

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**First Regular Session**

beginning December 5, 2012

beginning at page H-1

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
FIRST REGULAR SESSION  
30th Legislative Day  
Tuesday, April 9, 2013

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Diane L. Harvey, First Congregational Church, United Church of Christ, South Portland.

National Anthem by Windham Primary School 3rd Grade Chorus.

Pledge of Allegiance.

Doctor of the day, Russell DeJong, M.D., Belgrade.

The Journal of Thursday, April 4, 2013 was read and approved.

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**SENATE PAPERS**

The following Joint Resolution: (S.P. 464)

**JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO ENCOURAGE THE INTERNATIONAL OLYMPIC COMMITTEE TO REVERSE ITS DECISION TO ABOLISH WRESTLING FOR THE 2020 OLYMPIC GAMES**

WE, your Memorialists, the Members of the 126th Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the members of the United States Congress as follows:

WHEREAS, the International Olympic Committee Executive Board stunned the wrestling world, which sees wrestling as a sport popular in many countries and steeped in history as old as the Olympics themselves, by planning to drop wrestling as a sport in the Olympic Games; and

WHEREAS, while wrestling will be included at the 2016 Olympic Games in Rio de Janeiro, Brazil, it was cut from the Olympic Games in 2020, which have yet to be awarded to a host city; and

WHEREAS, wrestling is a sport that dates to ancient times, and, in ancient Greece, wrestling occupied a prominent place in legend and literature and served as the focal sport of the ancient Olympic Games; and

WHEREAS, wrestling represents one of the oldest forms of combat; the historical record of wrestling goes back 15,000 years, including cave drawings in France and ancient Babylonian and Egyptian art forms showing wrestlers using most of the holds known in the present-day sport; and

WHEREAS, wrestling remained popular during the Middle Ages, and early European settlers in America brought a strong wrestling tradition with them, and the settlers also found wrestling to be popular among Native Americans; and

WHEREAS, amateur wrestling flourished throughout the early years of the North American colonies and was a popular activity at country fairs, holiday celebrations and in military exercises, which continues to the modern day, when it is still a popular sport worldwide; and

WHEREAS, the first wrestling competition in the modern Olympic Games occurred in 1896 in Athens, Greece, and the sport of wrestling has been in the Olympic Games since the modern Olympic Games began; and

WHEREAS, the International Olympic Committee Executive Board's decision to drop this ancient and time-honored sport from the modern Olympic Games is contrary to the ideals of the Olympic Games because it stems from a popularity contest in that such criteria as television ratings and ticket sales were major factors in the board's decision; and

WHEREAS, the International Olympic Committee Executive Board will meet in May in St. Petersburg, Russia, to decide which sport or sports to propose for inclusion in the 2020 Olympic Games. The final vote will be made at the International Olympic Committee session, or general assembly, in September in Buenos Aires, Argentina; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States Congress support the sport of wrestling as a valid national and international competition worthy of the Olympic Games and that the United States Congress strongly urge the International Olympic Committee Executive Board to reverse its decision to drop wrestling from future Olympic Games; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate and the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

Came from the Senate, **READ** and **ADOPTED**.

**READ** and **ADOPTED** in concurrence.

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The following Joint Resolution: (S.P. 465)

**JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO REINSTITUTE THE GLASS-STEAGALL ACT**

WE, your Memorialists, the Members of the One Hundred and Twenty-sixth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

WHEREAS, an effective monetary and banking system is essential to the proper function of the economy; and

WHEREAS, an effective monetary and banking system must function in the public interest without bias; and

WHEREAS, the federal Banking Act of 1933, commonly referred to as the Glass-Steagall Act, protected the public interest in matters dealing with the regulation of commercial and investment banks, in addition to insurance companies and securities firms; and

WHEREAS, the Glass-Steagall Act was repealed in 1999, permitting members of the financial industry to exploit the financial system for their own gain in disregard of the public interest; and

WHEREAS, many financial industry entities were saved by the United States Treasury at a cost of billions of dollars to American taxpayers; and

WHEREAS, within the hundreds of pages of the Dodd-Frank Wall Street Reform and Consumer Protection Act there are no prohibitions that prevent "too big to fail" financial services organizations from investing in or undertaking substantial risks involving trillions of dollars of derivative contracts; and

WHEREAS, the American taxpayers continue to be at risk for the next round of bank failures, as enormous risks are undertaken by financial services organizations; and

WHEREAS, Congresswoman Marcy Kaptur has introduced H.R. 129, known as the Return to Prudent Banking Act of 2013, to reinstate the provisions of the Glass-Steagall Act, which has gained major bipartisan support; and

WHEREAS, the Glass-Steagall Act has widespread national support from organizations such as the American Federation of Labor and Congress of Industrial Organizations, the American Federation of Teachers and the International Association of Machinists, as well as from prominent economic and business leaders, many of the major and respected national newspapers and many others; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the United States Congress enact legislation that would reinstate the separation of commercial and investment banking functions that was in effect under the Glass-Steagall Act, the Banking Act of 1933, to prohibit commercial banks and bank holding companies from investing in stocks, underwriting securities or investing in or acting as guarantors to derivative transactions, in order to prevent American taxpayers from being again called upon to bail out financial institutions; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each Member of the Maine Congressional Delegation.

Came from the Senate, **READ** and **ADOPTED**.  
**READ** and **ADOPTED** in concurrence.

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**Non-Concurrent Matter**

Resolve, Directing the Department of Transportation To Place a Sign on Northbound Interstate 95 Directing Motorists to Lee Academy

(H.P. 67) (L.D. 74)

Minority (2) **OUGHT TO PASS** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED** in the House on April 3, 2013.

Came from the Senate with the Majority (11) **OUGHT NOT TO PASS** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion of Representative BERRY of Bowdoinham, the House voted to **INSIST**.

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**Non-Concurrent Matter**

Bill "An Act To Promote and Expand Awareness of the Educational Opportunity Tax Credit"

(H.P. 926) (L.D. 1300)

**REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** in the House on April 2, 2013.

Came from the Senate **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE**.

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

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**Non-Concurrent Matter**

Bill "An Act To Streamline the Charitable Solicitations Act"

(S.P. 438) (L.D. 1277)

**REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in the House on April 3, 2013.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** in **NON-CONCURRENCE**.

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

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**COMMUNICATIONS**

The Following Communication: (H.P. 968)

**TOWN OF CAMDEN**

April 26, 2013

**Resolution Expressing Opposition to the Governor's Proposed State Budget which Shifts Responsibility for Funding the State Budget Shortfall to the Property Tax and Property Taxpayers**

Whereas, the Governor has proposed a biennial budget that will shift the responsibility to fund State government by eliminating or significantly modifying Maine's primary programs that are intended to provide property tax relief;

Whereas, the property tax is the most regressive form of taxation and by eliminating Revenue Sharing and greatly changing the eligibility criteria of the Homestead Exemption and the Maine Residents Property Tax and Rent Refund Program (Circuit Breaker) would make the State's tax mix more regressive;

Whereas, by eliminating the State-Municipal Revenue Sharing program, the Town of Camden would lose approximately \$300,000 which would mean a property tax increase to both residential and business property owners, cuts to essential local services, or both;

Whereas, the proposed budget would eliminate the Homestead Exemption program for anyone under the age of 65, which would result in an automatic property tax increase of \$136.80 even if the local budget had no increase;

Whereas, the proposed budget would eliminate the Maine Residents property tax and rent relief program "Circuit Breaker" for anyone under the age of 65 and hurt the people most in need at a time they can least afford to pay higher property taxes; now Therefore Be it Resolved, that the Camden Select Board calls upon the Maine Legislature to reject these proposals, restore Revenue Sharing, maintain the Homestead and Circuit Breaker programs, and fund State government through an equitable tax system that prevents this unfair shift to property taxpayers.

S/Martin Cates, Chair

S/Donald White, Vice Chair

S/John R. French, Jr.

S/James Heard

Attest: S/Katrina Oakes, Town Clerk

A true copy.

**READ** and **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Sent for concurrence.

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The Following Communication: (H.P. 983)

**TOWN OF PORTER**

March 19, 2013

Whereas, the Governor's unprecedented biennial budget proposal places towns in an untenable and uncertain fiscal position during their budget planning; and

Whereas, the proposal includes the elimination of \$238 million in municipal revenue sharing; falls \$200 million short of funding local schools at the 55% level passed in referendum; would cut the state's reimbursement for General Assistance by an estimated \$6.7 million; would eliminate the Homestead Exemption for anyone under the age of 65; would take \$8 million in truck excise tax revenue from towns; would create a corporate tax exemption for large amounts of currently taxable property, resulting in significant losses of local tax revenue; and

Whereas, the Governor's proposal also contains cuts to health and human services such as prescription drugs for the elderly and disabled; to all funding for clean elections; to wages and benefits of public workers; while also rejecting federal funds to make healthcare affordable to over 44,000 Mainers; and

Whereas, all of the above shifts costs to towns, whose only major means of raising revenue is property taxes, be it

Resolved, that the town of Porter calls upon the Maine Legislature to reject these proposals, identify less harmful costs savings and to raise revenue in an equitable fashion to avoid this regressive tax shift.

Signed

S/Robert Heard, Chair, Board of Selectmen, Town of Porter

S/Chester Chapman, Selectman, Town of Porter

S/Ronald Silvia, Selectman, Town of Porter

**READ** and **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS.**

Sent for concurrence.

The Following Communication: (H.P. 984)

**TOWN OF BAR HARBOR  
MUNICIPAL OFFICERS  
93 COTTAGE STREET, SUITE 1  
BAR HARBOR, MAINE 04609-1400**

April 3, 2013

The following resolution was passed, unanimously, by the Bar Harbor Town Council at their April 2, 2013 meeting. At the request of the Bar Harbor Town Council, please send to the full State of Maine 126th Legislature.

