

# MAINE STATE LEGISLATURE

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

**Volume III**

**Second Regular Session**

March 24, 2010 - April 12, 2010

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I also feel that this decision to do this was not made by the 186 legislators in this Legislature. I think it was made by a small number, if that number's even plural, I'm not sure. But I just want to make that statement because I think it affects all of us and I don't think that it's right. One response I was told, well, you can always put out a joint order. Well, I know of at least two joint orders that have come before this body in the last few weeks that have been denied in the other body, so I just have to make that statement. I do want to Recede and Concur because that's our choice at this point, but thank you very much for listening.

Representative PRATT of Eddington **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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 Eddington, Representative Pratt.

Representative **PRATT**: Thank you, Madam Speaker. I could not agree more with my good chair. I don't think it's right. It's another example of the whittling down of an already remarkably and exponentially whittled down bill, and we do have a choice. We have a choice where we can tell the other body that it's unacceptable and we're not going to do. I personally would like the opportunity to say that. So I request a roll call. I've been ensured by a lot of the stakeholders that have been involved in this that nothing is going to be held against you if you come here and you stand up for what's right in this matter and you stand up for a good bill. So please, please, I suggest that we say no and we do the right thing. Thank you.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I stand today in support of the pending motion. I guess frustration comes to my mind, but also frustration for our grower community, our grower community that is in limbo waiting for us to pass something out of this body and finish with this for this session. So that's all I have to say.

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

**ROLL CALL NO. 334**

YEA - Austin, Ayotte, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Bolduc, Browne W, Bryant, Burns, Cain, Carey, Casavant, Celli, Chase, Clark H, Clark T, Cleary, Cohen, Connor, Cotta, Cray, Crockett J, Crockett P, Curtis, Davis, Dill, Dostie, Driscoll, Duchesne, Eberle, Edgecomb, Eves, Finch, Fitts, Flemings, Fletcher, Flood, Fossel, Gifford, Gilbert, Giles, Greeley, Hamper, Hanley, Harlow, Harvell, Haskell, Hill, Hinck, Hogan, Hunt, Johnson, Knight, Langley, Legg, Lewin, Lovejoy, MacDonald, Mazurek, McCabe, McFadden, McKane, McLeod, Miller, Millett, Morrison, Nass, Nelson, Nutting, Pendleton, Peoples, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Rotundo, Sanborn, Sarty, Sirois, Smith, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Weaver, Webster, Welsh, Wheeler, Willette, Madam Speaker.

NAY - Adams, Blodgett, Boland, Briggs, Butterfield, Campbell, Cornell du Houx, Crafts, Eaton, Flaherty, Goode, Hayes, Innes Walsh, Jones, Kaenrath, Kent, Knapp, Kruger, Lajoie, Magnan, Martin JR, Martin JL, O'Brien, Percy, Pratt, Russell, Saviello, Schatz, Shaw, Stevens, Stuckey, Watson, Wright.

ABSENT - Cebra, Cushing, Joy, Robinson, Rosen.

Yes, 113; No, 33; Absent, 5; Excused, 0.

113 having voted in the affirmative and 33 voted in the negative, with 5 being absent, and accordingly 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.

The House recessed until 3:45 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:

**ENACTORS  
Emergency Measure**

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011

(H.P. 1183) (L.D. 1671)

(H. "C" H-798 to C. "A" H-790)

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

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Cain.

Representative **CAIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. The first time the Appropriations Committee laid eyes on LD 1671 was on Friday, December 18, 2009, more than three months ago. It came on the heels of six months of ultimately unanimous work by the committee on the so-called streamlining bill and before the biennial budget we all enacted last session was even six months underway. In its original form, the bill before us addressed a \$438 million shortfall. On December 18th and in the weeks that followed of public hearings and policy committee work sessions, it was clear to me that the budget, as presented, was not a budget that any one of us could have supported.

At the beginning of January we had no idea that within two months we would have a \$51 million revenue bump from the Revenue Forecasting Committee, an additional \$26 million from a federal rule change in the American Recovery and Reinvestment Act, and even more funds than we originally anticipated from a six month extension of the Recovery Act enhanced Medicaid rate, because we did not know these resources were pending. It enabled us, as a committee and as a Legislature, to focus on what was the worst of the worst in the budget before us.

