

MAINE STATE LEGISLATURE

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

Volume I

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Pages 1-681

(S.P. 117) (L.D. 373)
(C. "A" S-77)

An Act To Amend the Bond Requirements for Estates of Decedents
(S.P. 134) (L.D. 433)
(C. "A" S-76)

An Act To Amend the Child Support Laws
(H.P. 372) (L.D. 488)
(C. "A" H-174)

An Act To Integrate the Approval of Early Childhood Education Plans for Children 4 Years of Age into Basic School Approval for Elementary Schools
(S.P. 172) (L.D. 560)

An Act To Permit Medical and Social Service Professionals To Report Animal Cruelty
(H.P. 450) (L.D. 583)
(C. "A" H-172)

An Act Concerning Animal Control Officers as Reporters of Abuse
(H.P. 451) (L.D. 584)
(C. "A" H-173)

An Act To Improve the Super Pack License
(S.P. 197) (L.D. 605)
(C. "A" S-86)

An Act To Amend Maine's Abandoned Vehicle Laws
(H.P. 515) (L.D. 666)
(C. "A" H-165)

An Act To Clarify That Senior Lifetime Hunting Licenses Include the Right To Hunt Turkey
(H.P. 599) (L.D. 783)
(C. "A" H-149)

An Act To Clarify the Definition of "Personal Watercraft"
(H.P. 673) (L.D. 888)
(C. "A" H-153)

An Act To Support Central Maine Community College
(H.P. 684) (L.D. 909)
(C. "A" H-146)

An Act To Amend the Maine Commercial Fertilizer Law
(H.P. 792) (L.D. 1074)
(C. "A" H-166)

An Act To Change the Calculation of the Municipal Rate of Growth Ordinance Limit
(S.P. 360) (L.D. 1108)
(C. "A" S-90)

An Act To Amend the Charter of the Somerset Woods Trustees
(S.P. 369) (L.D. 1117)

An Act To Keep Private Road Maintenance Costs Affordable
(H.P. 893) (L.D. 1265)
(C. "A" H-164)

An Act To Allow the Town of Kennebunk To Adjust the Definition of Original Assessed Value for the Route 1 Municipal Tax Increment Financing District
(H.P. 945) (L.D. 1336)
(C. "A" H-176)

An Act To Make Technical Changes to the Definition of "Coastal Area" and To Aid the Implementation of the Taunton Bay Resource Management Plan
(S.P. 498) (L.D. 1420)
(C. "A" S-85)

An Act To Set Standards for Interviewing Children Who Are Subjects of a Child Protective Intervention
(H.P. 1051) (L.D. 1501)
(C. "A" H-140)

An Act To Allow Members of the Maine National Guard To Run for Office in a Partisan Public Election
(H.P. 1293) (L.D. 1857)

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

Resolves

Resolve, To Encourage the Use of Safe Chemicals in Public Schools
(S.P. 32) (L.D. 88)
(C. "A" S-84)

Resolve, To Direct the Secretary of State To Study Issues Related to Dealer Plates
(S.P. 82) (L.D. 245)
(C. "A" S-81)

Resolve, To Preserve Maine's Electric Energy Infrastructure
(H.P. 920) (L.D. 1302)

Resolve, Regarding Tobacco Cessation and Treatment
(S.P. 499) (L.D. 1421)
(C. "A" S-89)

Resolve, To Provide Education Concerning and Insurance Coverage for Lyme Disease
(S.P. 544) (L.D. 1521)
(C. "A" S-78)

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

An Act To Protect Children's Health on School Grounds
(S.P. 67) (L.D. 184)
(C. "A" S-73)

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

On motion of Representative THIBODEAU of Winterport, was **SET ASIDE**.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Thibodeau.

Representative THIBODEAU: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This weekend, I attended a fundraiser at one of the local schools that is in my district and happened to notice that indeed, it had a Coca-Cola sign on it, a Coca-Cola scoreboard. I guess I would like to pose a question through the Chair to the members of the body. Given that fact that there is a Coca-Cola scoreboard in my district, does it have to be removed under this bill? If it does, who will be paying for it?