Resolution

Of the Bar Harbor Town Council

Opposing Governor LePage's Proposed Tax Shift

Whereas, the Governor's unprecedented biennial budget proposal places towns in an untenable and uncertain fiscal position during their budget planning; and

Whereas, the proposal includes the elimination or deep cuts to municipal revenue sharing; funding local schools; the state's reimbursement for General Assistance; the Homestead Exemption; the "circuit breaker" property tax and rent relief program; and truck excise tax revenue from towns, resulting in significant losses of local tax revenue; and

Whereas, the Governor's proposal also contains cuts to health and human services such as prescription drugs for the elderly and disabled; to all funding for clean elections; to the wages and benefits of public workers; while also rejecting federal funds to make health care affordable for over 44,000 Mainers; and

Whereas, all of the above shifts costs to towns, whose only major means of raising revenue is property taxes; now therefore, Be It Resolved, that the Bar Harbor Town Council calls upon the Maine Legislature to reject these proposals, identify less harmful cost savings, and raise revenue in an equitable fashion to avoid this regressive tax shift.

On behalf of the Bar Harbor Town Council,

S/Dana J. Reed, Town Manager

**READ** and **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS.**

Sent for concurrence.

The Following Communication: (H.C. 122)

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

April 9, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Education and Cultural Affairs

L.D. 638 An Act To Require That School Budget Referenda Be Held on the Same Day as Primary Elections

L.D. 772 An Act To Implement the Recommendations of the Task Force on Franco-Americans Regarding the Reporting of Franco-American Ethnicity Data

L.D. 773 Resolve, To Enhance the Study of Franco-American History in Schools

L.D. 880 An Act To Change the Process for Student Transfers from an Alternative Organizational Structure

Energy, Utilities and Technology

L.D. 248 An Act To Encourage Workforce Development in the Heating, Ventilation, Air Conditioning, Efficiency and Energy Conservation Trades and Reduce Carbon Dioxide Emissions

L.D. 894 An Act To Provide Customers with Itemized Bills

Health and Human Services

L.D. 515 An Act Regarding the Annual Service Fee for Child Support Services Provided by the Department of Health and Human Services

Insurance and Financial Services

L.D. 637 An Act To Prohibit Consideration of Preexisting Conditions in Short-term Disability Insurance

L.D. 893 An Act To Protect Life Insurance Policyholders

Labor, Commerce, Research and Economic Development  
L.D. 159 An Act Regarding the Laws Governing Unemployment Compensation Benefits for Employees of Temporary Staffing Agencies

L.D. 445 An Act To Improve Efficiencies in Dental Offices

L.D. 656 Resolve, Requiring the Department of Economic and Community Development To Develop Incentives for Industries in the State To Increase Employment of Maine Residents

L.D. 700 An Act To Require Elevators To Be Accessible for Ambulance Stretchers

L.D. 739 Resolve, To Establish a Task Force To Study Economic Development in Rural Areas

L.D. 853 Resolve, Requiring the Department of Labor To Establish a Fund To Assist Unemployed Individuals Lacking Transportation to Job Interviews

State and Local Government

L.D. 814 An Act To Clarify the Request for Proposal Process

L.D. 878 An Act To Provide a Preference for Maine Bidders on State Contracts

Veterans and Legal Affairs

L.D. 459 An Act To Amend the Law Concerning a Landlord's Right To Inspect Property

L.D. 575 An Act To Amend the Laws Relating to Radon Testing

L.D. 592 An Act To Amend the Laws Dealing with the Purchase of Wine Online

The sponsors and cosponsors have been notified of the Committee's action.

Sincerely,  
S/Millicent M. MacFarland  
Clerk of House

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 123)

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

April 9, 2013  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:

Pursuant to Joint Rule 310, the Committee on Education and Cultural Affairs has approved the request by the sponsor, Representative Long of Sherman, to report the following "Leave to Withdraw":

L.D. 1123      An Act To Allow the Town of Bancroft To Withdraw from Its Regional School Unit without Penalty

Pursuant to Joint Rule 310, the Committee on Judiciary has approved the request by the sponsor, Representative Ayotte of Caswell, to report the following "Leave to Withdraw":

L.D. 463      An Act To Prohibit the Sale and Purchase of Human Fetal Tissue

Pursuant to Joint Rule 310, the Committee on Judiciary has approved the request by the sponsor, Representative Ayotte of Caswell, to report the following "Leave to Withdraw":

L.D. 972      An Act To Educate Women on the Medical Risks Associated with Abortion

Pursuant to Joint Rule 310, the Committee on Labor, Commerce, Research and Economic Development has approved the request by the sponsor, Senator Patrick of Oxford, to report the following "Leave to Withdraw":

L.D. 1329      An Act To Provide Equity for Seasonal Public School Employees Concerning Unemployment

Pursuant to Joint Rule 310, the Committee on State and Local Government has approved the request by the sponsor, Representative Bolduc of Auburn, to report the following "Leave to Withdraw":

L.D. 1220      RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require the President of the Senate and the Speaker of the House of Representatives To Be Maine Natives

Pursuant to Joint Rule 310, the Committee on Veterans and Legal Affairs has approved the request by the sponsor, Representative Carey of Lewiston, to report the following "Leave to Withdraw":

L.D. 1258      An Act To Amend the Laws Governing the Relationship between Alcoholic Beverage Wholesalers and Certificate of Approval Holders

Sincerely,  
S/Millicent M. MacFarland  
Clerk of House

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 202)

**MAINE SENATE  
126TH LEGISLATURE  
OFFICE OF THE SECRETARY**

April 4, 2013  
Honorable Millicent M. MacFarland  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk MacFarland:

Please be advised the Senate today insisted to its previous action whereby it referred Bill "An Act Related to Appeals of Disciplinary Proceedings Affecting County Employees" (H.P. 803) (L.D. 1138) and accompanying papers to the Committee on Labor, Commerce, Research and Economic Development, in non-concurrence.

Sincerely,  
S/Darek M. Grant

Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 203)

**MAINE SENATE  
126TH LEGISLATURE  
OFFICE OF THE SECRETARY**

April 4, 2013  
Honorable Millicent M. MacFarland  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk MacFarland:

Please be advised the Senate today insisted to its previous action whereby it referred Bill "An Act Regarding the Effect on Collective Bargaining Agreements of Failure To Validate a School Budget" (H.P. 918) (L.D. 1291) and accompanying papers to the Committee on Labor, Commerce, Research and Economic Development, in non-concurrence.

Sincerely,  
S/Darek M. Grant

Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bills and Resolve were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act To Ensure That Charter Schools Are Funded by the State"

(H.P. 964) (L.D. 1346)

Sponsored by Representative CAMPBELL of Newfield.

Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: BEAVERS of South Berwick, CAREY of Lewiston, GILBERT of Jay, HAMANN of South Portland, MacDONALD of Boothbay, MASTRACCIO of Sanford, RANKIN of Hiram, Senator: PATRICK of Oxford.

Bill "An Act To Improve the School Administrative Unit Consolidation Laws by Allowing a Regional School Unit To Dissolve Itself"

(H.P. 965) (L.D. 1347)

Sponsored by Representative PARRY of Arundel.

Bill "An Act To Encourage School Administrative Units To Increase Their Energy Savings"

(H.P. 966) (L.D. 1348)

Sponsored by Representative DORNEY of Norridgewock.

Cosponsored by Representatives: CHENETTE of Saco, DEVIN of Newcastle, DUNPHY of Embden, HUBBELL of Bar Harbor, MALABY of Hancock, McGOWAN of York, NOON of Sanford.

Bill "An Act To Change the Process for Approval of Charter Schools"

(H.P. 967) (L.D. 1349)

Sponsored by Representative KORNFIELD of Bangor.

Cosponsored by Representatives: DAUGHTRY of Brunswick, MacDONALD of Boothbay, MASTRACCIO of Sanford, RANKIN of Hiram.

Bill "An Act To Strengthen the Teaching of Writing and Mathematics and Improve Maine High School Graduates' College and Career Readiness"

(H.P. 969) (L.D. 1361)

Sponsored by Representative NELSON of Falmouth.

Cosponsored by Representatives: JORGENSEN of Portland, KUSIAK of Fairfield.

Bill "An Act To Require Students To Receive Instruction in Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator prior to Graduation"

(H.P. 974) (L.D. 1366)

Sponsored by Representative GRAHAM of North Yarmouth.

Cosponsored by Senator DUTREMBLE of York and Representatives: DORNEY of Norridgewock, FARNSWORTH of Portland, KNIGHT of Livermore Falls, PRINGLE of Windham, SAUCIER of Presque Isle.

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#### ENVIRONMENT AND NATURAL RESOURCES

Resolve, To Establish a Moratorium on the Transportation of Tar Sands

(H.P. 970) (L.D. 1362)

Sponsored by Representative CHIPMAN of Portland.

Cosponsored by Senator GRATWICK of Penobscot and Representatives: CAMPBELL of Orrington, COOPER of Yarmouth, DEVIN of Newcastle, HAMANN of South Portland, HARLOW of Portland, KAENRATH of South Portland, McGOWAN of York, MORRISON of South Portland.

Bill "An Act To Ensure Landfill Capacity and Promote Recycling"

(H.P. 971) (L.D. 1363)

Sponsored by Representative CHIPMAN of Portland.

Cosponsored by Senator PATRICK of Oxford and Representatives: CAMPBELL of Orrington, DORNEY of Norridgewock, GUERIN of Glenburn, LIBBY of Lewiston, MITCHELL of the Penobscot Nation, PEAVEY HASKELL of Milford, Senators: GRATWICK of Penobscot, WHITTEMORE of Somerset.

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#### HEALTH AND HUMAN SERVICES

Bill "An Act To Amend the Laws Governing Hospital Leave Days for MaineCare Recipients" (EMERGENCY)

(H.P. 972) (L.D. 1364)

Sponsored by Representative SANDERSON of Chelsea.

