

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
 39th Legislative Day
 Friday, March 30, 2012

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

Prayer by the Honorable David C. Burns, Whiting.

Pledge of Allegiance.

Doctor of the day, Donald Strickland, M.D., Gardiner.

The Journal of yesterday was read and approved.

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

ORDERS

On motion of Representative BRIGGS of Mexico, the following Joint Resolution: (H.P. 1408) (Cosponsored by Senator PATRICK of Oxford and Representatives: AYOTTE of Caswell, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BELIVEAU of Kittery, BENNETT of Kennebunk, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BLODGETT of Augusta, BOLAND of Sanford, BOLDUC of Auburn, BRYANT of Windham, BURNS of Whiting, CAIN of Orono, CAREY of Lewiston, CASAVANT of Biddeford, CEBRA of Naples, CELLI of Brewer, CHAPMAN of Brooksville, CHASE of Wells, CHIPMAN of Portland, CLARK of Millinocket, CLARK of Easton, CLARKE of Bath, 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, DILL of Old Town, DION of Portland, DOW of Waldoboro, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUNPHY of Embden, EBERLE of South Portland, EDGECOMB of Caribou, ESPLING of New Gloucester, EVES of North Berwick, FITTS of Pittsfield, FITZPATRICK of Houlton, FLEMINGS of Bar Harbor, FLOOD of Winthrop, FOSSEL of Alna, FOSTER of Augusta, FREDETTE of Newport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GUERIN of Glenburn, HAMPER of Oxford, HANLEY of Gardiner, HARLOW of Portland, HARMON of Palermo, HARVELL of Farmington, HASKELL of Portland, HAYES of Buckfield, HERBIG of Belfast, HINCK of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, INNES of Yarmouth, JOHNSON of Eddington, JOHNSON of Greenville, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KNAPP of Gorham, KNIGHT of Livermore Falls, KRUGER of Thomaston, KUMIEGA of Deer Isle, LAJOIE of Lewiston, LIBBY of Waterboro, LONG of Sherman, LONGSTAFF of Waterville, LOVEJOY of Portland, LUCHINI of Ellsworth, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MALONEY of Augusta, MARTIN of Eagle Lake, MAZUREK of Rockland, McCABE of Skowhegan, McCLELLAN of Raymond, McFADDEN of Dennysville, McKANE of Newcastle, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MORISSETTE of Winslow, MORRISON of South Portland, MOULTON of York, NASS of Acton, NELSON of Falmouth, NEWENDYKE of Litchfield, Speaker NUTTING of Oakland, O'BRIEN of Lincolnville, O'CONNOR of Berwick, OLSEN of Phippsburg, PARKER of Veazie, PARRY of Arundel, PEOPLES of Westbrook, PETERSON of Rumford, PICCHIOTTI of Fairfield, PILON of Saco, PLUMMER of Windham, PRESCOTT of Topsham, PRIEST of Brunswick, RANKIN of Hiram, RICHARDSON of Carmel, RICHARDSON of Warren, RIOUX of Winterport, ROCHELO of Biddeford, ROSEN of

Bucksport, ROTUNDO of Lewiston, RUSSELL of Portland, SANBORN of Gorham, SANDERSON of Chelsea, SARTY of Denmark, SHAW of Standish, SIROCKI of Scarborough, SLAGGER of the Houlton Band of Maliseet Indians, SOCTOMAH of the Passamaquoddy Tribe, STEVENS of Bangor, STRANG BURGESS of Cumberland, STUCKEY of Portland, THERIAULT of Madawaska, TILTON of Harrington, TIMBERLAKE of Turner, TREAT of Hallowell, TURNER of Burlington, TUTTLE of Sanford, VALENTINO of Saco, VOLK of Scarborough, WAGNER of Lewiston, WALLACE of Dexter, WATERHOUSE of Bridgton, WEAVER of York, WEBSTER of Freeport, WELSH of Rockport, WILLETTE of Mapleton, WILLETTE of Presque Isle, WINSOR of Norway, WOOD of Sabattus, Senators: ALFOND of Cumberland, BARTLETT of Cumberland, BRANNIGAN of Cumberland, COLLINS of York, COURTNEY of York, CRAVEN of Androscoggin, DIAMOND of Cumberland, DILL of Cumberland, FARNHAM of Penobscot, GERZOFKY of Cumberland, GOODALL of Sagadahoc, HASTINGS of Oxford, HILL of York, HOBBS of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of Kennebec, LANGLEY of Hancock, MARTIN of Kennebec, MASON of Androscoggin, McCORMICK of Kennebec, PLOWMAN of Penobscot, President RAYE of Washington, RECTOR of Knox, ROSEN of Hancock, SAVIELLO of Franklin, SCHNEIDER of Penobscot, SHERMAN of Aroostook, SNOWMELLO of Androscoggin, SULLIVAN of York, THIBODEAU of Waldo, THOMAS of Somerset, WHITTEMORE of Somerset, WOODBURY of Cumberland)

