

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session

January 4, 2012 – May 31, 2012

pages 1084 - 1604

Signed:

Senators:

FARNHAM of Penobscot
 PLOWMAN of Penobscot

Representatives:

BEAULIEU of Auburn
 CROCKETT of Bethel
 DAMON of Bangor
 JOHNSON of Eddington
 WILLETTE of Presque Isle

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

PATRICK of Oxford

Representatives:

CHIPMAN of Portland
 LONGSTAFF of Waterville
 RUSSELL of Portland
 VALENTINO of Saco

READ.

On motion of Representative BEAULIEU of Auburn, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-733)** was **READ** by the Clerk and **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 "B" (H-733)** and sent for concurrence.

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

Bill " An Act To Conform Maine Law to Federal Law Regarding Payment of Overtime to Truck Drivers and Driver's Helpers"

(H.P. 1237) (L.D. 1685)

Which was **TABLED** by Representative CAIN of Orono, pending **ADOPTION** of **Committee Amendment "A" (H-732) as Amended by House Amendment "A" (H-744)** thereto. (Roll Call Requested)

Subsequently, Representative BRYANT of Windham **WITHDREW** his **REQUEST** for a roll call on **ADOPTION** of **Committee Amendment "A" (H-732) as Amended by House Amendment "A" (H-744)** thereto.

Subsequently, **Committee Amendment "A" (H-732) as Amended by House Amendment "A" (H-744)** 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**.

Representative CAIN of Orono **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (H-732) as Amended by House Amendment "A" (H-744)** thereto.

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 Sanford, Representative Tuttle.

Representative **TUTTLE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This unanimous report from the Committee on Labor, we worked very hard to craft a compromise acceptable to both parties and the amendment by Representative O'Connor essentially says that any amount of money that this bill would cost would be absorbed by the Department of Labor. This is a unanimous report and therefore I would ask that you support the bill.

The **SPEAKER**: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I was very pleased with the Committee Report coming out as unanimous. This bill, the only thing the amendment did was strip the fiscal note. It is going to be done within existing resources and I would like to let you know that I've spoken with multiple trucking people throughout the state. It is likely that this bill will save the industry hundreds of thousands of dollars, and it is in the best interest of the trucking industry to pass this bill as it's written. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (H-732) as Amended by House Amendment "A" (H-744) thereto. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 236

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Bennett, Bickford, Black, Blodgett, Boland, Bolduc, Briggs, Burns DC, Cain, Carey, Casavant, Cebra, Chase, Clark H, Clarke, Cornell du Houx, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dill J, Dion, Dow, Driscoll, Duchesne, Dunphy, Eberle, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossil, Fredette, Gifford, Gilbert, Gillway, Graham, Guerin, Hamper, Hanley, Harmon, Harvell, Haskell, Hayes, Hogan, Hunt, Johnson D, Johnson P, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Libby, Long, Longstaff, Lovejoy, Luchini, Maker, Malaby, Maloney, McClellan, McFadden, McKane, Monaghan-Derrig, Morissette, Morrison, Moulton, Nass, Nelson, Newendyke, O'Connor, Olsen, Parker, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Priest, Rankin, Richardson D, Richardson W, Rioux, Rochelo, Rosen, Rotundo, Sanderson, Sarty, Shaw, Sirocki, Stevens, Strang Burgess, Theriault, Tilton, Timberlake, Treat, Turner, Tuttle, Valentino, Volk, Wallace, Waterhouse, Weaver, Webster, Welsh, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Berry, Bryant, Chapman, Chipman, Goode, Harlow, Hinck, Innes Walsh, Kent, MacDonald, Mazurek, McCabe, O'Brien, Russell, Wagner R.

ABSENT - Celli, Clark T, Eves, Flemings, Foster, Herbig, Kaenrath, Martin, Prescott, Sanborn, Stuckey.

Yes, 124; No, 15; Absent, 11; Vacant, 1; Excused, 0.

124 having voted in the affirmative and 15 voted in the negative, 1 vacancy with 11 being absent, and accordingly under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-732) as Amended by House Amendment "A" (H-744)** thereto and sent for concurrence.

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

On motion of Representative McFADDEN of Dennysville, the House adjourned at 11:38 a.m., until 10:00 a.m., Wednesday, March 7, 2012.