

# 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  
31st Legislative Day  
Wednesday, April 10, 2013

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

Prayer by Reverend Peter B. Panagore, First Radio Parish Church of America, Portland.

National Anthem by Mount View Chamber Singers, Mount View High School, Thorndike.

Pledge of Allegiance.

Doctor of the day, David Jones, MD, FAAFP, Presque Isle.

The Journal of yesterday was read and approved.

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**SENATE PAPERS**

Bill "An Act To Increase the College Graduation Rate in Maine"

(S.P. 466) (L.D. 1332)

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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**Non-Concurrent Matter**

Bill "An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects"

(H.P. 922) (L.D. 1295)

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in the House on April 2, 2013.

Came from the Senate **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

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

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**Non-Concurrent Matter**

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

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

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in the House on April 9, 2013.

Came from the Senate **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in **NON-CONCURRENCE**.

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

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**COMMUNICATIONS**

The Following Communication: (H.C. 124)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

April 9, 2013

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to my authority under House Rule 201.1 (l) (a), I have temporarily appointed Representative Jane P. Pringle of Windham to the Joint Standing Committee on Health and Human

Services for the duration of the absence of Representative Matthew J. Peterson of Rumford effective immediately.

Please do not hesitate to contact me should you have any questions regarding this temporary appointment.

Sincerely,

S/Mark W. Eves

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 125)

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

April 10, 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 Veterans and Legal Affairs has approved the request by the sponsor, Representative Schneck of Bangor, to report the following "Leave to Withdraw":

L.D. 1317 An Act Related to Rent Escrow

Sincerely,

S/Millicent M. MacFarland

Clerk of the House

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

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The Following Communication: (S.P. 490)

**TOWN OF LOVELL  
SELECTMEN'S OFFICE**

Whereas, the Governor's biennial budget proposal places the town in an uncertain fiscal position during our 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 the 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, now, therefore, be it Resolved, that the Town of Lovell 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. Resolution passed 3/26/2013.

Thank you for your consideration.

S/John Ramsden, Selectmen

Came from the Senate, **READ and REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

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

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The Following Communication: (S.P. 491)

**TOWN OF GREENWOOD  
RESOLVE**

REGARDING GOVERNOR'S PROPOSED BUDGET

By the Greenwood Board of Selectmen on April 2, 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 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, now, therefore, be it Resolved, that the Town of Greenwood 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.

S/Fred Henderson, Chair of Board

S/Arnold Jordan, Selectmen

S/Amy Chapman, Selectmen

Came from the Senate, **READ** and **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

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

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The Following Communication: (S.P. 492)

**RESOLUTION OF THE M.S.A.D. NO. 75 BOARD OF  
DIRECTORS**

Unanimously approved by the M.S.A.D. No. 75 Board of  
Directors

at its March 28, 2013, regular meeting

Whereas, public education is integral to the viability and sustainability of the Maine economy by providing for the intellectual and physical development of the children and young adults of our state; and

Whereas, a well-resources and high-performing public school system is consistently recognized as the most influential motivator for businesses, research and development activities, and young families to relocate to Maine; and

Whereas, in recognition of the importance of a sustainable, high-performing public education system, Maine voters overwhelmingly approved a referendum requiring the State of Maine to fully fund 55% of the costs of K-12 public education; and

Whereas, the State of Maine has reneged on its share of funding for the public education by over \$500 million since 2008 in direct violation of the letter and spirit of the 2004 referendum; and

Whereas, local municipalities have been forced to react to the systemic State underfunding of its public K-12 education system by drastic cuts in personnel, programs, and services, and continual increases to local property taxes; and

Whereas, the proposed State budget for the 2014-2015 biennium currently before the Maine State Legislature cuts the popularly-mandated State funding for public K-12 education even further by extending the 2012-13 curtailment of \$12.56 million into each of the next two years; and,

Whereas, the proposed State budget for the 2014-2015 biennium currently before the Maine State Legislature shifts an additional \$29 million in retirement costs from the state to the local school districts for each of the next two years, with the promised 50% reimbursement provided arbitrarily and inequitably among school units; and

Whereas, the current proposed State budget for the 2014-2015 biennium eliminates key property tax reduction provisions for individual homeowners, and suspends the current State revenue sharing program with municipalities, for the next two years, thus adding to the increase in the local property tax burden; and

Whereas, if the proposed biennial budget before the Maine State Legislature is adopted in its current form, M.S.A.D. No. 75 will be forced to take further drastic actions to balance its budget by laying off educators, reducing personnel, cutting programs and services, and asking the families of Bowdoin, Bowdoinham, Harpswell, and Topsham to pay even more in property taxes to make up from the shortfall from the State;

Now, therefore, be it resolved that:

The M.S.A.D. No. 75 Board of Directors calls upon the legislators of both parties to fully fund our public schools as expressed by the will of the citizens of Maine in the 2004 referendum by providing the required 55% of the cost of public education in Maine as defined by the Essential Programs and Services model in use at the time of the referendum; and

The M.S.A.D. No. 75 Board of Directors calls upon the legislators of both parties to reject the provision in the proposed biennial budget to shift pension payments onto local cities and towns; and

The M.S.A.D. No. 75 Board of Directors calls upon the legislators of both parties to reject the provision in the proposed biennial budget to eliminate property tax reduction provisions, and to suspend revenue sharing with municipalities; and

Be it finally resolved, that the M.S.A.D. No. 75 Board of Directors calls upon the Maine State Legislature to raise additional required state revenue in an equitable fashion in order to fund the mandated level of State support for public K-12 education.

Signed this 28th day of March, 2013:

S/Joanne Rogers, Chair, Board of Directors

S/Scott McKernan, Vice-Chair, Board of Directors

S/Susan Brown

S/James Connors

S/Dorothy Gardner

S/Linda W. Hall

S/Holly J.P. Kopp

S/Bradley V. Smith, Secretary of Board

S/Laurel Lopez

S/Jane Meisenbach

S/Kay Ogroanik

S/Jane Scease

S/Kimberly Totten

S/Jeffrey Wolken

Came from the Senate, **READ** and **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

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

The Following Communication: (S.C. 221)

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

April 9, 2013

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Senate Paper 105, Legislative Document 272, "An Act To Reduce Youth Cancer Risk," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

19 voted in favor and 16 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,

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:

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act To Amend the Reporting Requirements of the Workers' Compensation Management Fund"

(H.P. 988) (L.D. 1385)

Sponsored by Representative FITZPATRICK of Houlton.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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**ENERGY, UTILITIES AND TECHNOLOGY**

Bill "An Act To Allocate Net Revenue from Energy Corridor Leases on the Maine Turnpike for Purposes of Energy and Environmental Conservation"

(H.P. 989) (L.D. 1386)

Sponsored by Representative HOBBS of Saco.