**JOINT RESOLUTION TO HONOR VIETNAM WAR
 REMEMBRANCE DAY ON MARCH 30, 2012**

WHEREAS, the State of Maine passed Public Law 2011, chapter 92, which established that March 30th of each year is Vietnam War Remembrance Day, to honor the service and sacrifice of those veterans of the United States Armed Forces who served during the Vietnam War; and

WHEREAS, the Vietnam War was fought in the Republic of South Vietnam from 1961 to 1975 and involved North Vietnamese regular forces and Viet Cong guerrilla forces in armed conflict with the United States Armed Forces and the Army of the Republic of Vietnam; and

WHEREAS, the United States Armed Forces became involved in Vietnam to provide direct military support for the Republic of South Vietnam to defend itself against the growing communist threat from North Vietnam; and

WHEREAS, members of the United States Armed Forces began serving in an advisory role to the Republic of South Vietnam in 1961, and, as a result of the Gulf of Tonkin incidents on August 2 and 4, 1964, the United States Congress overwhelmingly passed the Gulf of Tonkin Resolution, which provided the authority to the President of the United States to prosecute the war against North Vietnam; and

WHEREAS, in 1965, United States Armed Forces ground combat units arrived in Vietnam, and by the end of 1965 there were 80,000 United States troops in Vietnam; by 1969, a peak of approximately 543,000 troops was reached; and

WHEREAS, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and

WHEREAS, on March 30, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam; and

WHEREAS, more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the United States Armed Forces were wounded; and

WHEREAS, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing in action in Vietnam; and

WHEREAS, the establishment of Vietnam War Remembrance Day is an appropriate way to honor those members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War; and

WHEREAS, we must honor the establishment of Vietnam War Remembrance Day for the millions of men and women who served with valor during the Vietnam War, those who were wounded with wounds both seen and unseen during the conflict and those who gave the ultimate sacrifice to their State and Nation; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature of the State of Maine now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to join in the observance of Vietnam War Remembrance Day in order to honor the contributions of veterans who served in the United States Armed Forces in Vietnam during war and during peace; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Department of Defense, Veterans and Emergency Management.

READ.

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. Today we are part of an historic event. Today is March 30, 2012. After almost 40 years later, today is the first Vietnam War Remembrance Day acknowledged in the State of Maine. This certainly is a day of remembrance. This day of remembrance is for my brother, my brother-in-law, cousins, friends, every Vietnam veteran in this legislative body, and throughout the great State of Maine. Thank you.

March 30 was selected because this was the day the last 2,500 troops were withdrawn from South Vietnam and the Asian country. This was the longest war in U.S. history, starting back in the 1950s. Fifty-eight thousand, two-hundred and fifty-six veterans were killed during the Vietnam War era.

Currently, there are approximately 54,000 Vietnam veterans living in Maine. The Vietnam War had many effects on the United States and in Maine. This was the first foreign war in which the U.S. combat forces failed to accomplish their goals. This hurt the pride of a lot of Americans and left painful memories. Soldiers returned in the midst of angry antiwar protests that often placed blame on the individual soldiers. Soldiers were treated very poorly.

This day of recognition is different in that it is correcting a measure of injustice by being treated differently when they returned home from the Vietnam War, like none other, and because of that, should be treated as such. This bill represents a symbol of gratitude and respect that were denied when they came home from an unpopular war. I know we can't change the past, but we can change the future one day at a time.

Since January of 2011, and that's only 14 months ago, since then, 12 more states have enacted legislation including Maine in recognition of our Vietnam veterans. This brings this to a total of 21 states that have now enacted this kind of legislation and one more state is pending.

This afternoon, back home, we are celebrating our historic first anniversary of this great day beginning at 1, and my goal is this: In this day of remembrance, Vietnam War Remembrance

Day will bring many veterans together who have felt distant for many, many years to help heal physically, spiritually and emotionally. As a State Representative, I am truly blessed, honored and humbled to do this for all of our Vietnam veterans. But this is not just for me, but for all Mainers who wish to say to each veteran "We're sorry, thank you and welcome home!" Thank you, Mr. Speaker.

