paid the tax on what you paid for your car? That was a long time ago, but I remember that. I paid \$12,000 for my pickup, that is what I paid in excise tax. Now they got the MSRP and it is normally \$4,000 or \$5,000 more than what I actually paid. So if there is any tax here in Maine that people should have a problem with, and I know probably for town officials, they don't like this bill, but I know that every one of my constituents that isn't a town official, they love it. I think this is probably the most unfair tax that we have in the state, because it is the only one I know of that you are paying on an amount that you never even paid for, it is totally outrageous, so I would hope that you would support this.

The SPEAKER: The Chair recognizes the Representative from Chapman, Representative Sutherland.

Representative **SUTHERLAND**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The number of small towns I represent really look to the excise tax revenue annually, it is part of how they address the budget. There aren't a whole lot of people who buy a brand new car. Cars that are three, four, two years old, five or six years old, and you know what, I will have to look at those people and say we raise your tax because the excise tax for those years goes up. So I am not so concerned about the people who can afford to buy a brand new car, I guess it goes along with saying, if you can do that, hopefully you can pay the excise tax. Correcting what the good Representative from Allagash referred to in terms of what you paid on, I would be 100 percent behind it, but at the end of the day, the small town I live in and those other small towns are going to have less revenue because that is how this is structured, so I cannot vote to support this bill.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I hope you take really a close look at this bill. Yes, I was one of those back in 2003 to smother the bill and, what it was, it was on the sticker price. I just bought myself a car and saved \$5,000 or \$6,000 or \$7,000 on it. I went down to register for it and come to find out I didn't pay on the \$15.5; I paid on the \$23.5. That really set me back a little bit and I should have probably known better, but this bill does not cure all.

This bill, as far as I am concerned, only takes care of the person who buys a new car. It has been stated earlier: Why should we need to subsidize somebody who is buying a new car? The person buying a new car, for the next couple of years, is even going to be paying more. You take a person who has a two-year old car; it goes from 7.5 to 18. That is an increase. The third year that person owns a car, 13.5 to 15, that is another increase. The fourth year, it goes from 10 to 11. That is an increase. If you are going to do something with this, take a look at the sticker price. Yes, I applaud the working group, they did some good work, but they didn't really get on ship and try to resolve the problem. The problem had to do with the sticker price. We all know what we paid for; we ought to be paying for what we paid for the tax, not the book value. So I hope when you vote, you don't vote for this and vote for the Majority Ought Not to Pass. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Mexico, Representative Briggs.

Representative **BRIGGS**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. As many of you know, I do work at the town office and I do deal with this everyday. I wait on customers, every day, with these excise rates of what they have to pay. According to this chart here, for me, I see that a balance is out, when it is all said and done, for all the years if you have owned your vehicle, for all of these years, you are paying 0.5 mill extra throughout all the years. To me, it looks like, at the beginning when you buy your vehicle brand new, you are going to be charged the 21 percent instead of the 24. You are not going to paying as much for a brand new vehicle. Throughout the rest of them, they are increased a little bit, but it was taken away when you buy the vehicle. For me, the person who is going to benefit the most from this, is the person who goes out and buys a brand new vehicle, as opposed to the people who have older vehicles and, for me, in my community, I have a lot of people who buy the older vehicles because we not a very rich community. So I feel that if people can go out and buy a new vehicle, they pay the 24 percent mill rate. To me, they are going to pay that, then it will be a done deal for all of the rest of the other years, it won't be so bad if we paid the current rate right now, because the mill rates are less.

I think, in the long run, it would be better to help the communities overall as opposed to helping somebody who has gone out and purchased a brand new car. To me, I think the cost for them; I mean, if I could go out and afford to buy a brand new car, I guess I would say I would have the money to pay for the excise tax. So I think we really need to look at this picture overall together and try to balance it out and, to me, the current rate is the way that I would like to see everybody go. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Blue Hill, Representative Schatz.

Representative **SCHATZ**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I was one of the Representatives in the 122nd that put in a bill to make the excise

tax constituents pay, not the sticker price but the actual pay price, and I was informed the excise tax is not a sales tax, it is really a property tax and that is why it is assessed on the sticker price. I still don't think that is fair, but that, I think, gives logic to the fact that the first year is reduced as much as it is in this bill, so I think that makes up for some of the unfairness that we all spoke of. And yes, it does allow some additions to creep in as you go down the list of aging cars, but that should compensate somewhat for our municipalities losing up front on the new cars. It is not a perfect bill, but I say it is a step in the right place, but hopefully the next Legislature will get to that issue of what the real price should be established at. Thank you, Mr. Speaker.