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**HEALTH AND HUMAN SERVICES**

Bill "An Act To Provide Clarity and Consistency in Routine Public Health Licensing Activities"

(H.P. 990) (L.D. 1387)

Sponsored by Representative FARNSWORTH of Portland.

Cosponsored by Senator HAMPER of Oxford.

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Bill "An Act To Clarify Civil Liability of Persons Making False Claims to the Department of Health and Human Services"

(H.P. 991) (L.D. 1388)

Sponsored by Representative SANDERSON of Chelsea.

Cosponsored by Senator HAMPER of Oxford.

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

**INLAND FISHERIES AND WILDLIFE**

Bill "An Act To Facilitate a Pilot Program for Sunday Hunting for Residents Only"

(H.P. 994) (L.D. 1398)

Sponsored by Representative FREDETTE of Newport.

Bill "An Act To Provide for the Aroostook Band of Micmacs Certain Rights Regarding Hunting, Fishing and Wildlife Management"

(H.P. 995) (L.D. 1399)

Sponsored by Representative WILLETTE of Mapleton.

Cosponsored by Senator JACKSON of Aroostook and Representative: SAUCIER of Presque Isle, Senator: SHERMAN of Aroostook.

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**JUDICIARY**

Bill "An Act To Expedite the Foreclosure Process"

(H.P. 992) (L.D. 1389)

Sponsored by Representative CROCKETT of Bethel.

Resolve, Directing the Attorney General To Confer with Tribal Governments To Establish Procedures Regarding the Tribal Provisions of the Federal Violence Against Women Act of 1994

(H.P. 996) (L.D. 1400)

Sponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.

Cosponsored by Senator BURNS of Washington and Representatives: BEAR of the Houlton Band of Maliseet Indians, BERRY of Bowdoinham, CAREY of Lewiston, FREDETTE of Newport, MAKER of Calais, PRIEST of Brunswick, VILLA of Harrison, Senator: CAIN of Penobscot.

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

Bill "An Act To Amend the Laws Governing the Issuance of and Access to Birth Certificates and Certain Medical Information"

(H.P. 997) (L.D. 1401)

Sponsored by Representative KENT of Woolwich.

Cosponsored by Senator GERZOFISKY of Cumberland and Representatives: BERRY of Bowdoinham, CROCKETT of Bethel, DeCHANT of Bath, DION of Portland, HICKMAN of Winthrop, PRIEST of Brunswick.

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**LABOR, COMMERCE, RESEARCH AND ECONOMIC  
DEVELOPMENT**

Bill "An Act Regarding the Cancellation of Subscription Services"

(H.P. 993) (L.D. 1390)

Sponsored by Representative DAUGHTRY of Brunswick.

Cosponsored by Representatives: CHENETTE of Saco, EVANGELOS of Friendship, PLANTE of Berwick, POULIOT of Augusta, Senator: JOHNSON of Lincoln.

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**TAXATION**

Bill "An Act To Amend the Taxes Imposed on Alcohol and Lodging"

(H.P. 998) (L.D. 1402)

Sponsored by Representative MOONEN of Portland.

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

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**ORDERS**

On motion of Representative HICKMAN of Winthrop, the following Joint Resolution: (H.P. 986) (Cosponsored by Representatives: AYOTTE of Caswell, BEAR of the Houlton Band of Maliseet Indians, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BENNETT of Kennebunk, BERRY of Bowdoinham, BLACK of Wilton, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BROOKS of Winterport, CAMPBELL of Newfield, CAMPBELL of Orrington, CAREY of Lewiston, CASAVANT of Biddeford, CASSIDY of Lubec, CHAPMAN of Brooksville, CHASE of Wells, CHENETTE of Saco, CHIPMAN of Portland, CLARK of Easton, COOPER of Yarmouth, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, DAUGHTRY of Brunswick, DAVIS of Sangerville, DeCHANT of Bath, DEVIN of Newcastle, DICKERSON of Rockland, DILL of Old Town, DION of Portland, DOAK of Columbia Falls, DORNEY of Norridgewock, DUNPHY of Embden, DUPREY of Hampden, ESPLING of New Gloucester, EVANGELOS of Friendship, Speaker EVES of North Berwick, FARNSWORTH of Portland, FITZPATRICK of Houlton, FOWLE of Vassalboro, FREDETTE of Newport, FREY of Bangor, GATTINE of Westbrook, GIDEON of Freeport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GRANT of Gardiner, GUERIN of Glenburn, HAMANN of South Portland, HARLOW of Portland, HARVELL of Farmington, HAYES of Buckfield, HERBIG of Belfast, HOBBS of Saco, HUBBELL of Bar Harbor, JACKSON of Oxford, JOHNSON of Eddington, JOHNSON of Greenville, JONES of Freedom, JORGENSEN of Portland, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, KORNFIELD of Bangor, KRUGER of Thomaston, KUMIEGA of Deer Isle, KUSIAK of Fairfield, LAJOIE of Lewiston, LIBBY of Waterboro, LIBBY of Lewiston, LOCKMAN of Amherst, LONG of Sherman, LONGSTAFF of Waterville, LUCHINI of Ellsworth, MacDONALD of Old Orchard Beach, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MAREAN of Hollis, MASON of Topsham, MASTRACCIO of Sanford, McCABE of Skowhegan, McCLELLAN of Raymond, McELWEE of Caribou, McGOWAN of York, McLEAN of Gorham, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORIARTY of Cumberland, MORRISON of South Portland, NADEAU of Fort Kent, NADEAU of Winslow, NELSON of Falmouth, NEWENDYKE of Litchfield, NOON of Sanford, NUTTING of Oakland, PARRY of Arundel, PEASE of Morrill, PEAVERY HASKELL of Milford, PEOPLES of Westbrook, PETERSON of Rumford, PLANTE of Berwick, POULIOT of Augusta, POWERS of Naples, PRIEST of Brunswick, PRINGLE of Windham, RANKIN of Hiram, REED of Carmel, ROCHELO of Biddeford, ROTUNDO of Lewiston, RUSSELL of Portland, RYKERSON of Kittery, SANBORN of Gorham, SANDERSON of Chelsea, SAUCIER of Presque Isle, SAXTON of Harpswell, SCHNECK of Bangor, SHAW of Standish, SHORT of Pittsfield, SIROCKI of Scarborough, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway, STUCKEY of Portland, THERIAULT of Madawaska, TIMBERLAKE of Turner, TIPPING-SPITZ of Orono, TREAT of Hallowell, TURNER of Burlington, TYLER of Windham, VEROW of Brewer, VILLA of Harrison, VOLK of Scarborough, WALLACE of Dexter, WEAVER of York, WELSH of Rockport, WERTS of Auburn, WILLETTE of Mapleton, WILSON of Augusta, WINCHENBACH of Waldoboro, WINSOR of Norway, WOOD of Sabattus, Senators: President ALFOND of Cumberland, BOYLE of Cumberland, BURNS of Washington, CAIN of Penobscot, CLEVELAND of Androscoggin, COLLINS of

