

MAINE STATE LEGISLATURE

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

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Pages 609-1214

PASSED TO BE ENACTED, signed by the Speaker and sent to the Senate.

An Act Regarding Asbestos Abatement Work

(S.P. 518) (L.D. 1434)
(S. "A" S-272 to C. "A" S-159)

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

On motion of Representative TARDY of Newport, was **SET ASIDE**.

The same Representative **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 Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 195

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Flaherty, Flemings, Gilbert, Goode, Greeley, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Nelson, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Plummer, Pratt, Priest, Rankin, Rotundo, Russell, Sanborn, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Stuckey, Sutherland, Sykes, Theriault, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Browne W, Burns, Cebra, Chase, Cotta, Crafts, Cray, Crockett J, Curtis, Cushing, Davis, Edgecomb, Finch, Fitts, Fletcher, Flood, Fossel, Gifford, Giles, Hamper, Harvell, Johnson, Joy, Knapp, Knight, Langley, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Rosen, Sarty, Strang Burgess, Tardy, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - Celli, Clark T, Dill, Lewin, Morrison.

Yes, 96; No, 50; Absent, 5; Excused, 0.

96 having voted in the affirmative and 50 voted in the negative, with 5 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Protect Consumers and Small Business Owners from Rising Health Care Costs

(S.P. 529) (L.D. 1444)
(C. "A" S-219)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

The same Representative **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 Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 196

YEA - Adams, Austin, Ayotte, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey, Casavant, Cebra, Chase, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Crafts, Cray, Crockett J, Crockett P, Curtis, Cushing, Davis, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Fitts, Flaherty, Flemings, Fletcher, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Greeley, Hamper, Hanley, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Joy, Kaenrath, Kent, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, McKane, McLeod, Miller, Millett, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rankin, Richardson D, Richardson W, Robinson, Rosen, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Weaver.

ABSENT - Celli, Clark T, Dill, Lewin, Morrison.

Yes, 145; No, 1; Absent, 5; Excused, 0.

145 having voted in the affirmative and 1 voted in the negative, with 5 being absent, and accordingly 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:

UNFINISHED BUSINESS

The following matters, 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.

Bill "An Act To Promote Small Business in Rural Maine by Expanding Game Hunting Opportunities"

(H.P. 326) (L.D. 438)

- In House, Majority (7) **OUGHT TO PASS** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** on May 21, 2009.

- In Senate, Minority (5) **OUGHT NOT TO PASS** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY READ and ACCEPTED** in **NON-CONCURRENCE**.

TABLED - May 27, 2009 (Till Later Today) by Representative PIOTTI of Unity.

PENDING - **FURTHER CONSIDERATION**.

On motion of Representative TARDY of Newport, the House voted to **RECEDE AND CONCUR**.

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

Resolve, To Reduce Funding to Maine Clean Election Act Candidates

(S.P. 345) (L.D. 923)

- In Senate, Unanimous **OUGHT TO PASS AS AMENDED** Report **READ and ACCEPTED** and the Resolve **PASSED TO**

BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-287).

TABLED - June 2, 2009 (Till Later Today) by Representative TRINWARD of Waterville.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (S-287).**

Representative TRINWARD of Waterville **PRESENTED House Amendment "A" (H-533) to Committee Amendment "A" (S-287)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Trinward.

Representative **TRINWARD**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. This amendment is to deal with the distribution to Clean Election candidates in the next coming elections. The budget cut five percent to the Clean Election Fund, and this will allow our funding to continue on the level that it is now, but it also will report back the Legal and Veterans Committee if the funding appears to not be available. Also, in statute now, if the funding will be running out, the commission has the ability to have rules drafted to allow for fundraising through private contributions. That is already now in statute. So if the five percent cut makes it that there will not be enough money in the fund, the commission can now put into effect some contributions to make up the difference. Thank you.

Subsequently, **House Amendment "A" (H-533) to Committee Amendment "A" (S-287) was ADOPTED.**

Committee Amendment "A" (S-287) as Amended by House Amendment "A" (H-533) 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" (S-287) as Amended by House Amendment "A" (H-533) in NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

**CONSENT CALENDAR
First Day**

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

(H.P. 716) (L.D. 1041) Bill "An Act To Alter the Mechanism by which a Political Party is a Qualified Party" Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass**

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

There being no objection, the House Paper was **PASSED TO BE ENGROSSED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

The House recessed until 2:00 p.m.

(After Recess)

The House was called to order by the Speaker.

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

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.

SENATE DIVIDED REPORT - Report "A" (8) Ought to Pass as Amended by Committee Amendment "A" (S-221) - Report "B" (4) Ought to Pass as Amended by Committee Amendment "B" (S-222) - Report "C" (1) Ought to Pass as Amended by Committee Amendment "C" (S-223) - Committee on INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Conform State Mortgage Laws with Federal Laws" (EMERGENCY)

(S.P. 523) (L.D. 1439)

- In Senate, Report "A" **OUGHT TO PASS AS AMENDED READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-221) AS AMENDED BY SENATE AMENDMENT "D" (S-289)** thereto.

TABLED - June 2, 2009 (Till Later Today) by Representative BECK of Waterville.

PENDING - Motion of Representative TREAT of Hallowell to **INDEFINITELY POSTPONE** the Bill and accompanying papers.

Subsequently, Representative TREAT of Hallowell **WITHDREW** her motion to **INDEFINITELY POSTPONE** the Bill and accompanying papers.

On motion of the same Representative, Report "A" **Ought to Pass as Amended was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-221) was READ** by the Clerk.

Representative PRIEST of Brunswick **PRESENTED House Amendment "A" (H-532) to Committee Amendment "A" (S-221)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Priest.

Representative **PRIEST**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. This amendment that I am placing on makes sure that when reasonably, reliable evidence of a consumer's income or assets are determined when a bank tries to decide whether somebody can afford a loan or not, can include statements from investment advisors, as long as those statements show actual income and not just projected income or anticipated income. This is presently in our law so it just makes sure that that is going to be in the bill. My understanding from the discussions is that all of the financial community is on board with this amendment. This also includes all of Senate Amendment "D"; my House Amendment includes all of Senate Amendment "D" in it so, at some point, I will move to kill Senate Amendment "D". Thank you.

Subsequently, **House Amendment "A" (H-532) to Committee Amendment "A" (S-221) was ADOPTED.**

Senate Amendment "D" (S-289) to Committee Amendment "A" (S-221) was READ.

On motion of Representative PRIEST of Brunswick, **Senate Amendment "D" (S-289) to Committee Amendment "A" (S-221) was INDEFINITELY POSTPONED.**

Committee Amendment "A" (S-221) as Amended by House Amendment "A" (H-532) thereto 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**