

MAINE STATE LEGISLATURE

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

Volume I

First Regular Session

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Pages 1-608

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-295)** on Bill "An Act To Protect Family Caregivers" (H.P. 664) (L.D. 962)

Signed:

Senators:

BLISS of Cumberland
HOBBINS of York

Representatives:

PRIEST of Brunswick
BRYANT of Windham
DILL of Cape Elizabeth
HILL of York
KRUGER of Thomaston
STEVENS of Bangor
CROCKETT of Bethel

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

Signed:

Senator:

HASTINGS of Oxford

Representatives:

CLEARY of Houlton
NASS of Acton
BEAULIEU of Auburn

Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-295)** Report.

READ.

Representative PRIEST of Brunswick moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative TARDY of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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 Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 87

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Cebra, Clark H, Connor, Cornell du Houx, Cotta, Cray, Crockett J, Crockett P, Davis, Dill, Driscoll, Duchesne, Eaton, Eberle, Eves, Flaherty, Flemings, Fletcher, Flood, Gifford, Gilbert, Goode, Hanley, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JL, Mazurek, Miller, Millett, Morrison, Nelson, O'Brien, Pendleton, Peoples, Percy, Peterson, Pieh, Pilon, Pinkham, Piotti, Prescott, Priest, Rankin, Richardson D, Rotundo, Russell, Sanborn, Sarty, Schatz, Shaw, Sirois, Smith, Stevens, Stuckey, Sutherland, Theriault, Thibodeau, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Welsh, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Browne W, Burns, Chase, Clark T, Cohen, Crafts, Curtis, Cushing, Edgecomb, Finch, Fitts, Fossel, Giles, Hamper, Johnson, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, McLeod, Nass, Nutting, Plummer, Richardson W, Robinson, Rosen, Saviello, Strang Burgess, Sykes, Tardy, Thomas, Weaver, Willette.

ABSENT - Celli, Cleary, Dostie, Greeley, Kent, Martin JR, McCabe, Perry, Pratt, Webster, Wheeler.

Yes, 100; No, 40; Absent, 11; Excused, 0.

100 having voted in the affirmative and 40 voted in the negative, with 11 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-295)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, May 19, 2009.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Require Motorcyclists To Wear Helmets"

(H.P. 341) (L.D. 453)

Signed:

Senators:

DAMON of Hancock
GOOLEY of Franklin
PERRY of Penobscot

Representatives:

MAZUREK of Rockland
PEOPLES of Westbrook
THERIAULT of Madawaska
CAREY of Lewiston
BROWNE of Vassalboro
CEBRA of Naples
ROSEN of Bucksport
THOMAS of Ripley

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-297)** on same Bill.

Signed:

Representatives:

HOGAN of Old Orchard Beach
HARLOW of Portland

READ.

Representative CAREY of Lewiston moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Beaudoin.

Representative **BEAUDOIN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise today to speak briefly about this bill, it's my bill. It's an important step that we have already passed the good Representative from Orono, Representative Cain's bill, requiring anyone under age 18 to wear a helmet, but I feel that it does not go far enough. I received many angry emails and phone calls from people who like to say we ride, we decide. They decide what, to allow the taxpayers to foot the bill when they have an accident and end up with a brain injury? Having to stop and think about it, their insurance will pay just so far, then it's up to the taxpayers for the rest of their lives. There is more to the decision than not to wear a helmet than the wind in their hair, as they tell me, and, if nothing else, I hope that people will think about it. I ask for a roll call. Thank you.

Representative BEAUDOIN of Biddeford **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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 Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 88

YEA - Austin, Ayotte, Beaudette, Beaulieu, Beck, Berry, Bickford, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey, Cebra, Chase, Clark H, Clark T, Cohen, Cornell du Houx, Cotta, Crafts, Cray, Crockett J, Crockett P, Curtis, Cushing, Davis, Dill, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Fitts, Flaherty, Flemings, Fletcher, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Hamper, Hanley, Harvell, Haskell, Hayes, Hill, Hinck, Hunt, Innes Walsh, Johnson, Joy, Kaenrath, Knapp, Knight, Kruger, Lajoie, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JL, Mazurek, McFadden, McKane, McLeod, Miller, Millett, Nass, Nelson, Nutting, Pendleton, Peoples, Percy, Peterson, Pieh, Pinkham, Piotti, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Rosen, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Van Wie, Wagner J, Weaver, Welsh, Willette, Wright, Madam Speaker.

NAY - Adams, Beaudoin, Blodgett, Boland, Bolduc, Briggs, Casavant, Harlow, Hogan, Jones, Martin JR, Morrison, O'Brien, Pilon, Rotundo, Russell, Tuttle, Valentino, Wagner R, Watson.

ABSENT - Blanchard, Celli, Cleary, Connor, Dostie, Greeley, Kent, McCabe, Perry, Pratt, Robinson, Webster, Wheeler.

Yes, 118; No, 20; Absent, 13; Excused, 0.

118 having voted in the affirmative and 20 voted in the negative, with 13 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 90) (L.D. 267) Bill "An Act To Allow the Town of Baldwin Eligibility for Full Pine Tree Development Zone Benefits" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-156)**

(S.P. 357) (L.D. 935) Bill "An Act To Rate Energy Efficiency and Carbon Emissions of Buildings" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-155)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

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

On motion of Representative PERCY of Phippsburg, the House adjourned at 10:57 a.m., until 9:00 a.m., Tuesday, May 19, 2009 and in honor and lasting tribute to Muriel Havenstein, of Nobleboro.