

# MAINE STATE LEGISLATURE

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**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  
12th Legislative Day  
Wednesday, February 8, 2012

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

Prayer by Major Norman Garcia, Salvation Army, Old Orchard Beach.

National Anthem by Katie Spagnolo, Old Orchard Beach.

Pledge of Allegiance.

Doctor of the day, Lani Graham, MD, MPH, Freeport.

The Journal of yesterday was read and approved.

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**SENATE PAPERS**

Resolve, Directing the Maine Turnpike Authority To Place Signs on Interstate 95 Directing Motorists to the Southern Maine Veterans Memorial Cemetery in Springvale

(S.P. 625) (L.D. 1807)

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

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

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Bill "An Act To Promote Transparency in Government"

(S.P. 624) (L.D. 1806)

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.

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**COMMUNICATIONS**

The Following Communication: (H.C. 303)

**STATE OF MAINE**

**125TH MAINE LEGISLATURE**

January 4, 2012

Chief Justice Leigh I. Saufley

Maine Supreme Judicial Court

P. O. Box 368

Portland, Maine 04112

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Session of the 125th Maine Legislature on Thursday, February 9, 2012 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Kevin L. Raye

President of the Senate

S/Robert W. Nutting

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Resolve, Directing the Department of Health and Human Services To Review Reimbursement for Prescription Drugs under the MaineCare Program

(H.P. 1335) (L.D. 1811)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by Senator SHERMAN of Aroostook and Representative: THERIAULT of Madawaska.

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

Resolve, Directing the Department of Health and Human Services To Amend Its Rules Governing Electronic Benefits Transfer Cards To Require a Person To Show Photographic Identification When Using a Card

(H.P. 1336) (L.D. 1812)

Sponsored by Representative HARVELL of Farmington.

Cosponsored by Senator COURTNEY of York and Representatives: AYOTTE of Caswell, BEAULIEU of Auburn, BLACK of Wilton, BLODGETT of Augusta, BRIGGS of Mexico, BURNS of Whiting, CASAVANT of Biddeford, CEBRA of Naples, CHASE of Wells, CLARK of Easton, CORNELL du HOUX of Brunswick, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison, CUSHING of Hampden, DAMON of Bangor, DAVIS of Sangerville, DOW of Waldoboro, DUCHESNE of Hudson, DUNPHY of Embden, EDGEComb of Caribou, ESPLING of New Gloucester, FITTS of Pittsfield, FITZPATRICK of Houlton, FOSSEL of Alna, FOSTER of Augusta, GIFFORD of Lincoln, GILBERT of Jay, GRAHAM of North Yarmouth, GUERIN of Glenburn, HAMPER of Oxford, HANLEY of Gardiner, HARMON of Palermo, JOHNSON of Greenville, KAENRATH of South Portland, KESCHL of Belgrade, KNAPP of Gorham, KNIGHT of Livermore Falls, KUMIEGA of Deer Isle, LIBBY of Waterboro, LONG of Sherman, MAKER of Calais, MALABY of Hancock, MALONEY of Augusta, MARTIN of Eagle Lake, McCABE of Skowhegan, McCLELLAN of Raymond, McFADDEN of Dennysville, McKANE of Newcastle, MONAGHAN-DERRIG of Cape Elizabeth, MORISSETTE of Winslow, MOULTON of York, NASS of Acton, NEWENDYKE of Litchfield, Speaker NUTTING of Oakland, O'CONNOR of Berwick, OLSEN of Phippsburg, PARKER of Veazie, PARRY of Arundel, PETERSON of Rumford, PICCHIOTTI of Fairfield, PILON of Saco, PLUMMER of Windham, PRESCOTT of Topsham, RICHARDSON of Carmel, RICHARDSON of Warren, RIOUX of Winterport, ROSEN of Bucksport, SANDERSON of Chelsea, SARTY of Denmark, SIROCKI of Scarborough, THERIAULT of Madawaska, TILTON of Harrington, TIMBERLAKE of Turner, TURNER of Burlington, TUTTLE of Sanford, VOLK of Scarborough, WALLACE of Dexter, WATERHOUSE of Bridgton, WEAVER of York, WILLETTE of Mapleton, WILLETTE of Presque Isle, WOOD of Sabattus, Senators: GOODALL of Sagadahoc, KATZ of Kennebec, SNOWE-MELLO of Androscoggin, THOMAS of Somerset.

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

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

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

Sent for concurrence.

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

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**REPORTS OF COMMITTEE**

**Refer to the Committee on Health and Human Services  
Pursuant to Joint Order**

Representative STRANG BURGESS for the **Joint Standing Committee on Health and Human Services** on Bill "An Act To Amend the Laws Governing Confidentiality of Health Care Information"

(H.P. 1337) (L.D. 1813)

Reporting that it be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** pursuant to Joint Order, H.P. 1328.

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

Sent for concurrence.

**Divided Report**

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Amend the Labor Laws Relating to Certain Agricultural Employees"

(H.P. 898) (L.D. 1207)

Signed:

Senators:

RECTOR of Knox  
JACKSON of Aroostook

Representatives:

DRISCOLL of Westbrook  
GILBERT of Jay  
HERBIG of Belfast  
HUNT of Buxton  
TUTTLE of Sanford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-691)** on same Bill.

Signed:

Senator:

MARTIN of Kennebec

Representatives:

PRESCOTT of Topsham  
DOW of Waldoboro  
NEWENDYKE of Litchfield  
VOLK of Scarborough  
WALLACE of Dexter

Representative SLIGGER of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought Not to Pass** Report.

**READ.**

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

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Minority **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:

(H.P. 1198) (L.D. 1593) Resolve, To Name Route 1-A between Brewer and Ellsworth the Korean War Veterans Highway Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-693)**

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

**CONSENT CALENDAR**

**Second Day**

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

(H.P. 1216) (L.D. 1607) Bill "An Act To Preserve the Integrity of the Maine Certified Public Accountant Examination" (EMERGENCY)

(H.P. 1304) (L.D. 1772) Bill "An Act To Enforce Prompt Payment to Career and Technical Education Regions"

No objections having been noted at the end of the Second Legislative Day, the House Papers were **PASSED TO BE ENGROSSED** and sent for concurrence.

**ENACTORS**

**Acts**

An Act To Update the Laws Concerning the Maine School of Science and Mathematics

(H.P. 1197) (L.D. 1592)

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, Directing the Department of Administrative and Financial Services, Bureau of Revenue Services To Develop a Pilot Project for a Tax Simulation Model for State Dynamic Fiscal Analysis

(H.P. 1127) (L.D. 1535)

(C. "A" H-685)

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

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

**COMMUNICATIONS**

The Following Communication: (H.C. 304)

**STATE OF MAINE**

**HOUSE OF REPRESENTATIVES**

**SPEAKER'S OFFICE**

**AUGUSTA, MAINE 04333-0002**

February 8, 2012

The Honorable Heather J.R. Priest

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Priest:

Pursuant to my authority under House Rule 201.1 (l) (a), I have rescinded the appointment of Representative Karen D. Foster of Augusta from the Joint Standing Committee on Judiciary. Furthermore, pursuant to my authority under House Rule 201.1 (l) (a), I have appointed Representative Leslie T. Fossel of Alna

to the Joint Standing Committee on Judiciary effective immediately.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

S/Robert W. Nutting

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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

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On motion of Representative HOGAN of Old Orchard Beach, the House adjourned at 10:30 p.m., until 10:00 a.m., Thursday, February 9, 2012.