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 will be very brief. I was thinking of where I was 40 something odd years ago today, being a little skinny boy of 135 pounds going through the rice paddies in the jungle of Southeast Asia.

I personally want to thank Representative Briggs for bringing this forward. For some 40 plus years I have been underground. A lot of you who know me, I don't say very much about what happened to me back some 40 plus years ago. But I can tell you right now, Men and Women of the House, when I see an enlisted person, man or woman, I go out of my way to say thank you. Thank you for serving. Last week or the week before last, I went right home the minute I got out of here because a gentleman I know was going to Afghanistan. I told him like I'm going to tell you right now, nobody was there to welcome me, nobody was there to say goodbye and there was nobody to say welcome home. The least we can do as men and women of this body is recognize the men and women who gave their lives for all we can have here today. Without them, where would we be?

So I come out from underground to tell a little bit of the story, because it's hard for me to tell the story. I don't even tell the story to my family. They know what I went through and I think a lot of my brothers and sisters in this room who served with me know what we went through. When they brought my troop back home from Vietnam, we couldn't even go through the airport. I had to take them around and catch ways out of town. "Change into civilian clothes, get anywhere you can so they won't recognize you. Get out of town, get home." With that, men and women, I say to Representative Briggs, thank you. Of all the men and women who served, thank you very much.

Subsequently, the Joint Resolution was **ADOPTED**.
Sent for concurrence.

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

COMMUNICATIONS

The Following Communication: (H.C. 349)

STATE OF MAINE

CLERK'S OFFICE

2 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0002

March 30, 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:"

Health and Human Services

L.D. 1700 An Act To Provide an Alternative Method of Calculating Minimum Staffing Levels in Nursing Homes (EMERGENCY)

L.D. 1862 An Act To Limit Eligibility under the Municipal General Assistance Program (EMERGENCY) State and Local Government

L.D. 1881 An Act Regarding the Commercial Sale of Deeds Records

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.**

On motion of Representative HAMPER of Oxford, the following House Order: (H.O. 46)

ORDERED, that Representative James F. Dill of Old Town be excused March 27 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Anne M. Haskell of Portland be excused March 21 and 22 for legislative business.

AND BE IT FURTHER ORDERED, that Representative George Hogan of Old Orchard Beach be excused March 23 for legislative business.

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

AND BE IT FURTHER ORDERED, that Representative David Slagger of the Houlton Band of Maliseet Indians be excused March 7, 8, 12, 13, 19, 20, 21, 22 and 23 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Peter C. Stuckey of Portland be excused March 19, 20, 21, 22 and 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Windol C. Weaver of York be excused March 14 and 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Joan W. Welsh of Rockport be excused March 26 for health reasons.

READ and **PASSED.**

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Rhonda Bianco, of Presque Isle, who is the recipient of the American Red Cross 2012 Pay It Forward Real Heroes Award. Ms. Bianco was diagnosed with throat and palate cancer and underwent 38 radiation treatments to her face, neck and jaw. As a side effect of the radiation treatments her jaw bone deteriorated. She received treatment at the Hyperbaric Chamber at Mercy Hospital in Portland, which is 300 miles from her home and family in Presque Isle. She stayed at Gary's House in Portland while she was receiving treatment. When she started to feel better, she wanted to repay Gary's House for all that they did for her. She has been cooking for residents, washing laundry, cleaning and washing dishes. We extend our appreciation to Ms. Bianco for her selflessness and congratulate her on her receiving this well-deserved honor;

(HLS 1102)

Presented by Representative HASKELL of Portland.

Cosponsored by Senator SHERMAN of Aroostook, Representative WILLETTE of Mapleton, Representative WILLETTE of Presque Isle.

On **OBJECTION** of Representative HASKELL of Portland, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Dr. Hector Tarraza, of Portland, who is the recipient of the 2012 American Red Cross Real Heroes Award for International Service. Dr. Tarraza is being recognized for his work in helping deserving patients in countries around the world. He is an obstetrician at Maine Medical Center, is medical director of Global Health Ministry and serves on 4 other international medical relief agencies. He takes numerous trips each year to places such as Ethiopia, Sierra Leone, Haiti, Guatemala, Peru and Columbia to provide medical aid. We extend our appreciation to Dr. Tarraza for his selflessness and congratulate him on his receiving this well-deserved honor;

(HLS 1103)

Presented by Representative HASKELL of Portland.

Cosponsored by Senator BRANNIGAN of Cumberland, Representative HARLOW of Portland, Representative HINCK of Portland, Representative DION of Portland, Representative STUCKEY of Portland, Representative LOVEJOY of Portland, Senator ALFOND of Cumberland, Representative CHIPMAN of Portland, Representative RUSSELL of Portland.