Cosponsored by Senator HAMPER of Oxford and Representatives: FARNSWORTH of Portland, GATTINE of Westbrook, HARVELL of Farmington, MALABY of Hancock, McELWEE of Caribou, SIROCKI of Scarborough, Senators: CRAVEN of Androscoggin, LACHOWICZ of Kennebec.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Improve the Delivery of Early Child Care and Education Services"

(H.P. 982) (L.D. 1383)

Sponsored by Representative BERRY of Bowdoinham.

Cosponsored by Senator CRAVEN of Androscoggin and Representatives: CASSIDY of Lubec, FARNSWORTH of Portland, McELWEE of Caribou, POULIOT of Augusta, ROTUNDO of Lewiston, SANBORN of Gorham, STUCKEY of Portland, Senator: LANGLEY of Hancock.

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#### INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Require Health Insurance Carriers and the MaineCare Program To Cover the Cost of Transition Services To Bridge the Gap between High School and Independence"

(H.P. 975) (L.D. 1367)

Sponsored by Representative GRAHAM of North Yarmouth.

Cosponsored by President ALFOND of Cumberland and Representatives: BEAUDOIN of Biddeford, BEAVERS of South Berwick, BRIGGS of Mexico, CASSIDY of Lubec, CHIPMAN of Portland, COOPER of Yarmouth, DAUGHTRY of Brunswick, EVANGELOS of Friendship, FARNSWORTH of Portland, GATTINE of Westbrook, GILBERT of Jay, GRANT of Gardiner, KORNFIELD of Bangor, LONGSTAFF of Waterville, MASTRACCIO of Sanford, McLEAN of Gorham, MONAGHAN-DERRIG of Cape Elizabeth, PEASE of Morrill, PRINGLE of Windham, RYKERSON of Kittery, SCHNECK of Bangor, TREAT of Hallowell, Senators: CRAVEN of Androscoggin, KATZ of Kennebec.

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#### JUDICIARY

Bill "An Act To Amend Article 9-A of the Uniform Commercial Code" (EMERGENCY)

(H.P. 985) (L.D. 1384)

Sponsored by Representative FREY of Bangor.

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#### LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Temporarily Restore Boxing Rules" (EMERGENCY)

(H.P. 976) (L.D. 1368)

Sponsored by Representative GILLWAY of Searsport.

Cosponsored by Senator THIBODEAU of Waldo and Representatives: GIFFORD of Lincoln, GOODE of Bangor, McCABE of Skowhegan, PARRY of Arundel, PEASE of Morrill, POWERS of Naples, VEROW of Brewer, WERTS of Auburn.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

**STATE AND LOCAL GOVERNMENT**

Bill "An Act To Change the Way Legislators Are Paid"  
(H.P. 977) (L.D. 1369)

Sponsored by Representative PARRY of Arundel.  
Cosponsored by Senator MASON of Androscoggin and  
Representatives: CHASE of Wells, HARVELL of Farmington,  
SANDERSON of Chelsea.

**TAXATION**

Bill "An Act To Exempt from Sales Tax the Sales of Adaptive  
Equipment To Make a Vehicle Handicapped Accessible"  
(H.P. 978) (L.D. 1370)

Sponsored by Representative SAUCIER of Presque Isle.  
Cosponsored by Senator JACKSON of Aroostook and  
Representatives: DILL of Old Town, GRAHAM of North  
Yarmouth, HICKMAN of Winthrop, LONGSTAFF of Waterville,  
MASON of Topsham, SCHNECK of Bangor.  
Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 205.

**TRANSPORTATION**

Bill "An Act To Promote New Models of Mobility and Access  
to Transportation"  
(H.P. 973) (L.D. 1365)

Sponsored by Representative TREAT of Hallowell.  
Cosponsored by Representatives: BEAUDOIN of Biddeford,  
BEAVERS of South Berwick, BERRY of Bowdoinham, BRIGGS  
of Mexico, CASSIDY of Lubec, CHIPMAN of Portland,  
DAUGHTRY of Brunswick, DeCHANT of Bath, DEVIN of  
Newcastle, Speaker EVES of North Berwick, GATTINE of  
Westbrook, GRANT of Gardiner, HERBIG of Belfast, HUBBELL  
of Bar Harbor, KUMIEGA of Deer Isle, LUCHINI of Ellsworth,  
MASTRACCIO of Sanford, McCABE of Skowhegan, McLEAN of  
Gorham, PEOPLES of Westbrook, POULIOT of Augusta,  
ROTUNDO of Lewiston, SCHNECK of Bangor, SHAW of  
Standish, THERIAULT of Madawaska, VEROW of Brewer,  
WILSON of Augusta, Senators: FLOOD of Kennebec, MAZUREK  
of Knox.

Bill "An Act To Exempt New Cars from Motor Vehicle  
Inspection for 2 Years Following the Initial Purchase"  
(H.P. 979) (L.D. 1371)

Sponsored by Representative SAUCIER of Presque Isle.  
Cosponsored by Senator JACKSON of Aroostook and  
Representatives: DILL of Old Town, GATTINE of Westbrook,  
HICKMAN of Winthrop, LONGSTAFF of Waterville, MASON of  
Topsham, SCHNECK of Bangor, Senator: BOYLE of  
Cumberland.

Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 205.

Bill "An Act To Prohibit the Requirement That Proof of  
Citizenship Be Submitted for Renewal of a Driver's License"  
(H.P. 980) (L.D. 1372)

Sponsored by Representative SAUCIER of Presque Isle.  
Cosponsored by Senator JACKSON of Aroostook and  
Representatives: DILL of Old Town, GATTINE of Westbrook,  
GRAHAM of North Yarmouth, HICKMAN of Winthrop,  
LONGSTAFF of Waterville, MASON of Topsham, SCHNECK of  
Bangor, Senator: BOYLE of Cumberland.

Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 205.

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

**ORDERS**

On motion of Representative BENNETT of Kennebunk, the  
following Joint Resolution: (H.P. 981)

**JOINT RESOLUTION RECOGNIZING THE WEEK OF  
APRIL 7 - 13, 2013**

**AS BARBERSHOP HARMONY WEEK**

WHEREAS, The Society for the Preservation and  
Encouragement of Barber Shop Quartet Singing in America,  
known now as the Barbershop Harmony Society, was officially  
organized April 11, 1938 in Tulsa, Oklahoma; and

WHEREAS, what began as a small group has steadily  
blossomed into the world's largest all-male singing organization,  
an international organization of men from all stations of life; and

WHEREAS, the Barbershop Harmony Society is dedicated to  
the spread of harmony for the enjoyment of all people of the  
world through organizing and encouraging close-harmony singing  
groups; and

WHEREAS, the Barbershop Harmony Society encourages  
harmony among all people of the world through the universal  
language of music; and

WHEREAS, the Barbershop Harmony Society has actively  
preserved and presented a distinct style of vocal music that  
originated in North America; and

WHEREAS, the Barbershop Harmony Society is dedicated to  
sustaining and preserving an American tradition, the barbershop  
quartet; and

WHEREAS, the Barbershop Harmony Society promotes  
musical education through music scholarships and other means  
and supports charitable foundations; and

WHEREAS, "barbershoppers" are engaged in laudable civic  
service and enrichment of our cultural life through the fostering of  
traditional values in entertainment and community endeavors;  
now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and  
Twenty-sixth Legislature now assembled in the First Regular  
Session, on behalf of the people we represent, take this  
opportunity to recognize the week of April 7-13, 2013 as  
Barbershop Harmony Week.

**READ and ADOPTED.**

Sent for concurrence.

**REPORTS OF COMMITTEE**

**Change of Committee**

Representative LUCHINI from the Committee on **VETERANS  
AND LEGAL AFFAIRS** on Bill "An Act To Protect Landlords  
When Tenants Fail To Pay Utility Bills"

(H.P. 176) (L.D. 215)

Reporting that it be **REFERRED** to the Committee on  
**ENERGY, UTILITIES AND TECHNOLOGY.**

Report was **READ** and **ACCEPTED** and the Bill **REFERRED**  
to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY.**

Sent for concurrence.



**Divided Report**

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Exempt Occupants of Antique Autos from Seat Belt Requirements" (EMERGENCY)

(S.P. 24) (L.D. 57)

Signed:

Senators:

MAZUREK of Knox  
VALENTINO of York

Representatives:

THERIAULT of Madawaska  
GILLWAY of Searsport  
McLEAN of Gorham  
NUTTING of Oakland  
PARRY of Arundel  
PEOPLES of Westbrook  
POWERS of Naples  
TURNER of Burlington  
VEROW of Brewer  
WERTS of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-17)** on same Bill.

Signed:

Senator:

COLLINS of York

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.  
**READ.**

Representative THERIAULT of Madawaska moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative FREDETTE of Newport **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. 28**

YEA - Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Clark, Daughtry, Dickerson, Dill, Dion, Doak, Dorney, Duprey, Espling, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson P, Jorgensen, Keschl, Kinney, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Lockman, Longstaff, Luchini, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Verow, Villa, Wallace, Welsh, Werts, Willette, Winchenbach, Mr. Speaker.

NAY - Ayotte, Black, Chase, Cooper, Cotta, Crafts, Cray, Crockett, Davis, DeChant, Dunphy, Evangelos, Gifford, Guerin, Johnson D, Jones, Kaenrath, Kent, Knight, Libby A, Long,

MacDonald S, Malaby, Peavey Haskell, Reed, Rykerson, Timberlake, Weaver, Wilson, Winsor, Wood.

ABSENT - Boland, Bolduc, Briggs, Devin, Peoples, Peterson, Pouliot, Russell, Tyler, Volk.

Yes, 110; No, 31; Absent, 10; Excused, 0.