York, CRAVEN of Androscoggin, CUSHING of Penobscot, DUTREMBLE of York, FLOOD of Kennebec, GERZOFKY of Cumberland, GOODALL of Sagadahoc, GRATWICK of Penobscot, HAMPER of Oxford, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of Kennebec, LACHOWICZ of Kennebec, LANGLEY of Hancock, MASON of Androscoggin, MAZUREK of Knox, MILLETT of Cumberland, PATRICK of Oxford, PLUMMER of Cumberland, SAVIELLO of Franklin, SHERMAN of Aroostook, THIBODEAU of Waldo, THOMAS of Somerset, TUTTLE of York, VALENTINO of York, WHITTEMORE of Somerset, WOODBURY of Cumberland, YOUNGBLOOD of Penobscot)

**JOINT RESOLUTION COMMEMORATING THE HOLOCAUST AND HUMAN RIGHTS CENTER OF MAINE'S LEGISLATIVE AWARENESS DAY AND YOM HASHOAH, THE DAY OF REMEMBRANCE**

WHEREAS, from 1933 to 1945, 6,000,000 Jews were murdered in the Holocaust as part of a state-sponsored, systematic persecution and annihilation program of genocide, and millions of other people suffered as victims of Nazism, such as the handicapped, political dissidents and many others for racial, ethnic or national reasons; and

WHEREAS, the people of the State of Maine should always remember the atrocities committed by the Nazis so that such horrors are never repeated and the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies and governments; and

WHEREAS, the people of the State of Maine should always remember those who liberated the Nazi concentration camps, some of whom lost their lives and others of whom have experienced lifelong emotional suffering, as holding an honored place in our history; and

WHEREAS, the people of the State of Maine should continually rededicate themselves to the principle of equal justice for all people, remain eternally vigilant against all tyranny and recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, the national community, pursuant to an Act of Congress, will be commemorating the week of April 7 through April 14, 2013 as the Days of Remembrance of the Victims of the Holocaust, including the Day of Remembrance, known as Yom HaShoah, April 8, 2013; and

WHEREAS, it is appropriate for the people of the State of Maine to join in this international commemoration and April 10, 2013 has been designated as the Holocaust and Human Rights Center of Maine's Legislative Awareness Day; 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, pause in solemn memory of the victims of the Holocaust and in honor of the survivors, rescuers and liberators, urge everyone to recommit themselves to the lessons of the Holocaust through the Holocaust and Human Rights Center of Maine's Legislative Awareness Day and the international week of commemoration and express our common desire to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Holocaust and Human Rights Center of Maine and the United States Holocaust Memorial Council in Washington, D.C. on behalf of the people of the State of Maine.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Gideon.

Representative **GIDEON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise before you today to thank you for joining me in remembering what is in Hebrew "*Yom Hashoah Ve-Hagevurah*," which literally translates to the "Day of (remembrance of) the Holocaust and the Heroism." This day is marked a week after the end of Passover and it is also the anniversary of the Warsaw Ghetto uprising.

The Holocaust is something we, all of us, remember in our hearts. We don't think about it every day, but we never, none of us ever truly forget. So, why then – do we pause on this day to commemorate the Holocaust?

Eleven years ago, when I married my husband, I also married into the Jewish Community. Every year, we purposefully remember on this day. To think about how we, as humans, allowed something like the Holocaust to happen. To think about how we, as humans, then fought against it. We pause to remind ourselves of what may happen when we, as human beings, lose our vigilance; when we, as human beings, stop striving to overcome prejudice of any sort and at any turn.

Over 12 years preceding and during World War II, 6,000,000 Jews were systematically and purposefully murdered through genocide. Still millions more suffered at the hands of the Nazis. Those were people whose children, grandchildren and great grandchildren, still pause to remember today.

Through this resolution, we need to ask this of ourselves. Not just to remember, but to commit ourselves to the promise of upholding human rights, and the promise of staring down and eradicating bigotry and discrimination, whether it's in Maine, in the United States or across our world.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Nelson.

Representative **NELSON**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise today in honor and in memory of the millions who were murdered in the Holocaust. We honor the survivors of the concentration camps. We honor the liberators, who, 65 years ago, in liberating prisoners from the Nazi concentration camps, witnessed scenes which would haunt them for the rest of their lives. Edward R. Murrow, reporting in a broadcast from Buchenwald concentration camp on April 15, 1945, said, "I pray you to believe what I have said about Buchenwald. I have reported what I saw and heard, but only part of it. For most of it I have no words."

The Days of Remembrance are an important time to remember what horrors people are capable of visiting on their fellow human beings. It is a time to remember and honor the millions who were murdered, not because of what they did but because of who they were. And it is a time to re-affirm that actions do matter. Individuals have the power to right wrongs, to refuse to be a part of excluding people from participation in the full benefits of society, to allow for the full and free expression of individual beliefs without fear of exclusion or retaliation. We must speak out when we hear hateful remarks against others; we must remember that the Holocaust happened, and that genocides continue to occur; we must remind our children and our neighbors of what can happen if we are not vigilant to protect freedom. If we are not, we will not be protecting freedom. There is a quotation at the United States Holocaust Memorial Museum attributed to Pastor Martin Niemöller: "First they came for the socialists and I did not speak out – because I was not a socialist. Then they came for the trade unionists and I did not speak out – because I was not a trade unionist. Then they came for the Jews and I did not speak out – because I was not a Jew. Then they came for me – and there was no one left to speak for me." What

we do does matter. What we say does matter. Speaking out and defending and protecting freedom does matter.