On **OBJECTION** of Representative HASKELL of Portland, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-497)** on Bill "An Act To Define Cost Responsibility for Transporting Deaf and Hard-of-hearing Students to the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf"

(S.P. 637) (L.D. 1839)

Signed:

Senators:

LANGLEY of Hancock
ALFOND of Cumberland
MASON of Androscoggin

Representatives:

RICHARDSON of Carmel
JOHNSON of Greenville
MAKER of Calais
McCLELLAN of Raymond
NELSON of Falmouth
RANKIN of Hiram
WAGNER of Lewiston

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

Signed:

Representatives:

EDGECOMB of Caribou
LOVEJOY of Portland
McFADDEN of Dennysville

Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-497)** Report.

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-497)**.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (S-497)** was **READ** by the Clerk and **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-497)** in concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-489)** on Resolve, To Amend the Pilot Project for Independent Practice Dental Hygienists To Process Radiographs in Underserved Areas of the State (**EMERGENCY**)

(S.P. 669) (L.D. 1891)

Signed:

Senator:

JACKSON of Aroostook

Representatives:

PRESCOTT of Topsham
DOW of Waldoboro
DRISCOLL of Westbrook
GILBERT of Jay
NEWENDYKE of Litchfield
TUTTLE of Sanford
VOLK of Scarborough
WALLACE of Dexter

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-490)** on same Resolve.

Signed:

Senators:

RECTOR of Knox
MARTIN of Kennebec

Representatives:

HERBIG of Belfast
HUNT of Buxton

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-489)**.

READ.

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

The Resolve was **READ ONCE. Committee Amendment "A" (S-489)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Resolve was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-489)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-441)** on Bill "An Act To Ensure Harvesting of Timber on Land Taxed under the Maine Tree Growth Tax Law"

(S.P. 459) (L.D. 1470)

Signed:

Senators:

COURTNEY of York
HASTINGS of Oxford
WOODBURY of Cumberland

Representatives:

KNIGHT of Livermore Falls
BENNETT of Kennebec
BERRY of Bowdoinham
BICKFORD of Auburn
HARMON of Palermo
PILON of Saco
WATERHOUSE of Bridgton
WEAVER of York

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

Signed:

Representative:

BRYANT of Windham

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-441)**.

READ.

Representative KNIGHT of Livermore Falls 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 **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-847)** on Bill "An Act To Correct Inconsistencies and Ambiguities in the Maine Guaranteed Access Reinsurance Association Act"

(H.P. 1254) (L.D. 1702)

Signed:

Senators:

WHITTEMORE of Somerset
SNOWE-MELLO of Androscoggin

Representatives:

RICHARDSON of Warren

FITZPATRICK of Houlton
McKANE of Newcastle
MORISSETTE of Winslow
PICCHIOTTI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-848)** on same Bill.

Signed:

Senator:

BRANNIGAN of Cumberland

Representatives:

BEAUDOIN of Biddeford

BECK of Waterville

GOODE of Bangor

MORRISON of South Portland

TREAT of Hallowell

READ.

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

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Goode.

Representative **GOODE**: Thank you, Mr. Speaker. I rise in opposition to the pending motion and wish to speak to the motion before us today. Men and Women of the House, this bill is a fix up bill for parts of PL 90 that was passed last year. You might also know it as LD 1333. Members of the committee agreed on, I think, almost everything in the bill, except for a provision around the board that does the reinsurance system in the state. It's called the Maine Guaranteed Access Reinsurance Association. In our committee, we call it MGARA. The only major difference in the report is that the Minority Report requires the MGARA board to have open meetings to the public. The Majority Report does not require that. In their first meetings last summer, there were numerous stakeholders that didn't even know the board was meeting. This board has to make a lot of important decisions about insurance coverage for people in Maine. Most importantly, they will be deciding rates for people that wind up in the reinsurance pool and they will be deciding what the assessment is that potential members of the reinsurance pool fill out. It gives me a lot of heartburn to have them making this decision, being funded through a \$4 per member per month fee on every insurance policyholder in the state. It means I think that they should be accountable to the public in some sort of way. The public meeting was that they'll be following, or at least I think they should follow, would be the same rules that the Maine Municipal Association follows and the Maine Principals' Association follows. I believe the Maine Medical Association was supportive of making this process more open and transparent and I just feel like in a situation in state government where there is significant subsidy, there shouldn't be such limited accountability. Mr. Speaker, I request a roll call.