110 having voted in the affirmative and 31 voted in the negative, with 10 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Ban the Purchase of Bottled Water by State Agencies"

(H.P. 224) (L.D. 315)

Signed:

Senator:

COLLINS of York

Representatives:

GRAHAM of North Yarmouth  
BOLAND of Sanford  
BOLDUC of Auburn  
COTTA of China  
HAYES of Buckfield  
MacDONALD of Old Orchard Beach  
NADEAU of Winslow  
NADEAU of Fort Kent  
PEASE of Morrill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-36)** on same Bill.

Signed:

Representative:

CHENETTE of Saco

**READ.**

Representative GRAHAM of North Yarmouth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative FREDETTE of Newport **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. 29**

YEA - Ayotte, Beaudoin, Beaulieu, Beck, Bennett, Berry, Black, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Dill, Dion, Doak, Dunphy, Duprey, Espling, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Harvell, Hayes, Herbig, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jorgensen, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Sirocki,

Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Verow, Villa, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Beavers, Chenette, Chipman, Dickerson, Dorney, Evangelos, Hamann, Harlow, Hickman, Jones, Kaenrath, Kent, Kusiak, Rykerson, Short, Stuckey.

ABSENT - Boland, Bolduc, Briggs, Devin, Peoples, Peterson, Russell, Tyler, Volk.

Yes, 126; No, 16; Absent, 9; Excused, 0.

126 having voted in the affirmative and 16 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass** on Bill "An Act To Expand Eligible Project Costs in Development Districts"

(H.P. 289) (L.D. 413)

Signed:

Senator:

LACHOWICZ of Kennebec

Representatives:

GRAHAM of North Yarmouth  
BOLAND of Sanford  
BOLDUC of Auburn  
CHENETTE of Saco  
COTTA of China  
HAYES of Buckfield  
MacDONALD of Old Orchard Beach  
NADEAU of Winslow  
NADEAU of Fort Kent  
PEASE of Morrill

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

Signed:

Senator:

COLLINS of York

**READ.**

On motion of Representative GRAHAM of North Yarmouth, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, April 10, 2013.

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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. 291) (L.D. 419) Resolve, Directing the Family Law Advisory Commission To Study and Report on the Uniform Parentage Act and Other Similar Laws and Proposals Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 571) (L.D. 820) Bill "An Act Regarding Fire Escapes for Certain Buildings" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 614) (L.D. 887) Bill "An Act To Repeal a Specialized Form of the Generic Crime of Theft by Unauthorized Taking or Transfer" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 39) (L.D. 44) Bill "An Act Regarding Pharmacy Provider Audits" Committee on **INSURANCE AND FINANCIAL**

**SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-45)**

(H.P. 108) (L.D. 133) Bill "An Act To Allow an Operator of a Motor Vehicle To Show Proof of Insurance by Electronic Means" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-52)**

(H.P. 169) (L.D. 208) Bill "An Act To Amend the Charter of St. Mark's Home for Women in Augusta" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-48)**

(H.P. 173) (L.D. 212) Bill "An Act To Provide a Tax Exemption for Tobacco Sold to an Adult Member of a Federally Recognized Indian Tribe for Cultural, Spiritual or Ceremonial Purposes" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-43)**

(H.P. 198) (L.D. 289) Bill "An Act To Eliminate the Requirement That the Department of Agriculture, Conservation and Forestry Provide Technical Services for Direct-marketing Agricultural Products" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-40)**

(H.P. 219) (L.D. 310) Bill "An Act To Exempt Persons 70 Years of Age and Older from Jury Duty at Their Discretion" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-49)**

(H.P. 243) (L.D. 338) Resolve, Directing the Department of Health and Human Services To Amend Its Rules Governing the Use of Certain Antipsychotic Drugs by Children Enrolled in MaineCare Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-51)**

(H.P. 282) (L.D. 407) Resolve, Directing the Maine Turnpike Authority To Place Signs Directing Motorists to Oxford Casino Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-39)**

(H.P. 383) (L.D. 564) Resolve, To Allow Maine Drivers To Use Biotopic or Telescopic Spectacles When Driving Class C Motor Vehicles and When Testing for a Class C Driver's License Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-38)**

(H.P. 572) (L.D. 821) Bill "An Act To Allocate the Balance of Funds Not Expended by the Task Force on Franco-Americans" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-50)**

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

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### CONSENT CALENDAR

#### Second Day

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

(H.P. 445) (L.D. 653) Bill "An Act To Remove an Unnecessary Provision in the Maine Insurance Code"

(H.P. 489) (L.D. 717) Bill "An Act To Provide Free Fishing Licenses to Certain Children in the Custody of the Department of Health and Human Services"

(H.P. 55) (L.D. 63) Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Allow Veterans with Lower Limb Loss To Obtain "Any-deer" Hunting Permits (C. "A" H-37)

No objections having been noted at the end of the Second Legislative Day, the House Papers were **PASSED TO BE**

**ENGROSSED** or **PASSED TO BE ENGROSSED** as Amended and sent for concurrence.

(H.P. 341) (L.D. 499)  
(C. "A" H-18)

**BILLS IN THE SECOND READING**  
**House as Amended**

Bill "An Act To Prohibit a Requirement That a Superintendent Reside in the School Administrative Unit" (EMERGENCY)  
(H.P. 10) (L.D. 6)  
(C. "A" H-31)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

An Act To Adjust Maine's Minimum Wage Annually Based on Cost-of-living Changes  
(H.P. 430) (L.D. 611)  
(C. "A" H-16)

An Act To Exempt All-terrain Vehicle Trail Management from Storm Water Management Requirements  
(S.P. 232) (L.D. 642)

An Act To Amend or Repeal Outdated or Underutilized Laws Related to Transportation  
(H.P. 447) (L.D. 655)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Bill "An Act To Equalize the Fire Investigation and Prevention Tax Paid by Insurers"

(H.P. 205) (L.D. 296)

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

On motion of Representative DION of Portland, was **SET ASIDE**.

The same Representative **PRESENTED House Amendment "A" (H-32)**, which was **READ** by the Clerk and **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-32)** and sent for concurrence. **ORDERED SENT FORTHWITH**.

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

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, April 4, 2013, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Resolve, Regarding Legislative Review of Portions of Chapter 2: Rules Concerning the Processing of Applications and Other Administrative Matters, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 612) (L.D. 861)

- In House, Unanimous **REFER TO THE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES** pursuant to the **Maine Revised Statutes, Title 5, section 8072** Report of the **Department of Environmental Protection READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** on March 7, 2013.

- In Senate, Unanimous **REFER TO THE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES** pursuant to the **Maine Revised Statutes, Title 5, section 8072** Report of the **Department of Environmental Protection READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in **NON-CONCURRENCE**.

TABLED - March 26, 2013 (Till Later Today) by Representative WELSH of Rockport.

PENDING - **FURTHER CONSIDERATION**.

The House voted to **INSIST**.

**ENACTORS**  
**Acts**

An Act Relating to Ways under the Jurisdiction of the Midcoast Regional Redevelopment Authority and the Loring Development Authority

(S.P. 48) (L.D. 127)  
(C. "A" S-15)

An Act To Amend and Clarify the Maine Uniform Securities Act

(S.P. 65) (L.D. 176)  
(C. "A" S-18)

An Act Concerning the Use of Tobacco Settlement Funds for Children's Health Care

(H.P. 140) (L.D. 180)  
(C. "A" H-10)

An Act To Electronically Issue Permits for Burning

(S.P. 118) (L.D. 285)  
(C. "A" S-14)

An Act To Amend the Representation on the Telecommunications Relay Services Advisory Council

(H.P. 213) (L.D. 304)

An Act To Amend the Charter of the Augusta Parking District

(S.P. 137) (L.D. 357)

An Act Concerning Hurricane Deductibles

(H.P. 302) (L.D. 452)  
(C. "A" H-17)

An Act To Eliminate Certain Data Collection Requirements of the Forest Health and Monitoring Program of the Division of Forestry

(H.P. 307) (L.D. 457)

An Act Regarding Maine Commercial Motor Carrier Safety Regulations

(S.P. 187) (L.D. 494)  
(C. "A" S-16)

An Act To Promote Dental Care for Low-income Populations

HOUSE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (4) **Ought to Pass as Amended by Committee Amendment "A" (H-20)** - Committee on **TRANSPORTATION** on Bill "An Act To Require That Motorcyclists Wear Helmets"

(H.P. 69) (L.D. 66)

TABLED - April 2, 2013 (Till Later Today) by Representative THERIAULT of Madawaska.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative Theriault.

Representative **THERIAULT**: Thank you, Mr. Speaker. With reference to LD 66, "An Act To Require That Motorcyclists Wear Helmets," again, as I said previously, I move the Ought Not to Pass Report. In summary, current law requires persons under 18 years of age to wear a helmet when operating a motorcycle or riding as a passenger on a motorcycle, as well as persons operating under a learner's permit, or within one year of completing a driving test and any passenger that's with that. The history of the motorcycle helmet laws in the U.S. are characterized by change. They changed in 1967. The Federal Government made it mandatory for all states who would receive federal funds for highways, that they would have to wear a helmet. In 1968, the State of Michigan challenged this and were able to change that law, so therefore, now as we stand, we have 19 states that require motorcyclists to wear helmets. Twenty-eight have laws such as the one that we have and some of them are 16 years of age and 18 years of age, riding as a passenger, they must wear a helmet. So if they are on a learner's permit, they must wear a helmet. So as we go, some of the people who testified on this bill in Transportation, every accident is different. Helmet use may not prevent injuries. All DOT approved helmets have a safety disclaimer above 15 miles per hour. Persons who testified against mandatory helmet law felt that most issues are the inadequacy of rider training. This law would also make it a \$500 fine if you were riding a motorcycle without a helmet. So as it is, with all due respect to the good Representative from Biddeford, Representative Beaudoin, I stand before you with the Ought Not to Pass Report. Thank you, Mr. Speaker.

