

MAINE STATE LEGISLATURE

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

Volume III

Second Regular Session

April 7, 2006 - May 24, 2006

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House Legislative Sentiments
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Pages 1488-2248

(After Recess)

The House was called to order by the Speaker.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "A" (H-1085) - Committee on JUDICIARY on Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

(H.P. 1449) (L.D. 2055)

Which was **TABLED** by Representative SIMPSON of Auburn pending **ADOPTION** of **Committee Amendment "A" (H-1085)**.

On motion of Representative SIMPSON of Auburn, Joint Rule 311 was **SUSPENDED** for the purpose of offering an amendment.

The same Representative presented **House Amendment "I" (H-1118)** to **Committee Amendment "A" (H-1085)**, which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (H-1085) as Amended by House Amendments "B" (H-1101), "C" (H-1102), "D" (H-1103), "E" (H-1110), "F" (H-1111), "G" (H-1112) and "I" (H-1118) thereto ADOPTED.

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose his question.

Representative **DUPREY**: Thank you Mr. Speaker. Mr. Speaker there have been a lot of amendments added to this and I've missed some paperwork, can you tell me which amendment was the one that fixed the spending cap provision from the firefighter bill?

The **SPEAKER**: The Representative from Hampden, Representative Duprey has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Auburn, Representative Simpson.

Representative **SIMPSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. There is no amendment dealing with the firefighter bill.

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. About an hour and a half ago, I remember somebody from the corner saying that there was a spending cap exemption that would be fixed in the errors and omissions bill and a lot of people, I think, voted for that bill under the assumptions that that would be taken care of in this errors bill. I'm kind of disappointed that it wasn't. I guess that's all I have to say about that.

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

The **SPEAKER**: The Chair recognizes the Representative from Westbrook, Representative Duplessie.

Representative **DUPLESSIE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In answer to the good Representative from Hampden, Representative Duprey's question, yes there was mention, there was every intent. There was intent and it was followed through with an amendment that

was drafted to do this. Through the process, with the Committee, it takes certain members of the Committee, Committee Chairs and two Committees were involved. Errors and inconsistencies is the Judiciary Committee and the committee of jurisdiction for the legislation was the Labor Committee. The process did break down between the committees and between the two bodies. I actually worked with a few of the members from the other side of the aisle on this. They were fully briefed, had knowledge of what was going on. It went to the other body with me. The process was not going to be able to be completed. We tried hard, and as I said, the amendment was all drafted and ready to go. Sometimes the process between committees and the two bodies get in the way. I offer my sincere apologies to the people that were depending on this. I was depending on it. I did my darnest to try to make it happen. It did not happen. If anyone has questions, feel free to come and talk to me. I'm more than willing to talk to you about it. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Waldoboro, Representative Trahan.

Representative **TRAHAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Just a suggestion, I really appreciate the position that the Assistant Majority Leader is in. These things happen sometimes, but this chamber acts separately from the other. If that amendment was put before this body, in some form, and we had the opportunity to act on it and the other chamber did something different, I believe that the situation would be resolved. I fully understand your intent when you said it. I still think we can follow through on that agreement. I believe we should let them act separately if they so choose.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1085) as Amended by House Amendments "B" (H-1101), "C" (H-1102), "D" (H-1103), "E" (H-1110), "F" (H-1111), "G" (H-1112) and "I" (H-1118) thereto and sent for concurrence. ORDERED SENT FORTHWITH.**

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

SENATE PAPERS Non-Concurrent Matter

An Act To Require the Display of POW-MIA Flags at Courthouses

(H.P. 1340) (L.D. 1899)

PASSED TO BE ENACTED in the House on March 28, 2006. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-827)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-827) AS AMENDED BY SENATE AMENDMENT "A" (S-701)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR. ORDERED SENT FORTHWITH.**

Non-Concurrent Matter

An Act To Invest in the Future of Maine Citizens

(S.P. 751) (L.D. 1954)

PASSED TO BE ENACTED in the House on April 26, 2006. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-586)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-586) AS**