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

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

The SPEAKER: The Chair recognizes the Representative from Warren, Representative Richardson.

Representative **RICHARDSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Just a few

points, that both the Majority and the Minority Reports make reasonable and necessary changes to support a more efficient MGARA. The only difference is that the Minority Report would open up their meetings to the public and public meeting process. In response, the MGARA board has agreed to make these minutes of their meetings public. Public meetings and oversight are not necessary as the Superintendent of Insurance has significant oversight over the operations and physical soundness of the board. There is a long tradition of these types of organizations in the insurance field that are funded with surcharges or assessments levied against insurers that are not open to the public. The MGARA board was appointed to accomplish a very complex set of goals in a short amount of time, involving technical and private health data and the members have been entrusted to do this work for the State of Maine. Other broadly funded trusts are not subject to public meetings, such as the Maine Education Association Retirement Fund. Perhaps this policy should be examined comprehensively, but until then, the Minority Report is inappropriate.

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

ROLL CALL NO. 282

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Cebra, Chase, Clark T, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knapp, Knight, Libby, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Wallace, Waterhouse, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beliveau, Berry, Blodgett, Boland, Bolduc, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Cornell du Houx, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Hogan, Innes Walsh, Kaenrath, Kent, Kruger, Kumiega, Longstaff, Luchini, MacDonald, Maloney, Martin, Mazurek, McCabe, Morrison, Nelson, O'Brien, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh.

ABSENT - Beck, Briggs, Celli, Cotta, Hunt, Lajoie, Lovejoy, Monaghan-Derrig, Weaver.

Yes, 74; No, 67; Absent, 9; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 67 voted in the negative, 1 vacancy with 9 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-847)** was **READ** by the Clerk and **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" (H-847)** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 1211) (L.D. 1602) Bill "An Act To Remove the \$100 Reporting Fee for Fertilizer and Agricultural Liming Materials Sold" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-854)**

(H.P. 1378) (L.D. 1861) Bill "An Act To Amend Statutory Post-conviction Review" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-857)**

(H.P. 1385) (L.D. 1871) Resolve, Creating an Honorable Service Plaque To Honor Maine Veterans Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-853)**

(H.P. 1402) (L.D. 1900) Bill "An Act To Support Members of the Law Enforcement Community as a Result of Medical Need or Unusual Hardship" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-858)**

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

There being no objection, the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act To Clarify Authorized Associations of Veterinary Practice

(S.P. 656) (L.D. 1877)
(C. "A" S-487)

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. 124 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, Directing the Department of Environmental Protection To Adopt Rules Pertaining to Petroleum Storage and Gravel Pits

(S.P. 641) (L.D. 1846)
(C. "A" S-485)

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. 124 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 Promote Agricultural Activity in Maine by Limiting the Liability for Agritourism Activities

(H.P. 1214) (L.D. 1605)
(C. "A" H-839)

An Act To Resolve Conflicts in the Implementation of the Maine Uniform Building and Energy Code

(S.P. 529) (L.D. 1619)
(C. "A" S-486)

An Act To Amend Maine's Gambling Laws

(S.P. 610) (L.D. 1771)
(C. "A" S-491)

An Act To Restructure the National Board Certification Program for Teachers

(S.P. 618) (L.D. 1781)
(C. "A" S-488)

An Act To Ensure Funding for the Victims' Compensation Fund

(H.P. 1362) (L.D. 1841)
(C. "A" H-834)

An Act To Expand the Notification Requirements of the Maine Certificate of Need Act of 2002

(S.P. 642) (L.D. 1848)
(C. "A" S-493)

An Act To Protect Landlocked Salmon Fisheries in Schoodic and Sebobeis Lakes from Invasive Fish Species

(S.P. 643) (L.D. 1849)
(C. "A" S-496)

An Act To Assist Maine's Current and Former Members of the United States Armed Forces

(S.P. 645) (L.D. 1850)
(C. "A" S-492)

An Act To Provide a Temporary Registration Permit to Certain Members of the Armed Forces

(S.P. 672) (L.D. 1896)
(C. "A" S-498)

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.

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-855)** on Bill "An Act To Allow Reimbursement and Abatement of Property Taxes Paid or Owed on a Primary Residence Destroyed by Fire"

(H.P. 1389) (L.D. 1878)

Signed:

Senators:

COURTNEY of York
WOODBURY of Cumberland

Representatives:

KNIGHT of Livermore Falls
BENNETT of Kennebunk
BERRY of Bowdoinham
BICKFORD of Auburn
BRYANT of Windham
FLEMINGS of Bar Harbor
HARMON of Palermo
PILON of Saco
WEAVER of York

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

Signed:

Senator:

HASTINGS of Oxford

Representative:

WATERHOUSE of Bridgton

READ.