Representative **FREDETTE** of Newport **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. 30**

YEA - Ayotte, Beaulieu, Bennett, Berry, Black, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chase, Chenette, Clark, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Plante, Pouliot, Priest, Reed, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Verow, Villa, Volk, Wallace, Weaver, Welsh, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Chapman, Chipman, Cooper, Dickerson, Hamann, Harlow, McLean, Monaghan-Derrig, Moonen, Powers, Pringle, Rankin, Rochelo, Rotundo, Rykerson, Sanborn, Stuckey, Werts.

ABSENT - Boland, Bolduc, Devin, Peoples, Peterson, Russell, Tyler.

Yes, 123; No, 21; Absent, 7; Excused, 0.

123 having voted in the affirmative and 21 voted in the negative, with 7 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-19)** - Committee on **TRANSPORTATION** on Bill "An Act To Prohibit the Use of a Handheld Mobile Telephone while Operating a Motor Vehicle"

(H.P. 71) (L.D. 68)

TABLED - April 2, 2013 (Till Later Today) by Representative **THERIAULT** of Madawaska.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

Representative **BEAUDOIN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. As the sponsor of this bill, I rise to speak in opposition to the pending motion and in support of the Minority Ought to Pass as Amended Report. I introduced this bill because I believe it could save lives, maybe even the life of someone you know. The science is absolutely clear about what happens when people use a handheld cell phone while driving. The drivers become distracted and the chance that they will cause a car accident goes through the roof – or maybe through the windshield. I have seen these drivers on my commute between Biddeford and Augusta. You can tell right away who they are, because they are drifting all over the road at inconsistent speeds. They are a danger to themselves, and they are a danger to all the other drivers and passengers around them. The previous Legislature banned texting while driving because they knew that you can't do two things at once when you're behind the wheel. In fact, people who use handheld cell phones while driving can often have slower reaction times than even drunk drivers. No wonder it's one of the leading causes of car accidents in the country. We as a body need to show that we are serious about road safety. Ten states have already banned the use of handheld cell phones. Putting this ban into place would send a clear message to drivers that they need to find safer alternatives. And there are many safer alternatives out there. If you feel the way I do about this, if you believe that we have a real chance here to improve road safety and save lives, please vote red to reject the Majority Ought Not to Pass Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative Theriault.

Representative **THERIAULT**: Thank you, Mr. Speaker. Again, with all due respect to the Representative from Biddeford, Representative Beaudoin, we are asking the Ought Not to Pass and basically what we're saying here is this bill makes the offense a traffic infraction. It clarifies and this is where we ran into our problem, that law enforcement officers, corrections officers, firefighters, drivers of emergency vehicles, holders of commercial driver's licenses, physicians, municipal public works personnel, Maine Turnpike Authority personnel, state transportation personnel including all employees and contractors of DOT may use the handheld mobile phones while driving within the covers of their work. So now as we stand, we currently restrict the use of phones to the most vulnerable populations, those are our young adults and new drivers, so therefore there are too many exceptions in this rule, in this law. That's why we are asking for the Ought Not to Pass. Thank you, sir.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Moriarty.

Representative **MORIARTY**: Thank you, Mr. Speaker. Mr. Speaker, Fellow Members of the House. I rise to support the Minority Report and I will be the first to admit that I am part of the problem. I use a cell phone when I drive. I do so because it's convenient and because I can. But I know that when I do, I am not devoting full attention to my driving and the public's safety is in jeopardy as a result. I can't tell you the number of close calls that I've had in my parking garage with fellow drivers who are travelling too fast and taking the corners too wide and almost colliding with me, and that's long before I get to the public streets. We all know what happens on the public streets. This is a legitimate safety issue. This may not be the time. The time may not have come for this bill to secure passage, but I believe that that day is coming shortly and I urge support for the Minority Report.

The SPEAKER: Before the House is the Acceptance of the Majority Ought Not to Pass Report. The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative **NUTTING**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise today to ask you to support the Majority Report. At first glance, this bill looks like a responsible thing to do. I think all of us get here by some motor vehicle in the morning for session, most of us by driving that motor vehicle. There are a number of different issues. I'd just like to share with you some of my thoughts.

First of all, we have a statute that prevents drinking and driving. That is clearly impaired. We heard testimony that texting while driving can be, in fact, more dangerous than driving with an alcohol level above .08. We did not, however, as you've been told hear that using a cellphone might be more dangerous than driving while intoxicated. Texting is a bill, we're dealing with a bill in Transportation now that will deal with texting. It may make the penalties for that more severe than they are now, because texting is literally like driving with your eyes closed. We know that if you, a fact that I learned in committee, is that if you're traveling at a rate of 60 miles an hour, that every second you travel 60 feet. If you're traveling 40 miles an hour, every second you travel 40 feet. If you are driving while texting or driving with your eyes closed, you have a problem. Distracted driving and texting are already illegal in this state. The key, I think, is that distracted driving doesn't matter so much why you're distracted. Whether you are hollering at the kids in the backseat, whether you are distracted by something going on in the roadside, whether you are distracted by talking on a cellphone, whether you are distracted by any number of things. You are able now to send text messages without using your hands, if you have the right phone. You talk into the phone and you send a text message. Technically, I suppose that is still against the law and that's something we might want to look at. We've all seen people talking on their cell phones and not paying attention to what they're doing. From my experience, most of those people are going really fast and then they're going really slow because they're not paying attention to what they're doing. But most people who talk on the cellphone, and you can talk on the cellphone now without using your hands, if you have the right cellphone. You can ask Siri on your iPhone to make a phone call. You don't need to use your hands, so there are different ways to do it.

One of the other things we heard is that using a hands free cellphone is no better than using a cellphone that you hold with your hand, and the reason for that is that cognitive awareness, you can only really do one thing at a time and do it right. You may think you're multitasking but you really can't. So you can't

talk on your cellphone and pay as much attention to driving as you could if you didn't have the cellphone. You can't talk to people. You can't listen to the radio. You certainly can't listen to a book on tape or a book on CD. I've tried that. I can't do that because I get to a point where I realize, oh, I've just missed a couple of pages because I was concentrating on driving, so I don't do that anymore. I don't think you can do that. You can't multitask. You can't do two things at once. In the testimony offered by the Maine Public Health Association, their executive director said, "The Legislature has already taken the step to ban texting and driving, and we urge you to pass LD 68 to prevent all forms of distracted driving." I agree, except the part about passing LD 68. We already have a bill about distracted driving. So if you can drive and not be distracted by hollering at your kids in the backseat or by noticing what's going on around you, or if you can talk on your cellphone without being distracted, you don't have a problem. So for every person that you see that's driving and talking on their cellphone and they're irritating you because they're not paying attention, there are probably 100 people who are talking on their cellphone and you don't even know it.

The law as presented to us exempted a whole host of individuals. It exempted municipal public works personnel, Maine Turnpike Authority personnel, state transportation personnel including all employees and contractors of the department, drivers of authorized emergency vehicles, physicians, holders of commercial driver's licenses. We've heard already from the Nurses Association, and don't you think there will be more? People who spend their lives driving around in their car and are able to talk on their cellphone, either handheld or without holding it in their hand, and do so safely. I had the opportunity last summer to spend the day with a Maine state trooper on the interstate in the front seat, not in the back seat. If any of you have a chance to do that, I urge you to do that. One of the things I noticed is we never passed a car that was pulled over on the interstate and stopped in the breakdown lane, and it was their policy to stop and see what was wrong. So can you imagine if we pass a law now that says that you can't talk on the phone, you can't talk on a phone and hold it while you're driving and you're going down the turnpike and you get a call that you've been expecting, that you've been waiting for, and instead of taking the call and driving safely, if you were able to do that, you pull over to the side. I suggest that we will see numerous calls along the side of the road, and I submit to you that talking on a cellphone is not inherently dangerous but parking on the side of the turnpike with cars going by you at 60 or 70 or more is inherently dangerous. So I urge you today to vote with the majority of the Transportation Committee because we already have a law that deals with distracted driving. If you can't talk on your phone and drive, then don't do it. If you do it and you're weaving and you're caught, you will be issued a summons. In order for this law to work, you would also have to be seen by a police officer driving distracted with your cellphone and you'd have to be summonsed. So the key is you need somebody to catch you doing it and I think that there are more people who are able to drive and talk on their cellphone than people who are not. I think we will get to meet them if we don't pass this Majority Ought Not to Pass Report. Thank you, Mr. Speaker.

Representative **KNIGHT** of Livermore Falls **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

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. 31**

YEA - Ayotte, Beaulieu, Beck, Bennett, Berry, Black, Brooks, Campbell J, Campbell R, Carey, Chapman, Chenette, Clark, Cray, Crockett, Davis, DeChant, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Kaenrath, Keschl, Kinney, Kumiega, Kusiak, Lajoie, Libby A, Lockman, Long, Longstaff, Luchini, MacDonald S, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, Monaghan-Derrig, Moonen, Morrison, Nadeau A, Newendyke, Noon, Nutting, Parry, Pease, Plante, Pouliot, Powers, Priest, Reed, Russell, Sanderson, Saucier, Saxton, Shaw, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Turner, Verow, Villa, Volk, Weaver, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Briggs, Casavant, Cassidy, Chase, Chipman, Cooper, Cotta, Daughtry, Dickerson, Evangelos, Gideon, Gifford, Harlow, Jones, Jorgensen, Kent, Knight, Kornfield, Libby N, MacDonald W, McLean, Moriarty, Nadeau C, Nelson, Peavey Haskell, Pringle, Rankin, Rotundo, Rykerson, Sanborn, Schneck, Short, Stuckey, Treat, Wallace, Welsh.

ABSENT - Boland, Bolduc, Crafts, Devin, Kruger, Peoples, Peterson, Rochelo, Tyler.

