

MAINE STATE LEGISLATURE

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



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

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

Daily Edition

Second Regular Session

January 4, 2012 – May 31, 2012

pages 1084 - 1604

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
SECOND REGULAR SESSION
4th Legislative Day
Wednesday, January 11, 2012

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

Prayer by Reverend Anne Stanley, Paris (retired).

National Anthem by The Honorable Seth A. Berry, Bowdoinham.

Pledge of Allegiance.

Doctor of the day, Thomas Page, D.O., Leeds.

The Journal of yesterday was read and approved.

SENATE PAPERS

Bill "An Act To Eliminate the Deposit Requirements for Containers of Limited and Restricted Use Pesticides"

(S.P. 606) (L.D. 1758)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act To Amend Certain Provisions of Law Governing the Department of Corrections"

(S.P. 602) (L.D. 1754)

Bill "An Act Regarding the Interstate Compact for Adult Offender Supervision"

(S.P. 603) (L.D. 1755)

Bill "An Act To Establish a Separate State Council for Juveniles under the Interstate Compact for Juveniles"

(S.P. 604) (L.D. 1756)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Amend and Clarify the Public Charter School Law" (EMERGENCY)

(S.P. 607) (L.D. 1762)

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

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

Bill "An Act To Reduce Open Burning in Neighborhoods"

(S.P. 608) (L.D. 1763)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Bill "An Act To Require Agencies To Report the Costs of Pursuing Actions in Adjudicatory and Court Proceedings"

(S.P. 605) (L.D. 1757)

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

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

Bill "An Act To Improve Transportation in the State"

(S.P. 601) (L.D. 1753)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

COMMUNICATIONS

The Following Communication: (S.C. 654)

MAINE SENATE

125TH LEGISLATURE

OFFICE OF THE SECRETARY

January 10, 2012

The Honorable Heather J.R. Priest

Clerk of the House

125th Maine Legislature

Augusta, Maine 04333

Dear Clerk Priest:

Senate Paper 55, Legislative Document 205, "An Act To Provide a Sales Tax Exemption to Incorporated Nonprofit Performing Arts Organizations," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

19 voted in favor and 15 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Senate Paper 100, Legislative Document 338, "An Act To Provide an Income Tax Credit for Logging Companies That Hire Maine Residents," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

14 voted in favor and 20 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Senate Paper 385, Legislative Document 1264, "An Act To Improve the Energy Efficiency of Public Buildings and Create Jobs," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

15 voted in favor and 19 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Sincerely,

S/ Joseph G. Carleton, Jr.

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Enforce Prompt Payment to Career and Technical Education Regions"

(H.P. 1304) (L.D. 1772)

Sponsored by Representative GIFFORD of Lincoln.

Cosponsored by Representative: TURNER of Burlington.

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

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act Regarding Insurance Adjusters and Reporting Requirements for Insurance Companies"

(H.P. 1305) (L.D. 1773)

Sponsored by Representative CUSHING of Hampden.

Cosponsored by Senator WHITTEMORE of Somerset and Representatives: FITZPATRICK of Houlton, FOSSEL of Alna, KNIGHT of Livermore Falls, Speaker NUTTING of Oakland, WINSOR of Norway, Senator: PLOWMAN of Penobscot.

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

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

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

Sent for concurrence.

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

ORDERS

On motion of Representative HAMPER of Oxford, the following House Order: (H.O. 33)

ORDERED, that Representative Paulette G. Beaudoin of Biddeford be excused January 4 and 5 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Bruce A. Bickford of Auburn be excused January 5 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Jarrod S. Crockett of Bethel be excused January 5 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Peter E. Edgecomb of Caribou be excused January 5 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Jane S. Knapp of Gorham be excused January 4 and 5 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Peter B. Rioux of Winterport be excused January 5 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Peter C. Stuckey of Portland be excused June 28 and 29, 2011 for health reasons and January 4 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Linda M. Valentino of Saco be excused January 5 for legislative business.

READ and PASSED.

REPORTS OF COMMITTEE

Change of Committee

Representative FLOOD from the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Provide Funding To Operate the Dolby Landfill in the Town of East Millinocket"

(H.P. 1235) (L.D. 1683)

Reporting that it be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

Sent for concurrence.

Representative FITTS from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Improve Maine's Capacity To Produce Low-cost Renewable Energy through Hydroelectric Power"

(H.P. 1271) (L.D. 1718)

Reporting that it be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

Sent for concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 611)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 17, 2012, at 10:00 the morning.

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

READ and **PASSED** in concurrence.

The **SPEAKER**: The Chair recognizes the Representative from New Gloucester, Representative Espling, who wishes to address the House on the record.

Representative **ESPLING**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. We are very fortunate to have a great group of young people with us today. I am honored to represent New Gloucester, along with Durham and part of Lisbon as a member of the Legislature. I am honored to live in this tight-knit community, a community where it seems as though everyone knows each other, everyone has care and concern for one another, and we can share in each other's triumphs. Such is the case when I remember the great commitment and determination of these young ladies with us today. These young ladies visiting with us today are the members of the Gray-New Gloucester Senior Softball team. The team won the state tournament and progressed to the regional tournament, making it to within two games of the World Series. The same team members won the 2010 Junior Little League State Championship. I want to thank this team for their tireless efforts and for being such a blessing to the town of New Gloucester. Little League is important to our family and it has been an asset to our town. I am grateful that this team was able to represent our town and our state at the level of play that they were able to progress to. I look forward to what the future holds for these young women and thank them again for their

contribution in bringing our community closer together and being a source of pride for the citizens of Gray and New Gloucester and for the citizens of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham, who wishes to address the House on the record.

Representative **GRAHAM**: Thank you, Mr. Speaker. I also want to congratulate the Gray-New Gloucester softball team. Gray-New Gloucester is a wonderful community. There has been amazing growth and community input that I have just loved watching. This softball team is a fine example of what our community is all about and so I also want to offer my congratulations and good work, ladies.

Bill "An Act To Encourage Parental Involvement in Education"
(S.P. 609) (L.D. 1770)

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

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

Bill "An Act To Amend Maine's Gambling Laws"
(S.P. 610) (L.D. 1771)

Came from the Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

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

On motion of Representative ESPLING of New Gloucester, the House adjourned at 10:33 a.m., until 10:00 a.m., Tuesday, January 17, 2012 pursuant to the Joint Order (S.P. 611).