I thank the Representative for submitting this resolution. I am proud to join you in signing on to it, and I thank the Speaker and Members of the House.

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 many of you know, I grew up in a rural Maine community up in Washington County, but about four years ago, I had the opportunity to travel to Israel. Having grown up in a very sheltered community in rural Maine, I really realized during that trip the events that happened decades ago and the tragedy that happened in our world. I went to the Holocaust Center while I was in Israel, and I also had the opportunity to realize in Israel the importance of security. They live in a small country with border guards everywhere, with walls being built around their community, with many outside of those walls who hate that community. But I learned in that trip to Israel about love and about the place in Israel where many of our religious beliefs are founded. We cannot ever forget the Holocaust, the suffering of the Jewish community. I, too, commemorate and acknowledge this.

On a lighter note, I will acknowledge we on the Republican side often joke that three out of our four leaders are Franco-Americans – myself, Senator Thibodeau, Representative Willette – however, we have Senator Katz who is our fourth leader, who is of Jewish descent, and we often joke that we make him an honorary Franco-American, but quite frankly he tells us, often times, we are honorary Jews. So it is with that, that we honor the Jewish people and this Joint Resolution. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Mr. Speaker. I rise to talk about an aspect of the Holocaust that is not always acknowledged. My uncle, who was then a young and gifted musician in his 20s, was a member of the Army during World War II, and was one of those liberators of a concentration camp. He came home safe and sound, or so we thought, but in today's language, he was clearly suffering from PTSD from what he saw. It was so horrific that not long after the war ended, he took his own life. I am sure that that kind of distress and that kind of emotional change and upheaval was not uncommon, because the horror of those camps was beyond belief.

I also rise because I know that I personally would not exist were it not for the wisdom or good choices that my great grandparents and grandparents made in emigrating to the United States before Hitler rose to power. So we are all vulnerable, in one way or another, and I am grateful for this resolution so that we can take the time today to remember that. Thank you.

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. I am reminded of that quote today by Pastor Niemöller who had been a World War I submarine captain for the German people. I am reminded of the Confessing Church's war to maintain its identity in the face of one of the greatest totalitarian states in history. I am reminded of Dietrich Bonhoeffer, who returned to Germany to share the fate of his people.

In 1933, Adolf Hitler came to power in Germany and took words that we hold and use for common and used them in the most perverted senses that could be used. Words like "labor," words like "community," words like "leadership" into a grotesque

phrase "Ein Volk, ein Reich, ein Führer." I stood at Dachau and looked up at that fence which bore the same words that Auschwitz bore in iron rod, "Arbeit Macht Frei," "Labor makes free," this gross perversion.

The assault upon the Jews historically has been going on for thousands of years. If we read the Book of Esther, we learn of Haman's attempt to obliterate this people. They have survived anti-Semitism in its religious forms and in racial forms. And while dying in that bunker by a bullet to his own brain, Adolph Hitler may have thought he pounded his people into dust. But as Ezekiel said 3,000 years ago, all of those ovens of Sobibor and Treblinka, those bodies may have turned to dust but these bones shall live again.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Longstaff.

Representative **LONGSTAFF**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I hadn't planned to speak but like Representative Gideon, there are Jewish members of my family. My son, my daughter-in-law, my grandson. I've had the privilege of being in Israel some 26 or 27 times and I'd like to leave you today with an image that is frequently in my mind, one of the most awesome images, I think, that I ever remember. Imagine, just for a moment, take this imagine. Imagine for a moment a room which is a sphere. The inside of that sphere is a mirror. It's entirely reflective. The sphere is in complete darkness. You come in at about the center of the sphere on a bridge that is made of Plexiglas, I suppose, or some kind of glass that's entirely transparent. As you walk across the bridge, you are in the middle of a sphere that is completely dark but there are some lights. Since it's mirrors and the entire inside of the sphere is a mirror, those spots of light go to infinity in every direction. Above your head, under your feet, and to every side. That's a part of the Holocaust museum in Israel and it is the museum that commemorates the children who have died, the infinite number of children who were victims of the Holocaust. Standing in the middle of that sphere in the darkness, seeing those spots of light go to infinity in every direction was an awesome moment. I hope it is a part of your memory and reason for this day.

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

Representative **HICKMAN**: Thank you, Mr. Speaker. And it came to pass in those days that Hitler died in his Berlin bunker. One week later, during the second week of May nineteen hundred and forty six, Nazi Germany surrendered unconditionally and the war in Europe ended.

In the first weeks of August, the United States dropped the atomic bomb on Nagasaki and Hiroshima and the Soviet Union declared war on Japan and invaded Manchuria. On the fourteenth day of August, Japan announced its surrender – so long as it could keep its emperor – and World War II, a most devastating war in terms of material destruction, global scale, and lives lost, ended.

My father, Hazelle Hickman, a Tuskegee Airman, fought in the war that ultimately liberated Jews from one of the most oppressive regimes in human history.

Yesterday, to my amazement and utter disbelief, we had a conversation about slavery and the Underground Railroad in Maine right here on the floor of the House of Representatives. Today, we remember the Holocaust because we must never forget.

African Americans and American Jews have interacted throughout much of the history of this nation. This relationship has included widely publicized cooperation and sometimes conflict, and – since the 1970s – has been an area of significant

academic research. The most significant aspect of the relationship was the cooperation during the civil rights movement, culminating in the Civil Rights Act of 1964.

Every New Year's eve, my father would slow cook a slab of kosher corned beef so tender you could cut it with a fork. My mother baked a delicious rugula with a crust so flaky no one could resist it.

My first pediatrician, Dr. Eli A. Gecht, was a Holocaust survivor.

This morning during caucus, I was alerted that a man wanted to talk to me. He is the Honorable Ed Benedikt of Brunswick and he may be the only Holocaust survivor in the chamber today. He was born in Austria in 1930. Eight years later, he escaped to England. He emigrated to the United States in 1943. In 1995 and 1996, he served in the 117th Legislature. His presence here today is a blessing.

Anti-Semitism, racism, bigotry and tyranny have no place in a free society.

