

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**First Regular Session**

December 1, 2010 – June 29, 2011

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Senator:  
PATRICK of Oxford

Representatives:  
CAREY of Lewiston  
CHIPMAN of Portland  
LONGSTAFF of Waterville  
RUSSELL of Portland  
VALENTINO of Saco

Representative MITCHELL of the Penobscot Nation - of the House - supports the Minority **Ought to Pass as Amended by Committee Amendment "A" (H-352)** Report.

**READ.**

Representative BEAULIEU of Auburn moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass** Report and later today assigned.

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**CONSENT CALENDAR**  
**First Day**

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

(H.P. 365) (L.D. 472) Bill "An Act To Enhance the Security of Hospital Patients, Visitors and Employees" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-360)**

(H.P. 817) (L.D. 1082) Bill "An Act Concerning the Protection of Personal Information in Communications with Elected Officials" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-361)**

(H.P. 1004) (L.D. 1365) Bill "An Act Regarding Protection Orders and the Prosecution of Domestic Violence Cases" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-362)**

(H.P. 1103) (L.D. 1502) Bill "An Act To Amend the Maine Business Corporation Act" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-363)**

(H.P. 1123) (L.D. 1529) Bill "An Act Honoring Gold Star Families through Special Registration Plates" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-355)**

(H.P. 1129) (L.D. 1537) Bill "An Act To Amend Licensing and Certification Laws Administered by the Department of Health and Human Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-359)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED** as Amended and sent for concurrence.

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(H.P. 1130) (L.D. 1538) Bill "An Act To Amend the Laws Governing the Maine Turnpike Authority and To Implement Certain Recommendations of the Government Oversight Committee in the Office of Program Evaluation and Government Accountability Report Concerning the Maine Turnpike Authority" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-354)**

On motion of Representative CEBRA of Naples, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

The **SPEAKER**: The Chair recognizes the Representative from Naples, Representative Cebra.

Representative **CEBRA**: Thank you, Mr. Speaker. I rise and object to item 7-7, LD 1538, today, so that I could just recognize the hard work and the long hours that were put in on this bill. This bill has got a long title. It is about a paragraph long. But I kind of nicknamed it, so I didn't have to go through the whole title, "The Turnpike Reset Bill."

This bill is a response to the Government Oversight Committee, their work on the OPEGA report that had come out very early this year, end of last year, on the Maine Turnpike Authority. That report had come out with several items that were needed to bring reform to the Maine Turnpike Authority so that we could get proper oversight over the Turnpike Authority, so that we could have that legislative oversight over the board and then the oversight of the board over the executive director needed to provide a clear picture, a clear understanding of the operations and the financing of the Turnpike Authority.

I'd like to really stand here this morning and thank the Government Oversight Committee for their work. I'd like to thank Senator Hill of the other body for her work on this bill. I'd like to thank the tireless work of the entire Government Oversight Committee, painstakingly going through the issues that have been in front of the Turnpike Authority, and those issues have been addressed. This bill addresses those major concerns. The Transportation Committee got those recommendations from the Government Oversight Committee, grabbed a hold of that, and we put this bill together as a completely nonpartisan group effort.

I'd like to thank Representative Mazurek, former chairman of that committee, for his tireless work, the rest of the members of the Transportation Committee. Senator Diamond and Senator Collins and Senator Thomas all worked together and some people may kind of chuckle when they hear that. But yes, Senator Thomas and Senator Diamond and Senator Collins were able to work to get this bill to where it needed to be so that we could have the oversight that we really need at the Turnpike Authority. The new interim executive director, the former Senator Mills, who is doing a bang-up job over there in turning around the culture that needs to be addressed, those changes that need to be addressed. This bill is a great example of everyone coming together with a common goal to be able to work towards fixing something that was broken. I thank everyone who has been involved.

And I'm going to ask, Mr. Speaker, for a roll call at this time, just so that this body can acknowledge the work of the Government Oversight Committee and the Transportation Committee and send a clear message to the Turnpike Authority that it is a new day at the Turnpike Authority and going forward, the items in this bill, in addition to a letter that the Transportation Committee has put together with the Turnpike budget that will be before this body in about a week, we will put into place those things now that need to be done at the Turnpike so that we can confidently go forward knowing that we will have the oversight we need there. I thank you, Mr. Speaker, and I do request a roll call.

Representative CEBRA of Naples **REQUESTED** a roll call on **ACCEPTANCE** of the Unanimous **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: The Chair recognizes the Representative from Rockland, Representative Mazurek.