Together we prioritized restoring funds to municipalities and put \$11 million back into Municipal Revenue Sharing. Together we prioritized K-12 education and restored \$25 million to General Purpose Aid to Education for next year. Together we prioritized higher education and eliminated cuts in FY'11. Together we prioritized Maine's natural resource agencies, rejecting the proposal in the original budget to move towards consolidation. Together we also prioritized the most vulnerable in our society and worked with great help from the members of the Health and

Human Services Committee to eliminate the worst cuts and simultaneously seek structural changes that will slow the growth of ever-growing costs in the Department of Health and Human Services. We eliminated the waitlist for waiver services for people with developmental disabilities, and we preserved a system of support for those with mental illness. We came together on what mattered most and with a conscious eye on what is likely to come in the next biennium, additional shortfalls and the disappearance of federal Recovery Act funds that will challenge our state to continue difficult conversations about how we fund the things we care about. But nothing in this building is the result of one individual's action. There are no singular actors in anything we do and don't believe anyone who tells you differently. It is the work of the collective, and on the whole, that leads to the very best work that we can offer the people of the State of Maine.

The Appropriations team extends well beyond the 13 outstanding members of the committee, and so I offer great thanks and deep gratitude to the staff of the Office of Fiscal and Program Review, in particular, Maureen Dawson and Grant Penoyer, and to our committee clerk, Diane Pruett. I also offer my thanks to the Revisor's Office for turning our work around so quickly and efficiently into a product that we can use. Thank you to all of you and to your policy committees for being a true partner with the Appropriations Committee in our work. The final package is the culmination of your work aligned with ours. I'd like to thank the Chief Executive for having the wisdom to appoint such strong commissioners that were key to this process and the end result, particularly Commissioner Susan Gendron and Commissioner Brenda Harvey. Both showed and offered immense leadership and willingness to meet the policy committees and Appropriations Committee more than halfway. Especially to Commissioner Harvey, thank you on behalf of the committee and the hundreds of providers and consumers of vital services across the state who you listened to and responded to in a meaningful way.

The fourteenth and fifteenth members of the Appropriations Committee are the Department of Administration and Financial Services Commissioner Ryan Low, and State Budget Officer Ellen Schneider, both of whom are in the gallery today, Madam Speaker. Ellen knows every line of the budget and keeps track of our every move to make sure that we don't get off track. And to Commissioner Low, I offer personal thanks as well as thanks from the committee. You are a true leader and you understand that relationships matter and, in this building, that your word and your work are all you have to offer. Thank you for being part of our team and for, at many times, being the bridge that helped us overcome the divide.

I would also like to thank you, Madam Speaker, and all the members of leadership on both sides of the aisle and on both ends of the hallway for your support of the committee process. I know it can be frustrating to be patient but you were, and the work of the committee blossomed as a result. Thank you for trusting us.

On a personal note, Madam Speaker, I need to thank the incredible members of the Appropriations Committee. Each one has challenged me personally to think bigger and broader about the work we do, and every single member brought their differing personalities, philosophies and passions to the table in a spirit of compromise and negotiation that led to the unanimous report before us today. That is not easy and it is not an accident. It takes hard work, long hours and a shared commitment by all.

I'd especially like to acknowledge the Representative from Waterford, Representative Millett, for his willingness to always have the conversation with me and to always work to find a way.

The two of us, in partnership with the Senators from Cumberland and Penobscot in the other body, maintained an open dialogue that saw us through the stickiest moments. To say I've learned a lot from the three of them may be the greatest understatement of all.