On motion of Representative KNIGHT of Livermore Falls, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-855)** was **READ** by the Clerk and **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" (H-855)** and sent for 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. 548) (L.D. 1649) Bill "An Act To Authorize the Registration of Farmland in 2012 and 2013" (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-500)**

(S.P. 572) (L.D. 1673) Bill "An Act To Prohibit Verbal Sexual Solicitation of a Child" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-504)**

(S.P. 674) (L.D. 1898) Resolve, Authorizing the Lease of the Guy P. Gannett House in Augusta to a Nonprofit Organization for Use as a Museum Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-499)**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-859)** on Bill "An Act To Prevent Unnecessary Expulsion of Landowners from the Maine Tree Growth Tax Law Program"

(H.P. 844) (L.D. 1138)

Signed:

Senators:

COURTNEY of York

WOODBURY of Cumberland

Representatives:

KNIGHT of Livermore Falls

BENNETT of Kennebunk

BERRY of Bowdoinham

BICKFORD of Auburn

BRYANT of Windham

FLEMINGS of Bar Harbor

HARMON of Palermo

PILON of Saco

WEAVER of York

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

Signed:

Senator:

HASTINGS of Oxford

Representative:

WATERHOUSE of Bridgton

READ.

On motion of Representative KNIGHT of Livermore Falls, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-859)** was **READ** by the Clerk and **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" (H-859)** and sent for concurrence.

ENACTORS

Emergency Measure

Resolve, Regarding Legislative Review of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission

(H.P. 1341) (L.D. 1819)

(C. "A" H-841)

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. 119 voted in favor of the same and 10 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Change the Statutes of Limitations on Prosecution for Crimes of Sexual Abuse and for Civil Actions for Sexual Abuse When the Actor Is a Person in a Position of Authority"

(H.P. 1346) (L.D. 1825)

Signed:

Senators:

MASON of Androscoggin

GERZOFISKY of Cumberland

WHITTEMORE of Somerset

Representatives:

PLUMMER of Windham

BURNS of Whiting

CLARKE of Bath

HANLEY of Gardiner

LONG of Sherman

MORISSETTE of Winslow

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-856)** on same Bill.

Signed:

Representatives:

BLODGETT of Augusta
HASKELL of Portland
LAJOIE of Lewiston
SANDERSON of Chelsea

READ.

On motion of Representative PLUMMER of Windham, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 676)
JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO SUPPORT THE COMPLETION OF THE KEystone XL PIPELINE

WE, your Memorialists, the Members of the One Hundred and Twenty-fifth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President and the Congress of the United States as follows:

WHEREAS, the United States Department of Health and Human Services decreased federal funding to the Low-income Home Energy Assistance Program, bringing Maine's current total to less than \$37 million, compared to \$56.5 million the State received the previous year; and

WHEREAS, the average program benefit for Mainers will be \$483 during the 2011-12 heating season compared to \$802 last winter and the average program benefit will pay for less than 150 gallons of heating fuel due to the escalating cost of fuel; and

WHEREAS, the State of Maine and the Nation rely on, and will continue to rely on for many years, gasoline, diesel and jet fuel despite a recent focus on the development and use of alternative and renewable sources of energy; and

WHEREAS, additional amounts of oil and natural gas, as well as alternative sources of energy, will be necessary in order to expand this country's economy; and

WHEREAS, the United States currently depends on foreign imports for more than one-half of its petroleum usage and, as the largest consumer of petroleum in the world, this country's dependence has created difficult political relationships, with damaging consequences for our national security; and

WHEREAS, neighboring Canada contains vast oil reserves, totaling an estimated 173 billion barrels of recoverable oil, that are 2nd in size only to reserves in Saudi Arabia, and Canada is the single largest supplier of oil to the United States at 2.62 million barrels per day and has the capacity to significantly increase this rate; and

WHEREAS, there is a proposed system called the Keystone XL pipeline expansion, which would expand the existing pipeline system to transport synthetic crude oil and diluted bitumen from northeastern Alberta, Canada to multiple destinations in the United States, including refineries in Illinois, an oil distribution hub

in Oklahoma and proposed connections to refineries in Texas; and

WHEREAS, the Keystone XL pipeline expansion would, when completed, carry an estimated 700,000 barrels of North American oil per day to American refineries in the Gulf Coast region and the construction of the pipeline expansion would create an estimated 120,000 jobs nationwide, generate an estimated \$20 billion in economic growth and generate millions of dollars in government receipts; and