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

ROLL CALL NO. 376

YEA - Cain, Cleary, Faircloth, Fischer, Hinck, Lansley, Miller, Pilon, Pingree, Piotti, Priest, Schatz.

NAY - Adams, Annis, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Boland, Brautigam, Briggs, Bryant, Burns, Campbell, Carey, Carter, Casavant, Cebra, Chase, Clark, Conover, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Farrington, Finch, Finley, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Jackson, Jacobsen, Johnson, Jones, Joy, Kaenrath, Knight, Koffman, Lewin, Lundeen, MacDonald, Makas, Marean, McDonough, McFadden, McKane, McLeod, Millett, Mills, Miramant, Nass, Patrick, Pendleton, Pieh, Plummer, Pratt, Prescott, Rector, Richardson W, Robinson, Samson, Sarty, Savage, Saviello, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Mr. Speaker.

ABSENT - Bliss, Browne W, Canavan, Connor, Emery, Fisher, Hogan, Marley, Mazurek, Moore, Muse, Norton, Peoples, Percy, Perry, Pineau, Pinkham, Rand, Richardson D, Rines, Rosen, Thomas, Woodbury.

Yes, 12; No, 116; Absent, 23; Excused, 0.

12 having voted in the affirmative and 116 voted in the negative, with 23 being absent, and accordingly the Minority **Ought to Pass as Amended Report was NOT ACCEPTED.**

Subsequently, on motion of Representative CLARK of Millinocket, the Majority **Ought Not to Pass Report was ACCEPTED** and sent for concurrence.

The following item was taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act To Ensure Legislative Review of Fire Sprinkler Rules
(S.P. 775) (L.D. 1981)
(C. "A" S-471)

- In House, **PASSED TO BE ENACTED** on March 28, 2008.
- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-471) AS AMENDED BY SENATE AMENDMENT "A" (S-592)** thereto in **NON-CONCURRENCE.**

TABLED - April 9, 2008 (Till Later Today) by Representative TARDY of Newport.

PENDING - FURTHER CONSIDERATION.

Subsequently, the House voted to **RECEDE AND CONCUR.**

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

An Act To Amend Motor Vehicle Laws

(H.P. 1459) (L.D. 2075)
(C. "A" H-913)

Which was **TABLED** by Representative MARLEY of Portland pending **PASSAGE TO BE ENACTED.**

On motion of Representative JACKSON of Allagash, 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" (H-913)** was **ADOPTED.**

The same Representative **PRESENTED House Amendment "A" (H-991)** to **Committee Amendment "A" (H-913)** which was **READ** by the Clerk.

On motion of Representative PINGREE of North Haven, **TABLED** pending **ADOPTION** of **House Amendment "A" (H-991)** to **Committee Amendment "A" (H-913)** and later today assigned.

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

ENACTORS

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 220: Methodology for Identification of Regional Service Centers, a Major Substantive Rule of the Executive Department, State Planning Office

(H.P. 1612) (L.D. 2250)

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. 113 voted in favor of the same and 4 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Extend the Pilot Project at the Juvenile Correctional Facilities

(S.P. 923) (L.D. 2312)

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

Emergency Mandate

An Act To Ensure Equitable Payment for E-9-1-1 Services

(S.P. 905) (L.D. 2279)
(C. "A" S-580)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 108 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Provide Property Tax Relief

(S.P. 766) (L.D. 1972)

An Act To Create Efficiencies in Professional Licensing Laws Pursuant to the State Government Evaluation Act Review of the Department of Professional and Financial Regulation

(H.P. 1644) (L.D. 2278)
(H. "A" H-967)

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

An Act To Allow for Annual Super Tournament Games by Nonprofit Charitable Organizations

(S.P. 814) (L.D. 2134)
(C. "A" S-576)

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

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

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

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

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

ROLL CALL NO. 377

YEA - Adams, Annis, Austin, Ayotte, Barstow, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carter, Casavan, Cebra, Chase, Clark, Cleary, Conover, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fischer, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Jacobsen, Johnson, Jones, Joy, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Mills, Nass, Patrick, Pendleton, Peoples, Pieh, Pilon, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson W, Robinson, Sarty, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Babbidge, Beaudette, Blanchette, Dill, Kaenrath, Miramant, Samson, Wagner.