Yes, 104; No, 38; Absent, 9; Excused, 0.

104 having voted in the affirmative and 38 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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SENATE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (S-12)** - Committee on **TAXATION** on Bill "An Act To Provide a Sales Tax Exemption to Incorporated Nonprofit Performing Arts Organizations"

(S.P. 47) (L.D. 126)

- In Senate, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-12)**.

TABLED - April 3, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Representative GOODE of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Priest.

Representative **PRIEST**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I urge you not to Accept the Majority Ought Not to Pass Report. This is an economic development issue for at least my town, Brunswick, and the immediate area. We have a lot of performing arts groups there and they are integral to our economy. I'm sure that's true for many of you other Representatives, especially those along the coast and some of you inland. This is an important issue and it's an issue which I hope you will give careful consideration to, so I would urge you to not support the Ought Not to Pass Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker. I rise to speak against the motion to Accept the Majority Ought Not to Pass Report. In a previous life, I was a theatrical performance artist who toured the country and presented works at many small nonprofit theaters. Nonprofit performing arts organizations play a vital role in educating their communities, especially young children, through the arts. With federal and state funding for the arts virtually nonexistent these days, many small nonprofit performing arts organizations, which are in fact small businesses, must operate on budgets thinner than strands of hair. As for the Theater at Monmouth where I serve on the board of trustees, the sales tax puts a strain on our operation and becomes confusing to our patrons because we must charge sales tax on our tickets. Patrons simply do not understand why a tax exempted nonprofit organization must pay sales tax on the things it purchases or charges sales tax on tickets. I remain unsure why tax exempted performing arts organizations are treated as for profit performing arts organizations simply because they provide live entertainment to their communities. I believe that all incorporated tax-exempt organizations should be treated equally, including those that offer theatrical performances and arts education programs to both students and adults in their communities. Therefore, I humbly ask that you do not support the Majority Ought Not to Pass Report and support the performing arts in Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I also rise in opposition to the Majority Ought Not to Pass Report. As a member of the Taxation Committee, I am well aware that our state has way too many tax exemptions that amount to a lot of backdoor spending that really affects our budget negatively; however, this is not a new tax exemption. Maine already provides a sales tax exemption for visual arts, literacy and historical organizations, and it's a little odd that our state provides a tax exemption for visual arts organizations but not performing arts organizations. So I say this is not a new tax exemption, this is just extending this tax exemption to treat all arts organizations fairly and that's what we should be doing if we are going to have such an exemption. So I ask you to reject the Majority Ought Not to Pass Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Daughtry.

Representative **DAUGHTRY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Majority Ought Not to Pass motion. This bill is crucial for my district. We have a thriving creative economy. We're home to the Bowdoin International Music Festival, the Maine State Music Theater, The Theater Project and many other organizations. In fact, I was able to move back to my hometown because of our creative economy. It's a thriving place and I'm able to actually make a living as an artist, and that's why I see this bill as so crucial. Really, I think it comes down to fairness. All other arts and education nonprofits are sales tax exempt. Performing arts groups provide the same services, educating the public about their shared history and culture but are not treated equally when it comes to taxation. Even if you believe that the tax code needs to be overhauled and nonprofit tax exemptions reconsidered, it's only right that the equivalent entities be treated equally under the law. It's also about economics. Nonprofits do not generate profits. They plow most of their revenues into mission driven programs. Revenues contributed to the organizations so they can provide services to the public that are

instead paid as taxes cannot be used to provide services. This translates into jobs for people who deliver these services. It's a small financial impact but in talking to the Bowdoin International Music Festival, this could mean the difference of having a part-time employee to a full-time employee. This bill could have a real implication of creating jobs in the arts, which is something I am devoted to. So I encourage you to vote against the pending motion, the Majority Ought Not to Pass. Thank you.

Representative BROOKS of Winterport **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Goode.

Representative **GOODE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to rise to provide a perspective of those on the Majority Report. Folks speaking in favor of the Minority Report have done a good job explaining what the bill does. It simply adds a sales tax exemption to nonprofit performing arts. A current exemption exists for visual arts, cultural, literacy-type programs. I think for a lot of folks in the committee, myself included, who support the arts, care about the arts, often participate in the arts, while they supported the intent of this bill and support the sponsor's goals, there is a cost to the state budget. It is very minimal. It is \$60,000. So this would, most likely, if it would pass this body, go to the Appropriations Table. We could send this to the table and the committee has been very diligent and committed around staying focused around issues around the state budget, not sending many issues to the table, and the majority of the committee felt like this issue did not rise to a level where it would be competing against many of the proposals in the current budget around the property tax shift, and that many of the proposals that we're working on today in committee and all spring would have very negative impacts to everybody in the state around a negative shift towards property taxes and sending this to the table either is going to compete with attention around stopping that shift or just simply lead on the folks that would likely benefit from this proposal. So I'm definitely respectful of all the folks who supported the other report and the sponsor for his interest in this bill, but I just wanted to provide another perspective before we vote.

The **SPEAKER**: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. A wise man once said that a culture can be judged by how well it treats its artists. We don't treat our artists very well in this culture and we must remember that performing arts organizations offer vital, vital services to children and educational programs. As we discuss so many ways that we are cutting back on education, I do not believe that this is another way that we should do that. Thank you.

Representative McCABE of Skowhegan **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**: The Chair recognizes the Representative from Portland, Representative Stuckey.

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. There are in the tax expenditures credits and exemptions to the income, sales and excise taxes in this state, more foregone revenue than there is in the entire General Fund budget. And while I am very, I guess in support of the intention of this bill, until we get a handle on tax

expenditures and how they are reviewed, I can't see adding any more to the list. If we could come up with a way to insist that rather than just a report from the Maine Revenue Services on what those expenditures are, that we had a way of vetting them and reviewing them with the same level of scrutiny that we do with the General Fund expenses and that budget, then I think I would feel differently when issues like this came up. But absent that commitment from this body to review that tax expenditure report, I am not feeling I can add more to that. Thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Winterport, Representative Brooks.

Representative **BROOKS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have a great amount of respect for my colleague from Portland and his concern about this bill, and I will remind him and all members of the House that we do have a way to scrutinize all the gritty on Taxation. We sat through the presentation on this and I was encouraged, personally, to vote the other way because of the low tax commitment that this makes, 60 is what was reported by my House Chair. The other thing I want to say is I almost always follow the House Chair's decision and his light. In this case, I am going to follow the Senate Chair's light, who I believe voted against this and voted in the minority. If we are going to give tax reports that are to the committees like any other Joint Standing Committee, then I think we should pay attention to them. I'm opposed in almost every case of increasing more exemptions to the tax, but in this particular case, I think this is a worthy cause. I would love to see it go to the Appropriations Table and let them decide at that point at the end of the session whether it's a good idea. When I worked for a long time in the City of Belfast, I watched the City of Belfast's culture change dramatically. They were, as many of you will recall, the poultry capital of the world and when the poultry industry started to die, they were stretching for an existence, a future, a way to survive, and along came the credit card company. Now I'm not basing my decision on MBNA or what followed, but I am basing my decision on what happened to that community, and the folks that moved in and took over the jobs that were offered brought with them a need for more arts and culture in the community. Today, that community survives not on the poultry industry but on the new ideas that it brought to the City of Belfast. I think this is a good investment and I am going to vote against the motion. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Brunswick, Representative Priest.

Representative **PRIEST**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. Representative Stuckey has an interesting idea, but I would remind you that there needs to be an overall look at all tax exemptions if you are going to say we're not going to do any more tax exemptions. I would say that, in my own case, we go to the Maine State Music Theater and Portland Stage in Portland, and I know the jobs that are provided there and the economic benefits that that has just for Portland and for Brunswick. There are many more throughout the state. If you are going to give tax exemptions for visual artists, you ought to do the same thing for performing artists. Again, this is an economic development issue which will pay many dividends in the long run, but obviously will have to go to the Appropriations Table and compete. I think it can do that, it can do it successfully, so I urge you not to vote against the pending motion and to support the Minority Report. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Woolwich, Representative Kent.

Representative **KENT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise against the

motion Ought Not to Pass. As an artist myself for the years I have lived in Maine and in different cities around the country, I have watched a well-supported arts economy lift neighborhoods and towns out of depression, out of poor economies, out of dead neighborhoods. I think we really need to put money into our arts economy. I think people have to realize it is in fact an economy and it is a really powerful driver. Thank you.

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. 32**

YEA - Beaudoin, Beaulieu, Beck, Bennett, Berry, Black, Briggs, Campbell R, Carey, Chase, Clark, Crafts, Cray, Davis, Dion, Doak, Dunphy, Duprey, Espling, Farnsworth, Fitzpatrick, Fredette, Frey, Gattine, Gifford, Gillway, Goode, Grant, Harvell, Herbig, Hubbell, Jackson, Johnson D, Johnson P, Jorgensen, Keschl, Kinney, Knight, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, Maker, Malaby, Marean, Marks, Mastraccio, McCabe, McClellan, McElwee, McLean, Moriarty, Nadeau A, Nadeau C, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Plante, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Sanborn, Sanderson, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Treat, Turner, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Ayotte, Beavers, Boland, Brooks, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Crockett, Daughtry, DeChant, Dickerson, Dill, Dorney, Evangelos, Fowle, Gideon, Gilbert, Graham, Guerin, Hamann, Harlow, Hayes, Hickman, Hobbins, Jones, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, MacDonald W, Mason, McGowan, Monaghan-Derrig, Moonen, Morrison, Nelson, Noon, Pouliot, Powers, Priest, Rykerson, Saucier, Saxton, Schneck, Short, Tipping-Spitz, Verow, Villa, Welsh, Werts.

ABSENT - Bolduc, Campbell J, Cotta, Devin, Peoples, Peterson, Shaw, Tyler.