I will close with a quote from James Baldwin, my favorite American author and literary leader of the Civil Rights Movement. "One must say YES to life and embrace it wherever it is found, and it is found in terrible places... For nothing is fixed; forever and forever, it is not fixed. The earth is always shifting, the light is always changing, the sea does not cease to grind down rock. Generations do not cease to be born and we are responsible to them because we are the only witnesses they have. The sea rises, the light fades, lovers cling to each other, and children cling to us. The moment we cease to hold each other, the moment we break faith with one another, the sea engulfs us, and the light goes out."

Always treat one another with kindness. Take care of your blessings. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative Villa.

Representative **VILLA**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I would like to just quote Albert Einstein, who said, "The world will not be destroyed by those who do evil, but by those who watch them without doing anything." Thank you.

Subsequently, the Joint Resolution was **ADOPTED**.  
Sent for concurrence.

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On motion of Representative HAMANN of South Portland, the following Joint Resolution: (H.P. 987) (Cosponsored by Representatives: GATTINE of Westbrook, GIDEON of Freeport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT THE INDEPENDENCE OF THE NAGORNO-KARABAKH REPUBLIC**

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, Nagorno-Karabakh is a landlocked region in the South Caucasus and has historically been Armenian territory, populated by an overwhelming majority of Armenians, which was severed from Armenia by the Soviet dictator Joseph Stalin in 1921 and placed under newly created Soviet Azerbaijani administration; and

WHEREAS, February 20, 1988 marked the beginning of the national liberation movement in Nagorno-Karabakh; and



WHEREAS, the Nagorno-Karabakh democracy movement inspired peoples throughout the Soviet Union to stand up against tyranny and for their rights and freedoms, helping to bring democracy to millions and contributing to world peace; and

WHEREAS, in 1989, the United States Senate expressed support for the legitimate aspirations for freedom of the people of Nagorno-Karabakh; and

WHEREAS, on September 2, 1991, in a popular expression of democracy, the elected legislature of Nagorno-Karabakh declared the creation of the Nagorno-Karabakh Republic, in full compliance with then-existing legislation and international norms; and

WHEREAS, on December 10, 1991, the people of Nagorno-Karabakh voted overwhelmingly in a referendum in favor of the independence of the region and, on January 6, 1992, the democratically elected legislature of the Nagorno-Karabakh Republic formally declared independence; and

WHEREAS, Azerbaijan launched a full-scale military aggression to suppress the national liberation movement in the Nagorno-Karabakh Republic, which ended with the signing of a cease-fire in 1994; and

WHEREAS, as one of the mediators, along with Russia and France, the United States has expressed its vision for a stable and peaceful South Caucasus, and direct United States aid to Nagorno-Karabakh represents a vital source of humanitarian relief for post-war reconstruction in the republic; and

WHEREAS, the Nagorno-Karabakh Republic has built a democratic nation, with a free-market-oriented economy and a vibrant civil society, and has held several presidential and parliamentary elections, all praised by international monitors as free and fair; now, therefore, be it

RESOLVED: That We, your Memorialists, encourage and support the Nagorno-Karabakh Republic's continuing efforts to develop as a free and independent nation in order to guarantee its citizens those rights inherent in a free and independent society; and be it further

RESOLVED: That We urge and request that the President of the United States and the United States Congress support the self-determination and democratic independence of the Nagorno-Karabakh Republic and its constructive involvement with the international community's efforts to reach a just and lasting solution to security issues in that strategically important region; 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, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Honorable Robert Avetisyan, Permanent Representative to the United States of the Nagorno-Karabakh Republic and to each Member of the Maine Congressional Delegation.

**READ and ADOPTED.**

Sent for concurrence.

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

On motion of Representative RANKIN of Hiram, the following House Order: (H.O. 19)

ORDERED, that Representative Matthea Elisabeth Larsen Daughtry of Brunswick be excused April 4 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Paul E. Gilbert of Jay be excused April 3 and 4 for health reasons.

AND BE IT FURTHER ORDERED, that Representative L. Gary Knight of Livermore Falls be excused April 2, 3 and 4 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Stephen W. Moriarty of Cumberland be excused April 4 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Jane P. Pringle of Windham be excused April 2, 3 and 4 for personal reasons.

**READ and PASSED.**

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**REPORTS OF COMMITTEE**

**Change of Committee**

Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Clarify the Criteria of the Health Professions Loan Program as It Affects Physicians Practicing Neurology-psychiatry"

(S.P. 375) (L.D. 1093)

Reporting that it be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS.**

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS.**

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

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The following item was taken up out of order by unanimous consent:

**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-42)** on Bill "An Act To Eliminate Sales Tax Exemptions for Snowmobiles and All-terrain Vehicles Purchased by Nonresidents for Use in the State"

(H.P. 492) (L.D. 720)

Signed:

Senators:

HASKELL of Cumberland  
MILLETT of Cumberland

Representatives:

GOODE of Bangor  
KNIGHT of Livermore Falls  
LIBBY of Lewiston  
MAREAN of Hollis  
MOONEN of Portland  
TIPPING-SPITZ of Orono

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

Signed:

Senator:

THOMAS of Somerset

Representatives:

BENNETT of Kennebunk  
BROOKS of Winterport  
JACKSON of Oxford  
STANLEY of Medway

**READ.**

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

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

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

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

Representative **GOODE**: Thank you, Mr. Speaker. I just wanted to briefly speak to my motion before we vote. The bill before us, LD 720, was presented by Representative Marean. Our committee worked on the bill. It simply repeals a sales tax exemption that out-of-staters who purchase snowmobiles and all-terrain vehicles receive when they buy it, that type of ATV or sled in the state. It does not affect folks from out of state who buy the sled in Maine or the ATV and take it out immediately but for people who are from out of state who are coming here to enjoy visiting Maine, renting in Maine, potentially having property in Maine, this asks that they pay the same sales tax that one of our constituents or a Mainer who currently lives here pays. This was an exemption that Representative Marean felt like was important to address. A majority of our committee agreed with him and has proposed an amended version of the bill, which seeks to repeal this exemption. We heard lots of testimony within the hearing and I think that just summarizes the perspective of those on the Majority Report. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority **Ought to Pass as Amended** Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 34**

**YEA** - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Boland, Campbell J, Carey, Casavant, Chapman, Chase, Chenette, Chipman, Cooper, Cotta, Cray, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Johnson D, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saxton, Schneck, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Verow, Villa, Weaver, Welsh, Werts, Wilson, Winchenbach, Mr. Speaker.

