

MAINE STATE LEGISLATURE

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

Volume II

First Regular Session

May 28, 2009 – June 12, 2009

Second Regular Session

January 6, 2010 - March 23, 2010

Pages 609-1214

The SPEAKER: The Representative from Portland, Representative Russell has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Portland, Representative Haskell.

Representative HASKELL: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. No.

The SPEAKER: The Chair recognizes the Representative from Gray, Representative Austin.

Representative AUSTIN: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I had originally, in my testimony, to share one of the very reasons that prompted me to feel supportive of putting this bill in, and I decided not to mention it because it's been talked about a lot and I didn't want to overuse our views. But the accident on Long Lake, which happened and took the lives of two innocent people, was really sort of a turning point for me. You all know how involved I am with the Maine Wildlife Park in Gray, and every summer there is an open park day where everyone is welcome to come there free of charge. On the summer of that accident, IF&W was at the park, as they usually are, in full force—the diving team, the trapping, all of the different manners in which they help protect us out in our environment. I went into the diving trailer and I was able to see on a computer screen the intensive swath of the terrain underwater that was made by the diving team in that week that ensued after that very serious accident. It struck me what an incredible, this is not rescue, this is recovery, and how serious it was to find the bodies of those two people. Then it also struck me that there was the ensuing legal challenges in court and, while loss of life is the primary impact, it also came home to my thinking that these things cannot be expected, they cannot be planned for. A recovery situation, such as this, is in the magnitude of thousands and thousands of dollars in a budget which does not have a line item prepared for this type of extreme emergency situation. So that's why, on my behalf, it was a dual attempt at really, as I said, a real sincere complete safety policy and then the resources that we have that are limited and the terrible aftermath of that recovery, and then bringing the gentleman to justice. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Plummer.

Representative PLUMMER: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I don't see it as my role to defend drivers from Massachusetts or any other state, but I would like to point out, since those two examples have been used, this law, were it in effect, would have had absolutely no consequence for those people, because they are not licensed to drive in the State of Maine. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Minority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 132

YEA - Berry, Bolduc, Bryant, Cain, Carey, Cleary, Cornell du Houx, Cotta, Driscoll, Duchesne, Flemings, Hanley, Harlow, Haskell, Hayes, Lovejoy, Martin JL, McKane, Nelson, Pendleton, Peoples, Percy, Pieh, Pinkham, Piotti, Plummer, Pratt, Priest, Russell, Stevens, Stuckey, Sutherland, Trinward, Valentino, Watson, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - Adams, Austin, Ayotte, Beaudoin, Beaulieu, Beck, Bickford, Blanchard, Blodgett, Boland, Browne W, Burns, Butterfield, Campbell, Casavant, Cebra, Chase, Clark H, Clark T, Cohen, Connor, Crafts, Cray, Crockett J, Crockett P, Curtis, Cushing, Davis, Dill, Dostie, Eaton, Eberle, Edgcomb, Eves, Finch, Fitts, Flaherty, Fletcher, Flood, Fossel, Gifford, Gilbert,

Giles, Goode, Greeley, Hamper, Harvell, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Joy, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, MacDonald, Magnan, Mazurek, McCabe, McFadden, McLeod, Miller, Millett, Morrison, Nass, Nutting, O'Brien, Perry, Peterson, Prescott, Rankin, Richardson D, Richardson W, Robinson, Rosen, Rotundo, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Strang Burgess, Sykes, Thibodeau, Thomas, Tilton, Treat, Tuttle, Van Wie, Wagner J, Wagner R, Weaver, Willette.

ABSENT - Beaudette, Briggs, Celli, Martin JR, Pilon, Tardy, Theriault.

Yes, 40; No, 104; Absent, 7; Excused, 0.

40 having voted in the affirmative and 104 voted in the negative, with 7 being absent, and accordingly the Minority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative HASKELL of Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-363)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Friday, May 29, 2009.

Bill "An Act To Amend the Laws Governing the Confidentiality of Correctional Facility Plans"

(H.P. 52) (L.D. 59)

TABLED - May 27, 2009 (Till Later Today) by Representative HASKELL of Portland.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-362)**.

Representative HASKELL of Portland **PRESENTED House Amendment "A" (H-449)** to **Committee Amendment "A" (H-362)**, which was **READ** by the Clerk.

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

Representative HASKELL: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. This amendment is a product of the review of the Judiciary Committee of any bill that has a freedom of access component to it, so this simply has clarified that this language is consistent with the freedom of access laws and does not change the intent of the unanimous report of the committee.

Subsequently, **House Amendment "A" (H-449)** to **Committee Amendment "A" (H-362)** was **ADOPTED**.

Committee Amendment "A" (H-362) as **Amended by House Amendment "A" (H-449)** thereto was **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-362) as Amended by House Amendment "A" (H-449)** thereto and sent for concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Stimulate the Maine Economy by Making Funds Available to First-time Home Buyers To Allow Them To Take Advantage of the Federal First-time Home Buyer Tax Credit" (EMERGENCY)

(H.P. 1036) (L.D. 1483)

Sponsored by Representative CLEARY of Houlton.

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