Yes, 88; No, 55; Absent, 8; Excused, 0.

88 having voted in the affirmative and 55 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

**CONSENT CALENDAR**

**First Day**

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

(S.P. 222) (L.D. 632) Bill "An Act To Improve Enforcement Mechanisms to the Elver Industry and To Make Technical Changes to Maine's Marine Resources Laws" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-23)**

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

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, April 4, 2013, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing the Marshwood High School Wrestling Team, of South Berwick

(SLS 141)

- In Senate, **READ** and **PASSED**.

TABLED - April 3, 2013 (Till Later Today) by Representative BEAVERS of South Berwick.

PENDING - **PASSAGE**.

Subsequently, the Sentiment was **PASSED** in concurrence.

Expression of Legislative Sentiment Recognizing Brett Gerry, of South Berwick

(SLS 142)

- In Senate, **READ** and **PASSED**.

TABLED - April 3, 2013 (Till Later Today) by Representative BEAVERS of South Berwick.

PENDING - **PASSAGE**.

Subsequently, the Sentiment was **PASSED** in concurrence.

Expression of Legislative Sentiment Recognizing Cody Hughes, of South Berwick

(SLS 143)

- In Senate, **READ** and **PASSED**.

TABLED - April 3, 2013 (Till Later Today) by Representative BEAVERS of South Berwick.

PENDING - **PASSAGE**.

Subsequently, the Sentiment was **PASSED** in concurrence.

Expression of Legislative Sentiment Recognizing Matt Rix, of South Berwick

(SLS 144)

- In Senate, **READ** and **PASSED**.

TABLED - April 3, 2013 (Till Later Today) by Representative BEAVERS of South Berwick.

PENDING - **PASSAGE**.

Subsequently, the Sentiment was **PASSED** in concurrence.

Expression of Legislative Sentiment Recognizing Tyler Davidson, of South Berwick

(SLS 145)

- In Senate, **READ** and **PASSED**.

TABLED - April 3, 2013 (Till Later Today) by Representative BEAVERS of South Berwick.

PENDING - **PASSAGE**.

Subsequently, the Sentiment was **PASSED** in concurrence.

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-23)** - Committee on **TRANSPORTATION** on Resolve, To Direct the Department of Transportation To Provide Signs on Interstate 95, on Interstate 395 and in the City of Brewer for the Underground Railroad Memorial at Chamberlain Freedom Park

(H.P. 237) (L.D. 332)

TABLED - April 3, 2013 (Till Later Today) by Representative THERIAULT of Madawaska.



PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Representative FREDETTE of Newport **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: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise today in opposition to the motion before us and at this point, I'd like to share a story. When we were all growing up, we always had stories of places that we passed as we went to town. There was a place in Brewer that we all heard of as a place where slaves were kept by night as they were fleeing to freedom. It was called the Christmas House. Soon, that story evolved and there was a summer kitchen that had been taken off this big brick house that sat on the hill just above the bridge that crossed the river, on the corner of North Main Street and State Street in Brewer. The story goes that the owners of the house at the time, the Holyoke family, were early abolitionists. The wife was from Virginia. He was in the shipping business. On the river, there was a pier called the Freedom Wharf and it was told that they stored the slaves in the northeast corner of the attic by day. Well, there was a new bridge proposed, the intersection was changed, and if you look at the intersection now, the house would sit at the level of the streetlights high over the intersection. The only thing that was left was a driveway. The Brewer brick house, Brewer was renowned internationally for making bricks, was gone. The Holyoke house was gone. The day after the house was razed, the contractor came to the president of the Brewer Historical Society with a shirt. It was a slave style shirt and it was found in the northeast corner of the attic. We lost the house, but we had the shirt. They were constructing the site, again only the driveway that was left, and as soon as we launched our historical site, I went to Gettysburg and did my independent study of Little Round Top. I brought the characteristics of Little Round Top, the military breastworks, the ridge breastworks, Oates Boulder that was the high marker of the Confederacy that almost collapsed the line, as you know the story of the 20th Maine and how they saved the Union by holding the line. So we were shaping this site, had help from a lot of contractors, the State of Maine, and we improved the site through an interpretive park, the Joshua Chamberlain Freedom Park. It was a wet spring and the site was all marine clay, that blue clay that just slips away with water, and we had a hard time keeping that slope. In my observation of Little Round Top, there was the observatory and then there was the little ridge that the 20th Maine held, we slipped them together and the big face that we were trying to hold with big boulders looked similar to Little Round Top as you look down across the field to Devil's Den. We shaped the site from the bottom, we were coming down from the top at 4 o'clock in the afternoon and we excavated the side of the hill and we found a shaft. This shaft, way back when, as I started the story, for the Christmas House was the vertical shaft that led the slaves through an underground shaft to the riverbank. That shaft was 30 inches round. It was constructed like a well. We had the experts from Augusta come and tell us "Oh, it's just a well." We lost the brick house. We found a slave shirt. It was just a well. We were about to lose the story.

It was a story because it was oral tradition. It was oral tradition because there was a secret. It was illegal to support slaves on their flight to freedom. This, like Oates Boulder on Little Round Top, was the high water mark. The next stop was

Canada and freedom. We then proceeded to raise more money and the shaft, which was in the summer kitchen that had been moved, landed two feet off the sidewalk in this new construction. This new intersection swept down and, as you stood on the sidewalk, you could look down in the shaft with pegs in it. Wow, what a find. So we decided to see if we could explore it. We put 1,000 gallons of water into the shaft. It had a dye so it was colored, expecting it to flow to the river. It didn't, but it stood one inch. It went somewhere. Again, oral tradition tells us that this was the site of an underground railroad. The brick house, the history of the occupants, the traditions of the time. Across the river, Hannibal Hamlin, another abolitionist, Vice President under Lincoln. There is a lot of history in Maine. There is a lot of history in the Penobscot Valley. There is a lot of history in this site. We've tried before to put signs on the interstate and it didn't pass, as this has suggested, but we did get in that bill, in 2000, the Legislature in its wisdom passed this as the official Maine Underground Railroad site. So we have a slave shirt. We have a shaft. We have a statue. The statue is called "North to Freedom." The statue is rising up out of that shaft, leaning north and looking south. It's a very moving experience to look down that shaft and see the troubles, the struggles that humanity had to get to freedom. In this bill, we are only asking that we have signs so we not keep this a secret. This has been a secret for too long; 150 years we've been telling this story. Maine is proud to have been a part of helping the slaves get to freedom. I urge you oppose this motion and go on to Accept the Minority Ought to Pass. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Verow.

Representative **VEROW**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I was one of three members of the Transportation Committee who voted in favor of the Minority Ought to Pass Report. This bill directs the Department of Transportation to provide signage on Interstate 95, on Interstate 395 and in the City of Brewer for the Underground Railroad Memorial at Chamberlain Freedom Park. Chamberlain Park is located at the intersection of State and North Main Streets in Brewer. The park is on the site where abolitionist John Holyoke lived and evidence shows it was a station of the Underground Railroad. The site was acquired by the Maine Department of Transportation in connection with a widening of State and North Main Streets when the Penobscot Bridge was replaced with a new bridge. On this site was constructed a reproduction of Little Round Top, the key flank of the Gettysburg Battlefield in the Civil War. Little Round Top was under the command of General Joshua L. Chamberlain, one of Maine's most prominent forefathers. Chamberlain was born in the City of Brewer. The house of his birth is on North Main Street, a short distance from the park that bears his name. It is the house that many visitors to Maine find their way to as part of their quest for history and discovery of notable places connected with the great men and women of Maine's history. Chamberlain left Brewer to command the 20th Maine Volunteers in the Union Army. Later he was elected Governor of Maine and then President of Bowdoin College. He was a great leader of men as a General, our Governor and President of Bowdoin College.

In Chamberlain Freedom Park, there is a statue of him and a statue of a slave emerging from the underground tunnel. This is an important Maine historic site. On this site, at this park, each year on June 19, there is a Juneteenth celebration. This celebration is in recognition of that date, June 19, 1865, the date when the last state, Texas, declared slavery illegal thus bringing to an end an ugly chapter in U.S. history. In addition to the Juneteenth celebration, this year also marks the 150th year of the

Battle of Gettysburg. We anticipate that the two events will bring many people to Brewer, Maine, to honor these two important events. To assist visitors to locate Chamberlain Freedom Park, signage along I-95 and I-395 would be of great importance. Passage of LD 332 would provide for such signage. Adding signage along highways is a matter of concern and caution to all of us on the Transportation Committee. We have had many requests for signs up and down both 95 and the Maine Turnpike. In the case of the request for signage for Chamberlain Freedom Park, there is, I believe, an option to adding signage. I might suggest that the two signs on 95 for Bangor Theological Seminary be removed as the Seminary has closed. Those two signs could be removed and replaced with signs for Chamberlain Freedom Park. By choosing this, we would not be adding more signage, just replacing existing signs with new signs. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative Theriault.

Representative **THERIAULT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Representative Campbell and Representative Verow make a very good case. This is a great historical site, no doubt. During our committee meetings in Transportation, DOT personnel who testified that this sign would be in nonconformance with the national guidelines set forth in the Manual on Uniform Traffic Control Devices. Although it is easy to say this is one little sign, our experience is that this is a slippery slope. There are several requests for signage each year. This year, we may have as many as 15 or more. Many made good sense, but we must establish a sensible approach to signs first rather than continue the current ad hoc method. The Federal Government is currently working on sign guidelines for federal highways and we should wait until that work is completed before adding new signage. The report should be out this fall. We want to be consistent with all requests and at this time ask you to vote with the Majority Report, Ought Not to Pass. Thank you, ladies and gentlemen.

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

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I hadn't intended to speak today but sitting in the room listening to this discussion I figured I would rise and sort of say what's on everyone's mind and to paraphrase Les Emmerson, sign, sign, everywhere a sign, blocking out the scenery, breaking my mind. Don't do this, don't do that, can't you read my sign?

