

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

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ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
SECOND REGULAR SESSION
22nd Legislative Day
Thursday, March 1, 2012

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

Prayer by Chaplain Danielle K. Bartz, Maine General Medical Center, Thayer Campus, Waterville.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

SENATE PAPERS

Bill "An Act To Restore Equity in Revenue Sharing"
(S.P. 635) (L.D. 1835)

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

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

COMMUNICATIONS

The Following Communication: (H.C. 318)

**SENATE OF MAINE
125TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 28, 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 Senate Rule 201.3, I am pleased to appoint Senator Johnson, to the Joint Standing Committee on Marine Resources, effective March 1, 2012. With this appointment the Senator from Lincoln, Senator Johnson, will be replacing the Senator from York, Senator Sullivan.

If you have any questions regarding this appointment please do not hesitate to contact my office.

Sincerely,

S/Kevin L. Raye

President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 319)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

February 29, 2012

The Honorable Robert W. Nutting

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Nutting:

This is to inform you that I am today nominating Gail Dana-Sacco of Scarborough for appointment to the Maine Indian Tribal-State Commission.

Pursuant to Title 30, MRSA §6212, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 320)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

February 22, 2012

The Honorable Kevin L. Raye

President of the Senate

The Honorable Robert W. Nutting

Speaker of the House

125th Legislature

State House

Augusta, Maine 04333

Dear Mr. President and Mr. Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Veterans and Legal Affairs from the review and evaluation of the Department of Defense, Veterans and Emergency Management under the State Government Evaluation Act. In its review, the Committee found that the Department of Defense, Veterans and Emergency Management is operating within its statutory authority.

Sincerely,

S/Senator Nichi Farnham

Senate Chair

S/Representative Michael Beaulieu

House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 321)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

March 1, 2012

The Honorable Robert W. Nutting

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Nutting:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Judiciary

L.D. 1669

An Act To Clarify the Process for Removing a Person from a Dormitory Operated by a Nonprofit Organization and the Municipal Regulation of Such Facilities

L.D. 1690

An Act To Protect the Privacy of Social Workers (EMERGENCY)

Transportation

L.D. 1808

An Act To Exempt from the Prohibition against Text Messaging While Driving Emergency Personnel Who Are Acting in the Course of Their Duties

The sponsors and cosponsors have been notified of the Committee's action.

Sincerely,

S/Heather J.R. Priest

Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Authorize the Establishment of Pilot Projects for Community Paramedicine"

(H.P. 1359) (L.D. 1837)

Sponsored by Representative WILLETTE of Presque Isle. (GOVERNOR'S BILL)

Cosponsored by Senator RECTOR of Knox and Representatives: CLARK of Easton, FREDETTE of Newport, KESCHL of Belgrade, TURNER of Burlington, WILLETTE of Mapleton, Senators: JACKSON of Aroostook, SAVIELLO of Franklin, SHERMAN of Aroostook.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent for concurrence.

Bill "An Act To Facilitate Rapid Response by Out-of-state Businesses to State Disasters" (EMERGENCY)

(H.P. 1357) (L.D. 1836)

Sponsored by Representative KNIGHT of Livermore Falls.

Cosponsored by Senator RECTOR of Knox and Representatives: BERRY of Bowdoinham, CURTIS of Madison, FITTS of Pittsfield, PILON of Saco, PRESCOTT of Topsham, STEVENS of Bangor, STRANG BURGESS of Cumberland, VALENTINO of Saco.

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

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent for concurrence.

**Pursuant to Statute
Department of Education**

Representative RICHARDSON for the **Department of Education** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 33: Regulations Governing Timeout Rooms, Therapeutic Restraints and Aversives in Public Schools and Approved Private Schools, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 1360) (L.D. 1838)

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

ORDERS

On motion of Representative PICCHIOTTI of Fairfield, the following Joint Resolution: (H.P. 1358) (Cosponsored by Representatives: CLARK of Millinocket, FREDETTE of Newport, LOVEJOY of Portland, WALLACE of Dexter)

JOINT RESOLUTION RECOGNIZING MAINE'S CREDIT UNIONS

WHEREAS, Maine's credit unions are member-owned and member-governed financial cooperatives dedicated and committed to serving the needs of their members and communities. The not-for-profit structure of credit unions provides each member with an equal voice and representation in the operations of the credit union. Serving members in all 16 Maine counties and in every community, Maine's credit unions operate with the primary purpose of benefiting the more than 615,000 Maine consumers who use credit unions; and