Representative **MAZUREK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I also would like to say a few words regarding the hard work that the Transportation Committee has done in a rather difficult time. We all know what went on with the Turnpike. The OPEGA Committee did a great job of looking into it and then the Transportation Committee spent many hours putting together this bill, this LD, which I think is a step in the right direction. I think we are looking forward rather than backwards now and, to me, I think that is very important. The past is the past but we must look to the future. I think we're going to make in this bill recommendations, we're going to do certain things that will ensure that the Maine Turnpike Authority will operate in the type of manner that we would all be proud of. Chairman Cebra has done a very good job, along with Chairman Collins, Senator Diamond, and both caucuses worked very hard on this.

I am also pleased to say that up to this particular point I am very pleased on the reports that former Senator Mills has given us about what he has done. Since he has been appointed interim director, he has made a point and he came before us, I think about a week ago, and he said about 98 percent of what OPEGA found out has been corrected already. That is done in a very quick, very quick turnaround time. I urge people that I am glad that we are having a roll call on this. I think the committee deserves a positive vote and, again, I just want to say thank you to the committee for a job well done on this.

The SPEAKER: The Chair recognizes the Representative from Whiting, Representative Burns.

Representative **BURNS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just want to quickly rise to thank the good Representative from Naples for his comments and on behalf of the Government Oversight Committee, and especially those who serve in the House here, I want to thank you very much for those words. This was a very difficult, long enduring process, but I can't tell you how gratified that I am with a bipartisanship that we had on that committee as we went through the months this winter, to go through hoards of information that had been produced by the OPEGA staff, who did an incredible job on this effort, this inquiry.

I also want to say that I think all of us agreed that we have a great highway, some wonderful employees that support it, and what has been done this winter and the results of OPEGA's efforts, the Government Oversight Committee, and the Transportation Committee is only going to make it better for those of us who use it and those who find themselves working there day in and day out to make it a better road for us. I want to thank all of you for your hard work and thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Hogan.

Representative **HOGAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I, too, want to thank everybody involved, especially the OPEGA Committee for coming up with the things that have to be fixed.

I mostly want to thank the new executive director, former Senator Peter Mills, who has really made it easy for this kind of a transition. He has done so much in his interim status so far and he has made the transparency of the budget. That will be very available now. There will be no hidden areas and everything, hopefully, will go smoothly from here. But I wanted to thank him and I wanted to go on the record for saying that. Thank you.

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. 88**

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Bennett, Berry, Bickford, Black, Blodgett, Boland, Bolduc, Briggs, Bryant, Burns DC, Burns DR, Cain, Carey, Casavant, Cebra, Celli, Chapman, Chase, Chipman, Clark T, Clarke, Cornell du Houx, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dill J, Dow, Driscoll, Duchesne, Dunphy, Eberle, Edgcomb, Espling, Eves, Fitts, Fitzpatrick, Flemings, Flood, Fossel, Foster, Fredette, Gifford, Gilbert, Gillway, Goode, Graham, Guerin, Hamper, Harlow, Harmon, Harvell, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Johnson D, Johnson P, Kaenrath, Kent, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Libby, Long, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Malaby, Maloney, Martin, Mazurek, McCabe, McClellan, McFadden, McKane, Morissette, Morrison, Moulton, Nass, Nelson, Newendyke, O'Brien, O'Connor, Olsen, Parker, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Rioux, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sanderson, Sarty, Shaw, Sirocki, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Timberlake, Treat, Tuttle, Valentino, Wagner R, Waterhouse, Weaver, Webster, Welsh, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Clark H, Dion, Hanley, Turner, Volk, Wintle.

Yes, 144; No, 0; Absent, 6; Vacant, 1; Excused, 0.

144 having voted in the affirmative and 0 voted in the negative, 1 vacancy with 6 being absent, and accordingly the **Unanimous Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-354) 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 "A" (H-354)** and sent for concurrence.

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

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**BILLS IN THE SECOND READING**

**Senate as Amended**

Bill "An Act Regarding the Saltwater Recreational Fishing Registry" (EMERGENCY)

(S.P. 60) (L.D. 210)

(S. "B" S-147 to C. "A" S-136)

Was reported by the Committee on **Bills in the Second Reading** and **READ** the second time.

On motion of Representative McKANE of Newcastle, was **SET ASIDE.**

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENGROSSED as Amended** and later today assigned.

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