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In 1858, Abraham Lincoln was involved in a senatorial race in Illinois. He had come back from a few years in exile, brought there by the Kansas-Nebraska Act, and while he was there in southern Illinois in one of the seven debates with Stephen Douglas, he actually mentions Maine because, at the time, Maine was one of the states that allowed for African Americans to run for public office and potentially hold public office. Maine has had a history of opposition to slavery from its inception and this bill, allowing this sign, merely demonstrates that once and for all. We have the Arnold Trail; let's talk about the Underground Railroad.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Brooks.

Representative **BROOKS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Winterport. Guess what we have in Winterport? We have some of those underground tunnels that come up from the riverbank. Yes,

Winterport was part of that Underground Railroad, but not to the significance that Brewer has, particularly with our hero, Chamberlain. I, too, am going to vote against the Majority Ought Not to Pass, even though it is the interstate and even though it does have regulations on signs. As I recall and I'm not absolutely certain and I might have 150 of you tell me I'm wrong, I thought there was a sign about Fort Knox somewhere on the interstate. I was on the board of directors of Fort Knox for a while. You know, not a shot was fired? They built it to protect Bangor, etcetera, and it is a memorial for everybody. It's a wonderful, wonderful fort to visit and it really didn't see much action or any action, but sure Brewer did. There were lots and lots and lots of folks who were saved from slavery, who came up the tunnels in Winterport and I suspect a lot of places along the Penobscot River, at least, and escaped to Canada. I think we ought to have a sign telling them where to go. Thank you.

The SPEAKER: The Chair recognizes the Representative from Greenville, Representative Johnson.

Representative **JOHNSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I did not intend to speak on this bill today and I fully understand the bureaucracy surrounding signs on the interstate. However, I think this period in Maine history is so significant that we ought to break the rules and have a sign there. I've had the opportunity to dedicate or rededicate several veterans monuments throughout Piscataquis County over the past decade and the thing that has struck me is that in each of these little towns you will see the honor roll, or as they used to call it, the roll of honor, that includes the Civil War. In my little town, it has 1,600 people. They sent 127 to the Civil War. In the Town of Abbot, they have a Civil War monument there. It was dedicated, I believe, sometime in the early 1900s. But the story of the original dedication of that Civil War monument included a group of veterans that outnumber the population of today's Town of Abbot. I think this is a significant occurrence and I think the sign ought to coincide with federal guidelines as soon as they get them out, but I would put it out and if it requires a change, change the doggone sign.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I had no intention of speaking on this bill, but I would be remiss if I stayed in my seat so I rise to say when I moved to Maine 10 years ago, I sat down at a bar in my Town of Winthrop and the gentleman next to me said, "Did you know that the hill over there used to be called Nigger Hill?" I said, "I did not." I said, "Why?" He said, "Because the Underground Railroad ran through here." So in my town, if you were born when that part of my town was called that, that town was actually on your birth certificate. It said that you were born in "Nigger Hill, Winthrop, Kennebec County, Maine." In 1972, the State of Maine elected its first African American State Representative Gerald E. Talbot, and he moved through this Legislature a bill that would remove all racial place names from the map. My house, Annabessacook Farm, used to be on the Underground Railroad. In the basement of my house, there is a well that the good Representative, who first spoke, spoke of. So while I understand the details about the signage and the fact that they are not going to be compliant with federal law, I say that if we are going to know our history and we must know where we came from in order to move forward, I believe we should vote against the Majority Ought Not to Pass Report. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. As a State Legislature, as a state, the argument that I hear in support of the motion of Ought Not to Pass is that we need to wait for the Federal Government possibly to promulgate some rules. I believe in the Tenth Amendment, which says that which is not strictly delegated to the national government is reserved to the state. We have the power to do this. We should have the courage to do this. Waiting and yielding to the Federal Government on whether or not we want to recognize the Underground Railroad is an abdication of our responsibility. Not to do this is a sin of silence. We must defeat this motion and recognize the Underground Railroad.

The **SPEAKER**: The Chair recognizes the Representative from Glenburn, Representative Guerin.

Representative **GUERIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Perhaps the "don't do this, don't do that" quote heard in this House today is the most appropriate comment I have heard on this Ought Not to Pass Report. I will be voting red on this Ought Not to Pass.

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Carey.

Representative **CAREY**: Thank you, Mr. Speaker. On the suggestion before that the Tenth Amendment is implicated, I suggest the Interstate Highway System has appropriate authorization under the Constitution.

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. 33**

**YEA** - Beck, Berry, Carey, Daughtry, DeChant, Dion, Evangelos, Fowle, Frey, Gattine, Gideon, Gillway, Goode, Graham, Grant, Herbig, Hobbins, Hubbell, Jorgensen, Kruger, Kumiega, Lajoie, Libby N, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McLean, Moonen, Nelson, Parry, Plante, Powers, Priest, Rankin, Rochelo, Rotundo, Sanborn, Saucier, Theriault, Tipping-Spitz, Treat, Welsh, Werts, Mr. Speaker.

**NAY** - Ayotte, Beaudoin, Beaulieu, Beavers, Bennett, Black, Boland, Briggs, Brooks, Campbell J, Campbell R, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Davis, Dickerson, Dill, Doak, Dorney, Dunphy, Duprey, Espling, Farnsworth, Fitzpatrick, Fredette, Gifford, Gilbert, Guerin, Hamann, Harlow, Harvell, Hayes, Hickman, Jackson, Johnson D, Johnson P, Jones, Kaenrath, Keschl, Kinney, Knight, Kornfield, Kusiak, Libby A, Lockman, Long, Longstaff, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, McGowan, Monaghan-Derrig, Moriarty, Morrison, Nadeau A, Nadeau C, Newendyke, Noon, Nutting, Pease, Peavey Haskell, Pouliot, Pringle, Reed, Rykerson, Sanderson, Schneck, Short, Sirocki, Stanley, Stuckey, Timberlake, Turner, Verow, Villa, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

**ABSENT** - Bolduc, Devin, Kent, Peoples, Peterson, Russell, Saxton, Shaw, Tyler.

Yes, 47; No, 95; Absent, 9; Excused, 0.

47 having voted in the affirmative and 95 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative **THERIAULT** of Madawaska, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-23)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, April 10, 2013.

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**ENACTORS**

**Emergency Measure**

An Act To Enact Measures To Improve Enforcement Mechanisms in the Elver Industry

(S.P. 222) (L.D. 632)

(C. "A" S-23)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 135 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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**SENATE PAPERS**

Bill "An Act Regarding School Administrator Effectiveness"

(S.P. 469) (L.D. 1350)

Bill "An Act To Further Reduce Student Hunger"

(S.P. 472) (L.D. 1353)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

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Bill "An Act To Enhance Maine's Economy and Environment"

(S.P. 482) (L.D. 1375)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

**REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

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Bill "An Act To Update and Simplify Maine Gasoline Requirements"

(S.P. 478) (L.D. 1359)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

**REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

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Bill "An Act To Allow a Person To Hunt with a Crossbow during the Archery-only Deer Season"

(S.P. 481) (L.D. 1374)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

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Bill "An Act To Protect Cellular Telephone Privacy"

(S.P. 484) (L.D. 1377)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

**REFERRED** to the Committee on **JUDICIARY** in concurrence.

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Bill "An Act To Attract Military Families to Maine"  
(S.P. 470) (L.D. 1351)

Bill "An Act To Provide Integrated Community-based Employment and Customized Employment for Persons with Disabilities"  
(S.P. 471) (L.D. 1352)

Bill "An Act To Amend the Motor Fuel Distribution and Sales Act"  
(S.P. 479) (L.D. 1360)

Bill "An Act To Update the Polygraph Examiner Licensing Laws"  
(S.P. 480) (L.D. 1373)

Bill "An Act To Ensure the Choice of a Pharmacy for Injured Employees under the Workers' Compensation Act of 1992"  
(S.P. 483) (L.D. 1376)

Resolve, To Establish a Consistent Workers' Compensation Classification for Pharmacies  
(S.P. 487) (L.D. 1380)

Bill "An Act To Promote Rural Job Creation and Workforce Development"  
(S.P. 488) (L.D. 1381)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

**REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

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Bill "An Act To Support Maine Businesses through State Purchasing"  
(S.P. 476) (L.D. 1357)

Resolve, Authorizing the Sale of the Guy P. Gannett House in Augusta to a Nonprofit Organization for Use as a Museum  
(S.P. 485) (L.D. 1378)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

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Bill "An Act Regarding the Valuation of Certain Vehicles"  
(S.P. 486) (L.D. 1379)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

**REFERRED** to the Committee on **TAXATION** in concurrence.

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Bill "An Act To Improve the Statutes Governing Road Associations"  
(S.P. 475) (L.D. 1356)

Bill "An Act To Provide Toll Discounts to Maine Commuters on the Maine Turnpike"  
(S.P. 489) (L.D. 1382)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

**REFERRED** to the Committee on **TRANSPORTATION** in concurrence.

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Bill "An Act To Increase the Monetary Limit for Card Games"  
(S.P. 474) (L.D. 1355)

Bill "An Act To Amend the Election Laws To Require a Run-off Election for Governor"  
(S.P. 477) (L.D. 1358)

Came from the Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

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The **SPEAKER**: The Chair recognizes the Representative from Mexico, Representative Briggs, who wishes to address the House on the record.

Representative **BRIGGS**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. In reference to Roll Call No. 28, on LD 597, had I been present, I would have voted yea. Also, in reference to Roll Call No. 29, on LD 315, had I been present, I would have voted yea.

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

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On motion of Representative HICKMAN of Winthrop, the House adjourned at 12:32 p.m., until 10:00 a.m., Wednesday, April 10, 2013.