

MAINE STATE LEGISLATURE

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

Volume I

First Regular Session

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Pages 1-681

(S.P. 67) (L.D. 184)
(C. "A" S-73)

House as Amended

Bill "An Act to Focus State Agency Efforts in Economic Development on Entrepreneurial Sustainability and Growth" (H.P. 505) (L.D. 656) (C. "A" H-133)

Resolve, To Estimate the Annual Value of Uncollected Bottle Deposits (H.P. 895) (L.D. 1267) (C. "A" H-195)

Resolve, To Provide Adequate Funding for Emergency Homeless Shelters (EMERGENCY) (H.P. 963) (L.D. 1371) (C. "A" H-201)

Reported by the Committee on **Bills in the Second Reading**, read the second time, 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 as Amended** and sent for concurrence.

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

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.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-202)** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Maine Administrative Procedure Act To Strengthen Safeguards for Small Businesses"

(H.P. 680) (L.D. 905)

TABLED - May 8, 2007 (Till Later Today) by Representative RECTOR of Thomaston.

PENDING - ACCEPTANCE OF COMMITTEE REPORT.

Representative RECTOR of Thomaston **REQUESTED** a roll call on the motion to **ACCEPT** the Unanimous **Ought to Pass as Amended** Committee 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 Thomaston, Representative Rector.

Representative **RECTOR**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. This bill requires that a simple assessment of impacts of department rules on small business, and that is any business that is 20 or fewer employees, be made as those rules are being promulgated. An anecdotal gathering of information must be provided, along with the publication of the rule that provides information about the impact of that rule during the public comment period. It does not require a comprehensive economic impact analysis. This information will be extremely useful in assessing the cost and benefits of a given rule. We believe that this simple safeguard will improve our responsiveness to the backbone of Maine's economy, our small businesses.

I want to acknowledge the assistance of the Office of Small Business Advocate from the New England Office of the Small Business Administration, in developing this legislation, and thank

the Committee for their efforts in working this bill. I urge your support of the Unanimous Committee Report. Thank you, Mr. Speaker.

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

ROLL CALL NO. 59

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Bliss, Boland, Brautigam, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Carter, Casavant, Cebra, Chase, Clark, Cleary, Connor, Conover, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Eaton, Eberle, Edgecomb, Emery, Faircloth, Farrington, Finch, Finley, Fisher, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Jacobsen, Joy, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Mills, Miramant, Muse, Nass, Norton, Patrick, Pendleton, Peoples, Percy, Perry, Pieh, Pilon, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Rand, Rector, Richardson D, Richardson W, Rines, Robinson, Rosen, Samson, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walcott, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

NAY - NONE.

ABSENT - Cressey, Duprey, Fischer, Hotham, Moore, Pineau, Priest, Richardson E, Treat.

Yes, 141; No, 0; Absent, 9; Vacant, 1; Excused, 0.

141 having voted in the affirmative and 0 voted in the negative, 1 vacancy with 9 being absent, and accordingly the Unanimous **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-202)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, May 10, 2007.

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-196)** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish the Missing Senior Citizen Alert Program"

(H.P. 587) (L.D. 769)

TABLED - May 8, 2007 (Till Later Today) by Representative GERZOFSKY of Brunswick.

PENDING - Motion of same Representative to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

Representative **BLANCHETTE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is a divided report that came out of Criminal Justice Public Safety, very much divided; it was an 11-2 Report. I was on the Minority Report for any number of reasons and I would just like to briefly run through some of them with members of the House.

We live in a time and an age, when medical science has enabled us to live longer and more productive lives. With that longer and productive life, we have asked people to try to retain their homes and stay in their homes, or go into a group home. Well unfortunately, there is a nasty little disease out there that is