The SPEAKER: The Representative from Winterport, Representative Thibodeau has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Bangor, Representative Norton.

Representative NORTON: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Most of the companies—that would be Coca-Cola, Pepsi-Cola, and all of those groups that had advertised through their scoreboards—have agreed to replace them at their own leisure, I should say. They are in the process of replacing all of those anyway, and they are using beverages like water and things of that sort, but it does work with them. We did not up the ante on that, it just works with them, and while they are doing that we are patient.

Representative FLOOD of Winthrop **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

ROLL CALL NO. 66

YEA - Adams, Babbidge, Barstow, Beaudoin, Berry, Blanchard, Blanchette, Bliss, Boland, Brautigam, Bryant, Burns, Cain, Campbell, Canavan, Carter, Casavant, Conover, Cotta, Craven, Crockett, Dill, Driscoll, Duchesne, Eaton, Eberle, Faircloth, Farrington, Finley, Fischer, Fisher, Fletcher, Flood, Gerzofsky, Giles, Harlow, Haskell, Hill, Hinck, Hogan, Jackson, Kaenrath, Knight, Koffman, MacDonald, Makas, Marley, Mazurek, Miller, Millett, Mills, Miramant, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pineau, Pingree, Piotti, Priest, Rector, Rosen, Samson, Savage, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Treat, Trinward, Tuttle, Wagner, Walcott, Watson, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Ayotte, Beaudette, Beaulieu, Berube, Browne W, Cebra, Chase, Clark, Cleary, Connor, Cray, Crosthwaite, Curtis, Duprey, Edgecomb, Emery, Finch, Fitts, Gifford, Gould, Greeley, Grose, Hamper, Hanley S, Hayes, Jacobsen, Joy, Lansley, Lewin, Lundeen, Marean, McDonough, McFadden, McKane, McLeod, Muse, Pinkham, Pratt, Prescott, Richardson D, Richardson W, Rines, Robinson, Saviello, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Valentino, Vaughan, Walker, Weaver.

ABSENT - Cressey, Dunn, Hotham, Moore, Plummer, Rand, Richardson E.

Yes, 86; No, 57; Absent, 7; Vacant, 1; Excused, 0.

86 having voted in the affirmative and 57 voted in the negative, 1 vacancy with 7 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

**REPORTS OF COMMITTEE
Divided Report**

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Resolve, Directing the Commissioner of Economic and Community Development To Convene a Working Group To Explore Regionalization

(H.P. 693) (L.D. 918)

Signed:

Senators:

BROMLEY of Cumberland
COURTNEY of York

Representatives:

BEAULIEU of Auburn
SAMSON of Auburn
AUSTIN of Gray
SILSBY of Augusta
SMITH of Monmouth
BEAUDETTE of Biddeford
CLEARY of Houlton

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-226)** on same Resolve.

Signed:

Senator:

SCHNEIDER of Penobscot

Representatives:

MacDONALD of Boothbay
PRESCOTT of Topsham
RECTOR of Thomaston

READ.

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Delay the Fiscal Sustainability of the Highway Fund"

(H.P. 732) (L.D. 972)

Signed:

Senators:

DAMON of Hancock
DIAMOND of Cumberland
SAVAGE of Knox

Representatives:

MARLEY of Portland
BROWNE of Vassalboro
FISHER of Brewer
MAZUREK of Rockland
HOGAN of Old Orchard Beach
CEBRA of Naples
ROSEN of Bucksport
THERIAULT of Madawaska
PEOPLES of Westbrook

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-232)** on same Bill.

Signed:

Representative:

THOMAS of Ripley

READ.

Representative MARLEY of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative THOMAS of Ripley **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** 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 Ripley, Representative Thomas.

Representative **THOMAS**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. A tax increase, is a tax increase, is a tax increase. A vote for this motion is a tax increase. I ask you to vote no.

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

Representative **MARLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I cannot be quite as short and concise; I apologize because the issue is much larger than that. Several weeks ago we got, probably about a two-inch thick report; it is actually the Biennial Work Plan from the Department of Transportation that is for all of the projects that are