WHEREAS, the Keystone XL pipeline expansion has the support of several prominent national labor unions, with membership in the millions, because it would create jobs; and

WHEREAS, a recent study by the United States Department of Energy found that increasing oil deliveries to American refineries has the potential to substantially reduce this country's dependence on foreign energy sources; and

WHEREAS, the money saved by purchasing more North American oil would likely later be spent directly on American goods and services in contrast with money sent to hostile oil-producing governments that is later used to further antidemocratic agendas; now, therefore, be it

RESOLVED: That We, your Memorialists, request that the President and the Congress of the United States support the continued and increased development and delivery of oil derived from North American oil reserves to American refineries to promote the reduction in the price of oil, which would help all Americans and the American economy; and be it further

RESOLVED: That We, your Memorialists, respectfully urge the President and the Congress of the United States to support the completion of the Keystone XL pipeline expansion, which has been awaiting a permit since 2008, in order to reduce dependence on unstable governments, improve this country's national security and strengthen ties with an important ally; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

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

READ.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Hinck.

Representative **HINCK**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I feel I should start remarks with an apology. At this stage in our session, it's unfortunate that anyone would have to address an issue that is so remote to the agenda of the people of Maine, but this Resolution has come over from the other body and it would be inappropriate, in my opinion, for us to allow it to pass without the opportunity to express the contrary view to what is expressed in the Resolution.

The apparent reason for the Resolution is to encourage some change in national energy policy. The specific change relates to a pipeline that has been proposed to be built from Alberta, Canada, to the Gulf of Mexico. That pipeline that's proposed would carry not crude oil but rather an unconventional fuel that's a mixture of clay, sand and crude oil. It's a very large reserve. Some people estimate that the amount of hydrocarbon there is second only to the reserves in Saudi Arabia. The reason why it hasn't been exploited, to date, is because being mixed in clay and sand and with other materials, it's not a very convenient fuel. It's messy. In order to turn it into something that's useable, it requires a tremendous amount of energy. So in the end, it does

not stack up as the best fuel to power our cars, to put in oil tanks unless it's been processed to great expense.

So one of the suggestions is that it would help lower the cost of oil; that is false. Even the promoters of the project say that it would actually help them raise the price of crude oil which is to their advantage to get them a higher return on the market. What's also wrong about the Resolution is it purports to have the State of Maine telling other states that they should fast track environmental policy. The pipeline carrying this mixture would cross over a number of states, none of them being Maine. It would also cross over their water supplies. Maine has abundant water, perhaps one of the states most blessed with water. The states that this pipeline would pass, generally speaking, have very little water. In fact, there's an issue of how they rely on the Ogallala Aquifer, for example, for their water supplies and they are withdrawing their water at a faster rate than it's being replenished. The pipeline would cross that aquifer. Why would the State of Maine want to tell another state they should fast track environmental decision-making on a pipeline that would carry a toxic material over their water supply? Shouldn't we leave their decision-making to them? We don't need to add our voice, our pressure to them on that decision-making.

But besides cost and besides the risk to the local environment where the pipeline would cross, there is another issue that doesn't readily fit in our calendar here. We currently face a challenge that's created by something that's referred to as greenhouse gases. By all indications, what was once a scientific theory first proposed years ago, a Swedish chemist, Svante Arrhenius, around 1900 recognized that putting carbon dioxide into the atmosphere would create a blanket that holds heat into the planet. How does this relate to the Keystone Pipeline? Well, over the years, we've seen that the theory of Arrhenius is actually playing out and the temperature on the planet is slowing rising. Fossil fuels are the major problem, but particularly dirty fossil fuels, ones that require a tremendous amount of energy to become useful are much more vicious greenhouse gas creators. I feel sorry that we've lost something. This body today is not actually finding any meaningful ways to tackle the climate challenge. We're getting on our business and doing the best we can. We have some policies that encourage energy efficiency, but as the session has gone on, there's been proposal after proposal to undermine and raid our energy efficiency funds.