WHEREAS, the economic benefit that Maine's credit unions provide to Maine consumers is approximately \$38,000,000 annually, as a result of lower and fewer fees on products and services, lower interest rates on loans and higher interest rates on savings; and

WHEREAS, Maine is once again ranked as the nation's 5th strongest credit union state based on the percentage of the population that uses a credit union, a position Maine has held for 10 consecutive years. With more than 615,000 members, credit unions serve nearly one in every 2 Maine residents; and

WHEREAS, the 2,050 full-time and part-time employees of Maine's credit unions and the more than 1,000 unpaid volunteers who serve on credit union boards and committees demonstrate the core credit union values, philosophy and mission of people helping people by contributing to the communities they serve; and

WHEREAS, since 1990 Maine's credit unions and their members have raised \$4,300,000 to help end hunger in Maine. One hundred percent of all money that is raised through the Maine Credit Unions' Campaign for Ending Hunger stays in Maine and goes directly to assist thousands of Maine families and individuals who otherwise would go hungry. In addition to contributing thousands of dollars to food pantries in communities across the State, Maine's credit unions also help to provide funds for statewide initiatives to help end hunger, such as being the primary source of funding for the State's only Food Mobile. In partnership with Good Shepherd Food Bank, the Food Mobile has delivered over 2,280,000 pounds of food to food pantries in every Maine county since it began in 2005; and

WHEREAS, in 2011 Maine's credit unions contributed more than \$1,000,000 to a variety of causes, including a record-setting \$446,929.56 to ending hunger, and to a number of organizations, such as financial literacy programs, the American Red Cross and Special Olympics. In the past 9 years, members of Maine's credit unions contributed more than 180,000 hours, including a record of more than 31,000 hours last year, volunteering for organizations and activities in communities throughout the State, making a significant and positive impact not only on the organizations that received this assistance but also on the people who were served by and benefited from the services and resources provided; and

WHEREAS, since 1921 Maine's credit unions have been enhancing the lives of thousands of Maine people, who have been helped to financial success and stability. Throughout Maine, credit unions continue to play a vital economic and socially responsible role in the lives of individuals and remain a local, significant and stable presence in the communities they serve; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature, now assembled in the Second Regular Session, take this opportunity to recognize the Maine Credit Union League and Maine's credit unions for their positive contributions and the significant role they have played in the lives of Maine citizens and their communities for more than 91 years. Their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Credit Union League and its 63 member credit unions.

READ and ADOPTED.

Sent for concurrence.

On motion of Representative HAMPER of Oxford, the following House Order: (H.O. 42)

ORDERED, that Representative Richard M. Cebra of Naples be excused February 21 and 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Charles B. Kruger of Thomaston be excused February 23 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Peter B. Rioux of Winterport be excused February 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Ralph W. Sarty, Jr. of Denmark be excused February 28 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Meredith N. Strang Burgess of Cumberland be excused February 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Amy Fern Volk of Scarborough be excused February 16, 21, 22 and 23 for personal reasons.

READ and PASSED.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Improve the Maine Clean Election Act"

(S.P. 484) (L.D. 1523)

Signed:

Senators:

FARNHAM of Penobscot
PATRICK of Oxford
PLOWMAN of Penobscot

Representatives:

BEAULIEU of Auburn
CAREY of Lewiston
CROCKETT of Bethel
DAMON of Bangor
JOHNSON of Eddington
LONGSTAFF of Waterville
RUSSELL of Portland
VALENTINO of Saco
WILLETTE of Presque Isle

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-401)** on same Bill.

Signed:

Representative:

CHIPMAN of Portland

Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought Not to Pass** Report.

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED.**

READ.

On motion of Representative BEAULIEU of Auburn, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 526) (L.D. 1616) Bill "An Act Concerning Copying Fees for Users of County Registries of Deeds" (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(S.P. 534) (L.D. 1624) Bill "An Act To Lessen the Regulatory Burden on Medical Laboratories by Removing Outdated Requirements from the Maine Medical Laboratory Act" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-396)**

(S.P. 562) (L.D. 1663) Bill "An Act To Correct Errors in Recently Enacted Laws Governing Agency Liquor Stores" (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-395)**

(S.P. 578) (L.D. 1679) Bill "An Act To Conform Maine's Prescription Drug Privacy Laws with the United States Constitution" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-397)**