ABSENT - Bliss, Canavan, Carey, Connor, Emery, Marley, Moore, Muse, Norton, Percy, Perry, Pineau, Rand, Richardson D, Rines, Rosen, Woodbury.

Yes, 126; No, 8; Absent, 17; Excused, 0.

126 having voted in the affirmative and 8 voted in the negative, with 17 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-594)** on Bill "An Act To Improve the Use of Information Regarding Sex Offenders to Better Ensure Public Safety and Awareness"
(S.P. 147) (L.D. 446)

Signed:

Senators:

DIAMOND of Cumberland
McCORMICK of Kennebec
SHERMAN of Aroostook

Representatives:

GERZOFISKY of Brunswick
BLANCHETTE of Bangor
GREELEY of Levant
HANLEY of Gardiner
PLUMMER of Windham
TIBBETTS of Columbia
KAENRATH of South Portland
HASKELL of Portland
SYKES of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-595)** on same Bill.

Signed:

Representative:
HILL of York

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-594)**.

READ.

Representative GERZOFISKY of Brunswick 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 **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "B" (S-589)** on Bill "An Act To Reduce the Income Tax"
(S.P. 303) (L.D. 952)

Signed:

Senator:

NASS of York

Representatives:

GOULD of South Berwick
KNIGHT of Livermore Falls
WOODBURY of Yarmouth
CHASE of Wells
PILON of Saco

LANSLEY of Sabattus

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

Signed:

Senators:

PERRY of Penobscot
STRIMLING of Cumberland

Representatives:

RAND of Portland
CLARK of Millinocket
WATSON of Bath
PIOTTI of Unity

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 "B" (S-589)**.

READ.

On motion of Representative PIOTTI of Unity, the Minority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

ENACTORS

Emergency Measure

An Act To Amend Certain Provisions of the Fish and Wildlife Laws

(S.P. 776) (L.D. 1982)
(C. "A" S-555; S. "A" S-558)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Implement Recommendations of the Governor's Task Force on Wind Power Development

(S.P. 908) (L.D. 2283)
(C. "A" S-581)

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

On motion of Representative PINGREE of North Haven, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

Emergency Measure

An Act To Facilitate the Provision of Educational Loans for Maine Students and Families

(S.P. 918) (L.D. 2300)
(C. "A" S-584)

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. 114 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.

Resolves

Resolve, To Direct a Review of Issues Concerning the Maine Tree Growth Tax Law

(H.P. 421) (L.D. 543)
(S. "B" S-588 to C. "A" H-656)

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

An Act To Authorize the Operation of Slot Machines on Indian Island in Old Town

(H.P. 532) (L.D. 701)
(H. "B" H-923 and S. "A" S-582 to C. "B" H-788)

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

On motion of Representative BLANCHETTE of Bangor, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 378

YEA - Annis, Austin, Ayotte, Barstow, Beaudoin, Beaulieu, Berube, Blanchard, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Carey, Carter, Casavant, Cebra, Chase, Clark, Cleary, Conover, Cotta, Craven, Cray, Crockett, Crosthwaite, Duchesne, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finley, Fitts, Fletcher, Gifford, Giles, Gould, Greeley, Grose, Hamper, Harlow, Hill, Hinck, Jackson, Jacobsen, Johnson, Jones, Joy, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McLeod, Miller, Millett, Nass, Patrick, Pendleton, Peoples, Pieh, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rector, Richardson W, Robinson, Samson, Sarty, Savage, Saviello, Schatz, Simpson, Sirois, Sykes, Tardy, Theriault, Tibbetts, Treat, Trinward, Tuttle, Vaughan, Walker, Watson, Weaver, Weddell, Mr. Speaker.

NAY - Adams, Babbidge, Beaudette, Blanchette, Boland, Curtis, Dill, Driscoll, Dunn, Duprey, Finch, Fischer, Fisher, Flood, Gerzofsky, Hanley S, Hayes, Kaenrath, Knight, Koffman, McKane, Mills, Miramant, Pilon, Silsby, Smith N, Strang Burgess, Sutherland, Thibodeau, Thomas, Valentino, Wagner, Webster, Wheeler.

ABSENT - Berry, Bliss, Canavan, Connor, Emery, Haskell, Hogan, Lansley, Moore, Muse, Norton, Percy, Perry, Pineau, Rand, Richardson D, Rines, Rosen, Woodbury.