I may have gone on too long, but it's just so hard to describe how satisfying it is to have finally arrived at today. Even me, the eternal optimist, had moments of worry that a bipartisan result was not possible, but here it is. And so Madam Speaker, I am proud to stand before you today and tell you without hesitation that this budget, which reduces state spending by \$310 million, is the unanimous result of an intense committee process that puts Maine in a strong position to face what will be tough years ahead, and it is without hesitation, Madam Speaker, that I ask for your support and the support of every member of this body in Enacting this bill today. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. I'm very proud today to stand in favor of the pending motion as well and proud in particular of the bipartisanship that has been exhibited, both by members of leadership and, in particular, by members of the Appropriations Committee, which put this budget together and voted for it unanimously. I think this is a balanced beginning to the work of picking up the economic pieces from the recession that we, in Maine and in all states, are in today. It's a start to the important work of sweeping up the broken charms of our national economy, a start to strengthening our safety net again, and a start to strengthening our economy. That work has only begun with this budget. I have a special appreciation for the Commissioner of Finance Ryan Low, and I am deeply aware, too, of his advice that the next two-year budget could be just as challenging, if not more so. I hope that he is here in some way to continue to work with us through that process, because we will continue, those of us who return, and we will step it up. We will work together as all of the policy committees and the leaders and the Appropriations Committee have done, and to use a term that my friends across the aisle are fond of, we will continue to act structurally and systematically in tackling these challenges. This budget is responsible. It takes strong steps to move us down the road to restored prosperity. So I want to commend the committee and my colleagues on both sides of the aisle. I look forward to a strong vote in favor of this budget on Final Enactment, and Madam Speaker, when the vote is taken I request that it be by the yeas and nays.

Representative **BERRY** of Bowdoinham **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: The Chair recognizes the Representative from Waterford, Representative Millett.

Representative **MILLETT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I'd like to at the outset echo the words of my good House chair in reiterating the thank yous that she extended to all of the people that made our job over the last three and a half months much easier than it might have otherwise been. A particular thanks to her and her co-chair, the Senator from Windham, and to the four of us assisting me on the Republican side, Representatives Nutting, Flood and Robinson, and my co-lead Senator Rosen. I'd also extend thanks to the other members on the other side of the aisle of the committee. As a group of 13, we obviously have not always agreed on every issue. We certainly never will, we have different philosophies, but we worked extremely well together. I would like to reiterate Representative Cain's comments about

Commissioner Ryan Low, who was not only ever present and knowledgeable about each and every issue we posed to him on the spur of the moment, day in and day out, six days a week often, well into the evening, but very responsive to me and my caucus. And I want to acknowledge that it would not have come to this point, in my view, of a unanimous budget had we not been able to secure the kind of responsive feedback and adjustments to the budget that we presented on many occasions to Commissioner Low.

I still have some heartburn about the budget because it's not perfect, and my caucus has trepidations about it as well. I'd just like to share a few of those concerns without elaborating on them in great length. There is still a concern, and Representative Cain alluded to it, that we have used too much one-time money to get us to this point, and that is certainly true. No matter how you look at it, we made the best of what we had available, but we did utilize a lot of what we called American Recovery and Reinvestment Act moneys that are one-time, will run out for the part at the end of the calendar year, but some at the end of the biennium, and they will leave us with what I guess I would call a structural gap, although it hasn't been quantified, for the next biennium that will exceed a billion dollars easily, in my view. And this is a point that I've made repeatedly within my caucus that, yes, we do have a budget, but we have difficulties ahead of us, and I think it's important that we all acknowledge that we drew down \$166 million of one-time budget stabilization and working capital funds. We've really utilized more than \$800 million of ARRA moneys. We've actually avoided as much as \$300 million or more of what could have been retirement fund increased requests due to their asset losses in calendar 2008 had they known about it when the budget was submitted.

So we do have a lot of work ahead of us. I think we acknowledge that that's going to create problems on a couple of programs that are particularly sticky for members of my caucus, namely Revenue Sharing and General Purpose Aid, because we will be looking at baseline numbers and lower revenues as we go into the '12-'13 biennium that will trouble many people at the municipal level and cause heartburn among our constituents as they adopt local and municipal and school budgets. But I think that we can manage, and I think that the progress that we've made in reducing the size of government, to some extent, will bode well in the future.