(S.P. 582) (L.D. 1682) Bill "An Act To Allow Employees of the Small Enterprise Growth Board To Participate in the State's Group Health Plan" (EMERGENCY) Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-393)**

(S.P. 592) (L.D. 1732) Bill "An Act To Amend Certain Provisions of the Fish and Wildlife Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-391)**

(S.P. 606) (L.D. 1758) Bill "An Act To Eliminate the Deposit Requirements for Containers of Limited and Restricted Use Pesticides" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-392)**

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

(H.P. 1237) (L.D. 1685) Bill "An Act To Conform Maine Law to Federal Law Regarding Payment of Overtime to Truck Drivers and Driver's Helpers" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-732)**

On motion of Representative O'CONNOR of Berwick, 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.

CONSENT CALENDAR
Second Day

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

(S.P. 535) (L.D. 1625) Bill "An Act To Amend the Organization of the Quality Assurance Review Committee"

(S.P. 285) (L.D. 897) Bill "An Act To Amend the Application Process for the Progressive Treatment Program" (C. "A" S-389)

(S.P. 593) (L.D. 1733) Bill "An Act To Provide for the 2012 and 2013 Allocations of the State Ceiling on Private Activity Bonds" (C. "A" S-388)

(H.P. 1282) (L.D. 1737) Bill "An Act Regarding the Interception of Oral or Wire Communications of Residents of State Correctional Facilities and Jails"

(H.P. 1318) (L.D. 1793) Resolve, Regarding Legislative Review of Portions of Chapter 375: No Adverse Environmental Effect Standard of the Site Location Law, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 1225) (L.D. 1635) Bill "An Act Regarding Inmates on Public Works Projects" (EMERGENCY) (C. "A" H-731)

(H.P. 1301) (L.D. 1767) Bill "An Act To Authorize the Commissioner of Education To Allow Access to Criminal History Record Information to Entities Providing Document Management and To Remove Applicants' Fingerprints from the Fingerprint File" (C. "A" H-730)

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

BILLS IN THE SECOND READING
House as Amended

Bill "An Act To Protect Homeowners Subject to Foreclosure by Requiring the Foreclosing Entity To Provide the Court with Original Documents"

(H.P. 128) (L.D. 145)
(C. "B" H-721)

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

ENACTORS
Emergency Measure

An Act To Create a Sales Tax Exemption for the Sale and Delivery of Off-peak Electricity for Electric Thermal Storage Devices

(S.P. 554) (L.D. 1655)
(C. "A" S-383)

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. 116 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 Promote Jobs in the Motor Coach Industry by Providing a Sales Tax Exemption for Certain Buses

(S.P. 594) (L.D. 1735)

An Act To Conform Maine Apprenticeship Program Standards with Federal Apprenticeship Regulations

(H.P. 1327) (L.D. 1800)

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.

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.

Expression of Legislative Sentiment Recognizing Adam Parker Thebeau, of Lisbon Falls

(HLS 954)

TABLED - January 26, 2012 (Till Later Today) by Representative ESPLING of New Gloucester.

PENDING - PASSAGE.

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

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

The Chair laid before the House the following items which were **TABLED** and today assigned:

TABLED AND TODAY ASSIGNED

House Order Propounding Questions to the Justices of the Supreme Judicial Court

(H.O. 41)

TABLED - February 29, 2012 by Representative CURTIS of Madison.

(Pursuant to House Rule 513)

PENDING - PASSAGE.

Representative CAIN of Orono **REQUESTED** a roll call on **PASSAGE.**

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 Portland, Representative Dion.

Representative **DION**: Good morning, Mr. Speaker. Mr. Speaker, Men and Women of the House. I want to extend my congratulations to the majority, having moved this Order forward. In light of that I would make two brief comments, one regarding Question 1 and the idea of mere ownership. I would pray that the court would focus on the term of ownership. My concern is a legal one. My concern is that ownership encapsulate not simply the propriety interest in the business, but examines the day to day activity, the nature of control and the potential for fiduciary conflicts that exist in the ownership of that entity.

Second, there has been some critique that the Order propounded by this Representative was political in terms of the language that was applied in my Order. I only think it's fair to say this: That language arose from the language expressed by the Attorney General himself. That was not novel language that I crafted, but I simply employed the very terms and facts that he

had expressed in his letter to me some weeks ago. I did not declare those to be political but simply limited, and I would hope that that would inform you that, to my mind, in addressing the court, one not only needs to ask questions but provide the court with some facts, some context in which to place those questions before they answer. So that's what I wanted to say today. That's my comments to all of you. But again, I appreciate the fact that as legislators we've agreed in principle that these questions need to be asked so that we can fully understand, appreciate, and move forward as to what the legal parameters that surround the office of Treasurer. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Rotundo.