Yes, 98; No, 34; Absent, 19; Excused, 0.

98 having voted in the affirmative and 34 voted in the negative, with 19 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

CONSENT CALENDAR
First Day

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

(H.P. 998) (L.D. 1424) Bill "An Act Requiring Long-range Budget Planning" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-993)**

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

There being no objection, the House Paper was **PASSED TO BE ENGROSSED as Amended** 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.

SENATE DIVIDED REPORT - Majority (11) **Ought to Pass as Amended by Committee Amendment "A" (S-577)** - Minority (1) **Ought to Pass as Amended by Committee Amendment "B" (S-578)** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend Teacher Confidentiality Laws"

(S.P. 912) (L.D. 2291)

- In Senate, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-578)**.

TABLED - April 9, 2008 (Till Later Today) by Representative NORTON of Bangor.

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

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-577)** was **READ** by the Clerk.

Representative MILLS of Farmington **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (S-577)**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of Committee Amendment "A" (S-577). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 379

YEA - Adams, Babbidge, Barstow, Beaudette, Beaudoin, Berry, Berube, Blanchard, Blanchette, Boland, Brautigam, Briggs, Browne W, Burns, Canavan, Carey, Carter, Casavant, Clark, Cleary, Conover, Craven, Crockett, Dill, Driscoll, Duchesne, Eaton, Eberle, Faircloth, Farrington, Finch, Fischer, Flood, Gerzofsky, Greeley, Grose, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Jackson, Jones, Kaenrath, Koffman, Lundeen, MacDonald, Makas, Mazurek, Miller, Millett, Miramant, Patrick, Pendleton, Peoples, Percy, Pieh, Pilon, Pingree, Pinkham, Piotti, Pratt, Priest, Samson, Schatz, Silsby, Simpson, Sirois, Smith N, Sutherland, Treat, Trinward, Tuttle, Valentino, Wagner, Walker, Watson, Webster, Weddell, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaulieu, Bryant, Campbell, Cebra, Chase, Cotta, Cray, Crosthwaite, Curtis, Dunn, Duprey, Edgecomb, Finley, Fitts, Fletcher, Gifford, Giles, Gould, Hamper, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, Marean, McDonough, McFadden, McKane, McLeod, Mills, Nass, Plummer, Prescott, Rector, Richardson W, Robinson, Sarty, Savage, Strang Burgess, Sykes, Tardy, Theriault, Thibodeau, Tibbetts, Vaughan, Weaver.

ABSENT - Bliss, Cain, Connor, Emery, Fisher, Hogan, Marley, Moore, Muse, Norton, Perry, Pineau, Rand, Richardson D, Rines, Rosen, Saviello, Thomas, Woodbury.

Yes, 82; No, 50; Absent, 19; Excused, 0.

82 having voted in the affirmative and 50 voted in the negative, with 19 being absent, and accordingly **Committee Amendment "A" (S-577)** 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-577)** in **NON-CONCURRENCE** and sent for concurrence.

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

Representative **PERCY**: Thank you, Mr. Speaker. For Roll Call No. 376, LD 2270, I would have voted no. For Roll Call No. 377, LD 2134, I would have voted yes. For Roll Call No. 378, LD 701, no. Thank you.

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

Representative **HILL**: Thank you, Mr. Speaker. I would like to have it reflected on the record that if I had been here for the following votes, I would have voted a certain way: For Roll Call No. 356, which is LD 2202, yes; Roll Call No. 359, LD 1556, yes; Roll Call No. 362, LD 2281, yes; Roll Call 365, LD 2145, yes; and finally, LD Roll Call No. 366, LD 2265, yes. Thank you, Mr. Speaker.

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

Representative **MAZUREK**: Thank you, Mr. Speaker. Had I been here for the following vote, I would have voted for LD 2250.

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

Representative **CANAVAN**: Thank you, Mr. Speaker. For the record, had I been here, I would have voted yea on Roll Call No. 378, LD 701, slot machines; on Roll Call No. 516, LD 2270, the excise tax, no; and on Roll Call No. 377, LD 2134, nonprofit tournaments, yes. Thank you.

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

On motion of Representative WHEELER of Kittery, the House adjourned at 3:39 p.m., until 9:00 a.m., Friday, April 11, 2008 in honor and lasting tribute to Irving Lee Lawrence, of Kittery.