**NAY** - Beaudoin, Black, Briggs, Brooks, Cassidy, Clark, Crafts, Crockett, Davis, Doak, Dunphy, Duprey, Fredette, Gifford, Guerin, Harvell, Jackson, Johnson P, Lockman, Malaby, McElwee, Nadeau A, Pease, Saucier, Shaw, Short, Sirocki, Stanley, Timberlake, Volk, Wallace, Willette, Winsor, Wood.

**ABSENT** - Bolduc, Campbell R, Libby A, Peterson, Tyler.

Yes, 112; No, 34; Absent, 5; Excused, 0.

112 having voted in the affirmative and 34 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-42)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, April 23, 2013.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Base the Motor Vehicle Excise Tax on the Purchase Price of the Motor Vehicle"

(S.P. 56) (L.D. 167)

Signed:

Senators:

HASKELL of Cumberland

MILLETT of Cumberland

Representatives:

GOODE of Bangor

BROOKS of Winterport

MAREAN of Hollis

MOONEN of Portland

STANLEY of Medway

TIPPING-SPITZ of Orono

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-19)** on same Bill.

Signed:

Senator:

THOMAS of Somerset

Representatives:

BENNETT of Kennebunk

JACKSON of Oxford

KNIGHT of Livermore Falls

LIBBY of Lewiston

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

**READ.**

On motion of Representative GOODE of Bangor, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-46)** on Bill "An Act To Authorize the Public Advocate To Publish and Distribute Consumer Information"

(H.P. 212) (L.D. 303)

Signed:

Senators:

CLEVELAND of Androscoggin

JACKSON of Aroostook

YOUNGBLOOD of Penobscot

Representatives:

HOBBINS of Saco

BEAVERS of South Berwick

DUNPHY of Embden

GIDEON of Freeport

HARVELL of Farmington

NEWENDYKE of Litchfield

RUSSELL of Portland

RYKERSON of Kittery

TIPPING-SPITZ of Orono

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

Signed:

Representative:  
LIBBY of Waterboro

SHORT of Pittsfield  
WOOD of Sabattus

**READ.**

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

The Bill was **READ ONCE. Committee Amendment "A" (H-46)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, April 23, 2013.

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

Signed:  
Representatives:  
ESPLING of New Gloucester  
MARKS of Pittston

**READ.**

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

The Bill was **READ ONCE. Committee Amendment "A" (H-47)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, April 23, 2013.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Equalize the Premiums Imposed on the Sale of Motor Vehicle Oil"

(H.P. 11) (L.D. 7)

Signed:  
Senators:  
BOYLE of Cumberland  
GRATWICK of Penobscot

Representatives:  
WELSH of Rockport  
CAMPBELL of Orrington  
CHIPMAN of Portland  
COOPER of Yarmouth  
GRANT of Gardiner  
HARLOW of Portland  
LONG of Sherman  
REED of Carmel

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-44)** on same Bill.

Signed:  
Senator:  
SAVIELLO of Franklin

Representative:  
AYOTTE of Caswell

**READ.**

On motion of Representative WELSH of Rockport, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass** on Bill "An Act To Remove the Statement of Oral Condition as a Requirement for Denturists Making Partial Dentures"

(H.P. 372) (L.D. 553)

Signed:  
Senators:  
PATRICK of Oxford  
CLEVELAND of Androscoggin

Representatives:  
HERBIG of Belfast  
CAMPBELL of Newfield  
DUPREY of Hampden  
GILBERT of Jay  
HAMANN of South Portland  
LOCKMAN of Amherst  
MASON of Topsham  
MASTRACCIO of Sanford  
VOLK of Scarborough  
WINCHENBACH of Waldoboro

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

Signed:  
Senator:  
CUSHING of Penobscot

**READ.**

Representative HERBIG of Belfast moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought 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 to Pass** Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 35**

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney,

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-47)** on Bill "An Act To Prohibit the Use of Rubber Lures for Fishing"

(H.P. 37) (L.D. 42)

Signed:  
Senators:  
DUTREMBLE of York  
BURNS of Washington  
HASKELL of Cumberland

Representatives:  
SHAW of Standish  
BRIGGS of Mexico  
CRAFTS of Lisbon  
DAVIS of Sangerville  
EVANGELOS of Friendship  
KUSIAK of Fairfield

Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, 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, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Bolduc, Libby A, Peterson, Tyler.

Yes, 147; No, 0; Absent, 4; Excused, 0.

147 having voted in the affirmative and 0 voted in the negative, with 4 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Tuesday, April 23, 2013.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Establish a Sales Tax Holiday for Purchases Made during the Month of January"

(H.P. 227) (L.D. 318)

Signed:

Senators:

HASKELL of Cumberland

MILLETT of Cumberland

Representatives:

GOODE of Bangor

BROOKS of Winterport

LIBBY of Lewiston

STANLEY of Medway

TIPPING-SPITZ of Orono

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-41)** on same Bill.

Signed:

Senator:

THOMAS of Somerset

Representatives:

BENNETT of Kennebunk

JACKSON of Oxford

KNIGHT of Livermore Falls

MAREAN of Hollis

MOONEN of Portland

**READ.**

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

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**: 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. 36

YEA - Ayotte, Beaudoin, Beck, Berry, Boland, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Dunphy, Evangelos, Farnsworth, Fitzpatrick, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Malaby, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Noon, Pease, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Sanborn, Saucier, Saxton, Schneck, Short, Sirocki, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Volk, Welsh, Werts, Wilson, Mr. Speaker.

NAY - Beaulieu, Beavers, Bennett, Black, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Duprey, Espling, Fredette, Gifford, Gillway, Guerin, Harvell, Hickman, Jackson, Johnson D, Johnson P, Keschl, Kinney, Knight, Lockman, Long, MacDonald S, Maker, Marean, McClellan, McElwee, Moonen, Newendyke, Nutting, Parry, Peavey Haskell, Reed, Rykerson, Sanderson, Shaw, Timberlake, Turner, Wallace, Weaver, Willette, Winchenbach, Winsor, Wood.

ABSENT - Bolduc, Libby A, Peterson, Tyler.

Yes, 98; No, 49; Absent, 4; Excused, 0.