Representative **ROTUNDO**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. The Appropriations Committee is beginning our work on bond questions, and there are several pending items that will be considered by this body in the coming weeks. We have some concern that any ambiguity about the status of the Treasurer's ability to issue those bonds or carry out other duties could put at risk the intent of the Legislature and voters to issue bonds this year. For that reason, we find it critical to get a definitive answer on the Treasurer's status as we take action together on this critical work. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Cushing.

Representative **CUSHING**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In regards to this important question, we appreciate the fact that it was raised. We agree that issues of constitutionality should not be politicized, and I believe that the Order before us clearly asks the court in a respectful manner for a definition of issues that may affect perhaps this Treasurer, but also reflect on other constitutional officers going forward. The Treasurer himself is very pleased that we are asking these questions, and as we move forward, we do so in a spirit of recognizing the importance of protecting the public from inappropriate actions without taking this occasion to cast aspersions on anyone who has served this state in either a constitutional office or in the Legislature. The court has the opportunity to provide us with a clear directive and we look forward to them considering this issue and reporting back to the House. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to again recognize the fact that we do this in a bipartisan fashion, moving forward on this issue so that we can resolve this issue and put it before us, that we created a Constitution that in fact creates a system of checks and balances and this is one of the opportunities that we are able to exercise, an opportunity to in fact check on that system, and that to clearly recognize that no one is above the law. I certainly will be supporting this motion.

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

ROLL CALL NO. 235

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Bickford, Black, Blodgett, Boland, Bolduc, Bryant, Burns DC, Cain, Carey, Cebra, Chase, Chipman, Clark H, Clark T, Clarke, Cornell du Houx, Cotta, Crafts, Cray, Curtis, Cushing, Damon, Davis, Dill J, Dion, Dow, Driscoll, Duchesne, Dunphy, Eberle, Edgecomb, Espling, Fitts, Fitzpatrick, Flemings, Flood, Fossel, Foster, Fredette, Gifford, Gilbert, Gillway, Goode, Graham, Guerin, Hamper, Hanley, Harlow, Harmon, Harvell, Haskell, Hayes, Herbig, Johnson D, Johnson P, Kaenrath, Keschl, Knapp,

Knight, Kruger, Lajoie, Libby, Long, Longstaff, Lovejoy, Luchini, Maker, Malaby, Maloney, Martin, McCabe, McClellan, McFadden, McKane, Monaghan-Derrig, Morissette, Morrison, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Pilon, Plummer, Prescott, Priest, Rankin, Richardson D, Rioux, Rochelo, Rosen, Rotundo, Sanderson, Sarty, Sirocki, Stevens, Strang Burgess, Theriault, Tilton, Timberlake, Treat, Turner, Tuttle, Wagner R, Wallace, Waterhouse, Weaver, Webster, Welsh, Willette A, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudoin, Beliveau, Briggs, Casavant, Celli, Chapman, Crockett, Eves, Hinck, Hogan, Hunt, Innes Walsh, Kent, Kumiega, MacDonald, Mazurek, Nelson, O'Brien, Peoples, Peterson, Richardson W, Russell, Sanborn, Shaw, Stuckey, Valentino, Volk, Willette M.

Yes, 122; No, 0; Absent, 28; Vacant, 1; Excused, 0.

122 having voted in the affirmative and 0 voted in the negative, 1 vacancy with 28 being absent, and accordingly the House Order was **PASSED**.

TABLED AND TODAY ASSIGNED

House Order Propounding Questions to the Justices of the Supreme Judicial Court

(H.O. 40)

TABLED - February 29, 2012 by Representative CAIN of Orono.

(Pursuant to House Rule 513)

PENDING - **PASSAGE**.

On motion of Representative CURTIS of Madison, the House Order and all accompanying papers were **INDEFINITELY POSTPONED**.

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

SENATE PAPERS

The following Joint Order: (S.P. 636)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 6, 2012, at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

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

On motion of Representative CURTIS of Madison, the House adjourned at 10:48 a.m., until 10:00 a.m., Tuesday, March 6, 2012 pursuant to the Joint Order (S.P. 636).