Representative Cain mentioned well over \$200 million of General Fund reductions, more than half of what we had to accomplish will be structural and ongoing. We've made reductions in the Personal Services lines, for example, of 75 positions, with more than 250 vacant lines that are as a result of the early retirement incentive that was offered last August, and these positions will remain vacant through the biennium and certainly would be appropriate positions to be looked at in the next biennial budget. Our Personal Services funding on the General Fund side, for example, will be less in '11 than it was in 2008, and I keep coming back to the General Fund because it often appears to dome that all of these funds together reflect a government that's not really shrinking in total magnitude but simply pushing funds away from the General Fund and sometimes to the local level or to the institutions that rely on our funding. But the General Fund is our focus, it has to be. It is the sum and substance of what our deficit started out to be and what we had to achieve in rebalancing the budget. Every cost center that we focused on was touched, maybe not in exact proportion to what existed in their funding level to begin with and where we ended up, but every single cost center has been touched, and that is, I think, the only way you can look at a budget of this magnitude with the gap that we faced.

So in the end, it is certainly not a perfect budget, but it is a product that I think reflects caucus input, the wishes of many of us and the work of many of us and the supporters, including our leaders, who have helped us get to this point. So I'm comfortable with and pleased to offer my support for Final Enactment of this product. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bremen, Representative Pieh.

Representative **PIEH**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. As the House chair of a committee that oversees two departments of the state, of course those two departments don't equal a little thumbnail of Education or Health and Human Services, I want to make public what I think we've made private, many of our committee members, to members of the committee and thank them for their work. It's the first time that I've felt so completely included when we came and reported back on what we thought in this difficult budget. Not only were we listened to, we were asked a lot of questions, a lot of intense questions, and we went back and brought back our answers and that was listened to again, and we were responded to in every single case with great respect, listening and actual action on our input, which hasn't always happened to me in this Legislature. I just wanted to say that and thank them so much for their hard work. Because if they work that hard on two departments that don't add up to more than a percent or two of the entire budget, I know how hard they have to have worked on committees like Education and Health and Human Services. So on behalf of our committee, I thank you very much.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Rotundo.

Representative **ROTUNDO**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I, too, want to echo the appreciation that the Representative from Orono, Representative Cain, has already expressed to all who have worked on this budget over the past months. I also want to extend my special thanks and heartfelt thanks to my colleagues on the Appropriations Committee, whose willingness to work diligently and respectfully to find common ground enabled us to vote out a unanimous bipartisan agreement. It has been an honor to serve with all these legislators. Thank you also to our excellent Appropriations Committee leadership, our chairs and Republican leaders, whose work was critical in getting us to where we are today. We, as legislators, are all sent here by our constituents to solve problems and to govern. My colleagues on Appropriations did just that with a budget bill before you. I hope you will join me in voting to Enact LD 1671. Thank you.

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Representative MILLETT of Waterford assumed the Chair.  
The House was called to order by the Speaker Pro Tem.

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The SPEAKER PRO TEM: The Chair recognizes the Representative from Winthrop, Representative Flood.

Representative **FLOOD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'm not going to speak much on the technical aspects of the bill, our speaker did that very well for us. I would like to reflect on the work done on LD 1671 by members of this body over the past several months. I'd like to begin by thanking all members of all committees for their ideas, their questions and their persistent work. You served the people well.

Having worked on four of these budgets now, clearly the most difficult aspect of building a budget is to maintain the essential

grounding and the concept that the state's General Fund budget is for all the people, not for the benefit of any one party or interest group or squeaky wheel. There are many influences that pull and tear at that concept and, often, for very, very legitimate reasons, and I have no quarrel with those wide-ranging sentiments. All voices should be heard and all voices are heard.

Moreover, my interest today is to simply give thanks to all the providers of all opinions on this complicated bill, and to give recognition to the very positive, hopeful and thoughtful leaders who have helped our committee, of course, in searching for the possibilities amongst the improbabilities and facing the hard realities ahead.

This may seem odd to some, but I do want to start by thanking the many prayer leaders who lead us in prayer each morning. Not the long-winded rambling prayers so much or the political ones, but most of the prayers are very, very refreshing messages each morning. They encourage us to put aside individual motivations and work together to listen to our colleagues before acting, and to remember who we are working for, all the people, and they challenge us to use our hearts and our minds to the fullest. I do listen to these prayers and these prayer givers. After all, they're a lot closer to God than I am, and God is probably listening to them so I figure maybe I ought to listen too. I thank them for their thoughtful guidance.