Instead, here late in the session, we get a proposal to encourage more exploitation of the very fuels that create the greenhouse gas problem, and I think back to a prior member of this body, Ed Muskie. He served here before he was elected governor in 1954. I don't know what people saw in him then, but when he left the State of Maine he went on to lead the country in environmental policy. He and a Senator from Tennessee, Howard Baker, created, among other things, the Clean Air Act and the Clean Water Act. My understanding is that in Japan today, they call their Clean Air Act the Muskie Law. Howard Baker, a Republican of Tennessee, was the backer of the concept that polluter pays, that undermines very important environmental laws. When those laws were passed, with the leadership of Ed Muskie, the United States was leading the world in environmental policy. Today we are not standing up to the challenge of today. Now you might say we're doing a pretty good job in clean air and clean water. Those were the battles of the 1970s. Today, it's climate change and we have too few people that are willing to say that's something we've got to deal with for our kids for future generations. Instead we have a Resolution to hasten climate change. I think it's wrong. We should turn it down on any one of the bases I mentioned and a number of others. I won't take more time here today because, in many ways, this is

not an agenda for this Legislature at this point. Thank you very much.

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

Representative **CHAPMAN**: Thank you, Mr. Speaker. Mr. Speaker, Friends and Colleagues of the House. I rise to tell a story of what I did 30 years ago, a little more than 30 years ago, when I taught the first undergraduate course in my career on public policies related to energy and while one of the significant things about 30 years ago was humankind had only burned about half of the fossil fuels that humankind has burned over all of history. At that time, I asked the students to calculate how long it would take to burn fossil fuels if the earth were a hollow sphere filled with petroleum and that there would be no environmental consequences to burning all of it and that there would be enough oxygen in the atmosphere to burn the entire hollow spherical tank of the globe of oil. It was not a really practical question, but it hit home the obvious point that fossil fuels are a finite resource. It is to be expected that as we deplete that finite resource, it will be harder and harder to get any more and we will proceed to go after the fuel sources that were once rejected because they were too costly, too energy intensive or too polluting. This is an example of what happens when we get to the downside of the production capability of a dwindling resource and so of course our attention should be on figuring out how to deal with our energy needs in another way. I'll be brief and stop there, but it's important that we not waste our time in trying to exploit the last little bits of the dwindling resource. Thank you, Mr. Speaker.

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

Representative **CAREY**: Thank you, Mr. Speaker. Mr. Speaker, this is embarrassing. We lost 7,200 jobs in Maine last year. Today, when I read the paper this morning, we found out that Maine was last in personal income growth. This is from the *Bangor Daily News*, reprinted in the *Sun Journal*. Maine's last place finish in terms of income growth is a significant drop from the previous year. From 2009 to 2010, Mainers saw a 2.8 percent increase in personal income, putting the state 28th in the nation. In a year, we've gone from 28th to last. This is the incomes of our constituents. These 7,200 jobs that were lost of our constituents and we're debating land use policy in Nebraska? It's an embarrassment. The only thing Nebraska has in common with Maine is the President of the United States of America. Ironically enough, he's in Maine today. Imagine the coincidence. This is a meaningless Joint Order. But the really embarrassing thing is instead of debating a meaningless Joint Order, we could be actually doing something about jobs in the State of Maine and we're not. We should all be embarrassed. Anyone who votes for this should be ashamed. Thank you, Mr. Speaker.

Representative HAYES of Buckfield **REQUESTED** a roll call on **ADOPTION**.

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. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 283

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Cebra, Chase, Clark H, Clark T, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossel, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Hanley, Johnson D, Johnson P, Keschl, Knight, Libby, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Nass, Newendyke, O'Connor, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W,

Rioux, Rosen, Sanderson, Sarty, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Tuttle, Volk, Wallace, Waterhouse, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beliveau, Berry, Blodgett, Boland, Bolduc, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clarke, Cornell du Houx, Dill J, Dion, Driscoll, Duchesne, Eberle, Eves, Flemings, Gilbert, Goode, Graham, Harlow, Harmon, Harvell, Hayes, Herbig, Hinck, Hogan, Innes Walsh, Kaenrath, Kent, Knapp, Kruger, Kumiega, Longstaff, Luchini, MacDonald, Maloney, Martin, Mazurek, McCabe, Morrison, Moulton, Nelson, O'Brien, Olsen, Peoples, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Shaw, Stevens, Stuckey, Theriault, Treat, Valentino, Wagner R, Webster, Welsh.

ABSENT - Beck, Briggs, Celli, Cotta, Haskell, Hunt, Lajoie, Lovejoy, Monaghan-Derrig, Peterson, Weaver.

Yes, 72; No, 67; Absent, 11; Vacant, 1; Excused, 0.

72 having voted in the affirmative and 67 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Joint Resolution was **ADOPTED** in concurrence.

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

On motion of Representative BURNS of Whiting, the House adjourned at 11:47 a.m., until 10:00 a.m., Monday, April 2, 2012.