98 having voted in the affirmative and 49 voted in the negative, with 4 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

#### CONSENT CALENDAR

##### First Day

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

(H.P. 74) (L.D. 92) Bill "An Act Relating to Private School Student Participation in Public School Cocurricular, Interscholastic and Extracurricular Activities" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-53)**

(H.P. 201) (L.D. 292) Bill "An Act To Protect the Public Health from Mosquito-borne Diseases" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-54)**

(H.P. 287) (L.D. 414) Bill "An Act To Restructure the Licensing and Regulation of Boilers and Pressure Vessels and Elevators and Tramways" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-55)**

(H.P. 303) (L.D. 453) Bill "An Act To Prohibit the Sale of Gasoline That Contains Ethanol as an Additive at a Level Greater than 10 Percent by Volume" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-56)**

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

**CONSENT CALENDAR  
Second Day**

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

(H.P. 571) (L.D. 820) Bill "An Act Regarding Fire Escapes for Certain Buildings"

(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"

(H.P. 39) (L.D. 44) Bill "An Act Regarding Pharmacy Provider Audits" (C. "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" (C. "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" (C. "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" (C. "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" (C. "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" (C. "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 (C. "A" H-51)

(H.P. 282) (L.D. 407) Resolve, Directing the Maine Turnpike Authority To Place Signs Directing Motorists to Oxford Casino (C. "A" H-39)

(H.P. 383) (L.D. 564) Resolve, To Allow Maine Drivers To Use Bioptic or Telescopic Spectacles When Driving Class C Motor Vehicles and When Testing for a Class C Driver's License (C. "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) (C. "A" H-50)

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.

**BILLS IN THE SECOND READING  
House**

Bill "An Act To Expand Eligible Project Costs in Development Districts"

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

**House as Amended**

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)

(C. "A" H-23)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the House Papers were **PASSED TO BE**

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

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

**ENACTORS  
Emergency Measure**

An Act To Open the St. Croix River to River Herring

(H.P. 65) (L.D. 72)

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

Representative McCABE of Skowhegan **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Burlington, Representative Turner.

Representative **TURNER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. You all hear me so often talk about my district. Well, today, this vote impacts my district. Currently, there are no alewives in my district and if you do pass this emergency legislation, it will allow the alewives to go into my district and the people that I represent say that it will be for the first time that it is in my district. The majority of the upper St. Croix lies in my district and is some of the most beautiful waters in all of Maine. Up until about 6 months ago, I didn't know a lot about alewives; however these last 6 months I have met with both parties of this issue and have read a lot of materials addressing both parties' concerns and have heard a lot of statements from all involved.

The guiding industry and the commercial sporting camps in the Upper St. Croix Watershed of Washington County are critically dependent upon healthy freshwater fisheries, as it is for the local economy, from hiring folks to buying supplies, that support this remarkable type of tourism. I trust the men and women that fish these waters and have done so for many generations. Also after studying the information available on both sides of this issue, I believe that the risks to our present fisheries and the harm that it could do to the local economy do not outweigh any benefits that would result with the establishment of alewives in the upper St. Croix.

Here in Augusta we have public hearings where folks can testify for, against or neither for nor against; however, when we vote on LD 72 today, we have to vote yea or nay. In this case, for me, the proponents haven't proven their case that the alewives were there or that it wouldn't hurt the economy in northern Washington County so I will always err on the side of caution and with those who work and live in the affected area. Every single one of my emails have been to oppose this bill from my district. I would urge you to oppose the pending motion and vote for northern Washington County. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative **MacDONALD**: Mr. Speaker, thank you. Mr. Speaker, Men and Women of the House. This bill has been before Marine Resources on at least one other occasion since I've been in the House. Every time we've had testimony on this bill in committee, the scientific evidence has been overwhelming that the presence of alewives in the St. Croix River will not harm the smallmouth bass fishery, and, in fact, there was some evidence showing that it might actually be enhanced by some kind of ecological magic. Both fish seem to thrive even better

with the presence of alewives in the river system. The historical evidence that was out there in addition to the scientific evidence is that the alewife runs in the St. Croix River were in the millions historically. Those alewives move into the Gulf of Maine. They become a food source for other species in the Gulf of Maine and in addition, nowadays, they are a prime source of lobster bait for lobster fishermen. If the alewife run is restored to the St. Croix, Mr. Speaker, I believe that it will not only enhance the river system itself through reestablishing runs that were interrupted by human building of dams going up the river, this bill would open up two dams in the St. Croix, increase the alewife run, both to the benefit of the St. Croix River estuary and to the Gulf of Maine. I urge members, Men and Women of the House, I urge you to support this emergency measure. I rise in support of it and I ask you to follow my light. The science, the history, is on the side of restoration of the alewives in the St. Croix River. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Columbia Falls, Representative Doak.

Representative **DOAK**: Thank you, Mr. Speaker. I did not intend to speak on this issue. I am voting to open the river for the alewives and the St. Croix River. There is no evidence that this would harm the fishery. Smallmouth bass and largemouth bass are not native to the State of Maine. I, myself, when I lived in Belfast as a child on the Passagassawakeag, I speared and dipped alewives. Alewives have been running up the coast of Maine for centuries. It's time the St. Croix River is opened up and let the fish run free, and also it's an additional revenue because of bait for lobster fishermen. I urge you to vote for passage of this bill.

The SPEAKER: The Chair recognizes the Representative from the Passamaquoddy Tribe, Representative Soctomah.

Representative **SOCTOMAH**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. River herring alewives are native to the St. Croix watershed. River herring (alewife and blueback herring) are a native and indigenous species historically found throughout the St. Croix River watershed, a million acre drainage area. Prior to 1825, St. Croix alewives were commercially harvested in excess of 700,000 adults per year. Evidence found at the Mud Lake Stream archeological site, located upstream of Spednic Lake near Forest City, Maine, confirmed that the fish migrated at least 65 miles upstream of the head of tide, prior to European contact as long as 4,000 years ago. As part of their annual spawning migration, the fish ascended the St. Croix River past Salmon Falls and Grand Falls. Large runs of alewives were sustained by the extensive spawning and rearing habitats above Grand Falls. As outlined in a report prepared for the State of Maine by the former deputy commissioner of the Maine Department of Marine Resources, this habitat area produced the abundant run size and harvest rate that occurred historically in the St. Croix. That would be the Flagg Report of 2007.