I also wish to thank all members of the AFA Committee, our staffs and the OFPR staffs for their assistance. In particular, I do want to thank the good Representative from Orono, Representative Cain, for her leadership and her enthusiasm. And I want to thank our Speaker Pro Tem from Waterford, Representative Millett, for his knowledge, his wisdom, photographic memory and his communication skills. They demonstrate by their actions that which others only speak about or aspire to be like. Thanks also to Budget Director Schneider and Commissioner Low for their patience and their skills.

Finally, I want to publicly recognize our state's Chief Executive for starting us on a reasonable and responsible path with his initial budget proposal to accomplish what we needed to accomplish without a general tax increase, and for encouraging us to stay on that path with three subsequent change packages. Leadership is often not easy nor popular. I believe that we're very fortunate to have a Chief Executive who faced head-on many of the state's difficult truths. That takes courage, and I appreciate that courage.

Leadership by our Executive, our caucus leaders, Representative Tardy and Representative Piotti, and our committee leaders helped us to develop a unanimous bill for your consideration today. As it's been said already, it's an imperfect document, we all know that, I wish we could have done better, and I hope that our final product is good enough for our people. In this process, we, all of us in this chamber, have had to make difficult and very disappointing decisions. That is our burden of leadership. That is our responsibility and we faced it and it hurt. We gave it our best shot, and I hope today you will consider this vote favorably. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. As I was reflecting about what we've been through, I thought back about many years ago with the Representative from Waterford, then representing a different community in Maine, a different area, about how we went through some of the same issues many years ago.

I must tell you that when we were coming down, I was coming down earlier this year, and when I was driving through Bangor it really was the very first time in my legislative career that I was

thinking maybe of wanting to turn around, because I saw the challenge and the challenges we faced as being some of the worst that I had ever seen. And if I for a moment would have thought that today we'd be where we are, it certainly was different in my own mind because I never thought that we'd be able to achieve a unanimous committee report and to be able to walk out of the Appropriations Committee in the daytime for the first time in many, many years, and to also put together the partisaness that have occurred in some of the past budgets, and I think we've been very successful in accomplishing, I think, what a lot of people thought we couldn't do.

I agree fully with the Representative from Waterford that, frankly, we couldn't do everything. We didn't have enough money for GPA, we didn't have enough money for Revenue Sharing and many, many social programs that many of us would have wanted to accomplish and put more in. But we had to live within the available money that we had, and we've done that. For anyone who thinks that there is money left over, that we basically could have used to do more, frankly, it's not there, and I think that we went and we turned up every rock, especially the Representative from Winthrop, Representative Flood, who, time over and over again, he said, if you would let me do this, and we would say, go for it, and then all of the sudden \$20,000 would show up, \$30,000 the next day. And without that type of persistence, we never would have been able to put this budget together. To the staff, to the legislative staff, to the staff of the executive branch, quite frankly, that's the best work I've seen in many, many years for all of us being able to accomplish this goal today. I really wasn't going to speak, which is unusual and some of you will never believe that anyway, but I really had to say what I said because this has been a different time and I think something for which everyone in this body can be really proud, as well as the other body. Because I think without everyone participating, every committee being willing to work and make recommendations, we would never have accomplished this today. And I hope and I know that it won't happen, but I would like to see every light go green because I think we deserve a thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Thank you, and thank you to the Appropriations Committee. We really had some tough decisions ahead of us over the last two years in terms of services to our most vulnerable, and for those who are losing their jobs and losing their insurance during this time of recession. It has been an honor to work with the Appropriations Committee collaboratively. We met together and tried to see what we could do to make the whole budget look good and also keep in mind those whom we serve.

I had the privilege of working on a hospital committee with Appropriations Committee members where we were working with providers, as well as other committee members, to come up with a system that not only would cost us less but work better. So I thank all who were involved in the process, my committee members, whom we all worked well together and also well with the Appropriations Committee to come up with a bill like this one that we can all live with, and I want to thank everybody for the hard work they've done with this.

The SPEAKER PRO TEM: 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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 335**

YEA - Adams, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Crockett P, Curtis, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Fitts, Flaherty, Flemings, Flood, Fossel, Gilbert, Giles, Goode, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Knapp, Kruger, Lajoie, Langley, Legg, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Richardson D, Robinson, Rotundo, Russell, Sanborn, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Theriault, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Bickford, Burns, Celli, Chase, Clark T, Crafts, Cray, Crockett J, Davis, Edgecomb, Fletcher, Gifford, Hamper, Harvell, Johnson, Joy, Knight, Lewin, McFadden, McKane, McLeod, Nass, Pinkham, Plummer, Prescott, Richardson W, Sarty, Saviello, Sykes, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - Cebra, Cushing, Greeley, Kent, Lovejoy, Rosen.

Yes, 110; No, 35; Absent, 6; Excused, 0.

110 having voted in the affirmative and 35 voted in the negative, with 6 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate. **ORDERED SENT FORTHWITH.**

The Speaker resumed the Chair.

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark, and inquires as to why the Representative rises.

Representative **CLARK**: Thank you very much, Madam Speaker. Is the House in possession of LD 1536?

The SPEAKER: The Chair would answer in the affirmative, having been held at the Representative's request.

Representative **CLARK**: Thank you very much, Madam Speaker. Having voted on the prevailing side, I move that we Reconsider our actions where we Insist and further move that this Item be Tabled until later in today's session.

Representative CLARK of Millinocket moved that the House **RECONSIDER** its action whereby Bill "An Act To Amend the Standards by Which Game Wardens May Stop All-terrain Vehicles when Operating on Private Property"

(H.P. 1080) (L.D. 1536)

**VOTED to INSIST.**

The SPEAKER: The Representative from Millinocket, Representative Clark, moves that we Reconsider our actions whereby the House Insisted and further moves this Item be Tabled until later in today's session. Is this the pleasure of the House?

Representative Clark of Millinocket moved that the Bill be **TABLED** until later in today's session pending his motion to **RECONSIDER** whereby it voted to **INSIST** on **PASSAGE TO BE ENGROSSED as Amended by House Amendment "A" (H-759).**

The Chair recognizes the Representative from Sangerville, Representative Davis.

Representative **DAVIS**: Madam Speaker, I'd raise a Point of Order. Can this matter be Tabled in this posture?

The SPEAKER: The Chair would answer in the affirmative. The motion to Reconsider can be Tabled. Is it the pleasure of the House that this Item be Tabled?

The Chair recognizes the Representative from Sangerville, Representative Davis.

Representative **DAVIS**: I request a roll call.

Representative DAVIS of Sangerville **REQUESTED** a roll call on the motion to **TABLE** pending the motion of Representative CLARK of Millinocket to **RECONSIDER** whereby the House voted to **INSIST.**

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 to Table pending the motion of Representative Clark of Millinocket to Reconsider whereby the House voted to Insist. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 336**

YEA - Adams, Austin, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Chase, Clark H, Clark T, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Cray, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Flaherty, Flemings, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Hamper, Hanley, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Joy, Kaenrath, Knapp, Knight, Kruger, Lajoie, Langley, Legg, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, McKane, McLeod, Miller, Millett, Morrison, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Pratt, Prescott, Priest, Rankin, Richardson W, Robinson, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Ayotte, Burns, Celli, Crafts, Crockett J, Curtis, Davis, Fitts, Fletcher, Johnson, Lewin, Plummer, Richardson D, Thomas.

ABSENT - Cebra, Cushing, Greeley, Kent, Lovejoy, Rosen.

Yes, 131; No, 14; Absent, 6; Excused, 0.

131 having voted in the affirmative and 14 voted in the negative, with 6 being absent, and accordingly the Bill was **TABLED** pending the motion of Representative CLARK of Millinocket to **RECONSIDER** whereby the House voted to **INSIST** and later today assigned.

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

**SENATE PAPERS**

**Non-Concurrent Matter**

Resolve, To Implement the Recommendations of the Juvenile Justice Task Force (EMERGENCY)

(H.P. 1204) (L.D. 1703)

(C. "A" H-708)

**FINALLY PASSED** in the House on March 29, 2010.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-708) AND SENATE AMENDMENT "A" (S-498) in NON-CONCURRENCE.**

The House voted to **RECEDE AND CONCUR.**