Alewives are ecologically important. River herring are a keystone species. They are integral to the ecological functions of the freshwater, estuarine, and marine environments. Alewives are a food source for many in the aquatic food web, and they play an important role in maintaining ecosystem health. In the freshwater environments of rivers and lakes, they provide forage for the bass, trout, salmon, osprey, eagle, kingfisher, blue heron, and aquatic furbearing mammals. Their marine-derived nutrients are deposited in freshwater environments during their return migration, which is in the Durbin Report of 1979, which aids the growth and maintenance of other species and the bacterial breakdown of leaf litter.

In the marine environment, river herring are eaten by a wide variety of commercially and recreationally important fish, such as bluefish, weakfish, striped bass, cod, pollock, and silver hake. Bald eagles, sea birds and many other migratory bird species gain sustenance from eating river herring. A number of federally listed species, including endangered whales, sea turtles, roseate terns, and Atlantic salmon also feed on river herring. Post-spawned adult river herring used to migrate back to the sea in large enough numbers to provide cover from predators for Atlantic salmon smolts and juvenile shad and smelt in rivers, estuaries, and the marine environment.

Alewives also serve as an important host species to a native freshwater mussel species. Alewives carry very young mussels up and down rivers in their gills. Movement of the alewife floater is accomplished in part by the alewife fish. This mussel is a coastal plains species that is distributed from Nova Scotia to eastern Quebec and south to Virginia. It is found in coastal streams and lakes and occurs in silt, sand, and gravel. This is in the Clarke Report of 1981.

Freshwater mussels filter large amounts of algae, zooplankton, bacteria and sediments from the water. They function to maintain water quality. Mussels store nutrients and minerals in their tissues and shells, such as carbon, nitrogen, potassium and calcium. They are sensitive to pollution and their condition is useful for assessing the health of aquatic ecosystems. Mussels are an important food source for fish and mammals. Alewife play an important role in the survival of this freshwater mussel species that cannot be accomplished when alewife do not have access to freshwater habitats. You can find that in the Nedeau Report of 2003.

Smallmouth bass have been shown to live harmoniously with sea-run alewives in hundreds of Maine rivers and lakes. In the St. Croix watershed, smallmouth water bass were introduced long before society was aware of the long-term ecological disasters that can be caused by introducing exotic fish species. In other regions of Maine, the negative effects of smallmouth bass on brook trout, lake trout, togue and endangered Atlantic salmon are undisputed and biologists work to eradicate smallmouth bass. The restoration of abundant alewife runs in the St. Croix River watershed should remain a high priority for the people in the State of Maine. LD 72 is a good bill for Maine people and I urge you to vote in support of LD 72. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Newcastle, Representative Devin.

Representative **DEVIN**: Thank you very much, Mr. Speaker. Many of us are aware of Mr. George Smith, who was a longtime director of SAM, Sportsman's Alliance of Maine. Mr. Smith was instrumental in getting the St. Croix River dammed up back in 1995. He addressed the Marine Resources Committee this year and told us that he made a mistake in leading that event nearly two decades ago, and he urged us to unright the wrong that he was involved in, and so like Mr. Smith, I also urge you to unright that wrong and open up the St. Croix River. Thank you very much.

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

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

#### ROLL CALL NO. 37

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper,

Cray, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Libby N, Lockman, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Noon, Nutting, Parry, Pease, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stuckey, Tipping-Spitz, Treat, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Mr. Speaker.

NAY - Briggs, Campbell R, Cotta, Crafts, Crockett, Davis, Dunphy, Gifford, Guerin, Harlow, Johnson D, Keschl, Lajoie, Long, McClellan, McElwee, Newendyke, Peavey Haskell, Reed, Stanley, Theriault, Timberlake, Turner, Wood.

ABSENT - Bolduc, Libby A, Peterson, Tyler.  
Yes, 123; No, 24; Absent, 4; Excused, 0.

123 having voted in the affirmative and 24 voted in the negative, with 4 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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 matter, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO PROVIDE TO THE HOULTON BAND OF MALISEET INDIANS JUST AND EQUITABLE COMPENSATION COMPARABLE TO THE SETTLEMENT PROVIDED TO THE PENOBSCOT NATION AND THE PASSAMAQUODDY TRIBE  
(H.P. 963)

TABLED - April 4, 2013 (Till Later Today) by Representative BEAR of the Houlton Band of Maliseet Indians.

PENDING - **ADOPTION**.

Subsequently, on motion of Representative BEAR of the Houlton Band of Maliseet Indians, the Joint Resolution was **REFERRED** to the Committee on **JUDICIARY**, and sent for concurrence.

**SENATE PAPERS**

The following Joint Order: (S.P. 495)

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, April 23, 2013 at 10:00 in the morning.

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

Resolve, To Provide a Pesticide Spraying Notification Process

(S.P. 493) (L.D. 1391)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act Regarding the Cost-of-living Adjustment for Certain State Retirees When the Cost of Living Declines"

(S.P. 499) (L.D. 1395)

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

**REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Make Parents More Aware of Eating Disorders"

(S.P. 498) (L.D. 1394)

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.

Bill "An Act To Encourage Entrepreneurial Investment in Maine"

(S.P. 497) (L.D. 1393)

Came from the Senate, **REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** and ordered printed.

**REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** in concurrence.

Bill "An Act To Create Equity and Fairness in the Elver Industry"

(S.P. 501) (L.D. 1397)

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

**REFERRED** to the Committee on **MARINE RESOURCES** in concurrence.

Bill "An Act To Amend the Motor Vehicle Laws"

(S.P. 494) (L.D. 1392)

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

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

The following Joint Order: (S.P. 496)

**ORDERED**, the House concurring, that the Joint Standing Committee on Veterans and Legal Affairs shall report out, to the Senate, a bill regarding the wholesale spirits contract.

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

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette, and asks for which purpose does the Representative rise.

Representative **FREDETTE**: Mr. Speaker, I rise to ask permission to speak on the record regarding Supplement No. 3, regarding the Joint Order.

The SPEAKER: The Representative has requested unanimous consent to address the House on the record. Hearing no objection, the Representative may proceed on the record.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. People should be aware of the significance of this particular action that we have just taken. As everyone is aware in this building and probably in our state, the issue of basically renegotiating our liquor contract and paying the hospitals and whatnot has been a contentious issue in this body, the other body, and with the Chief Executive for some time. With this action, what we are doing is that we are agreeing to allow our committee, our legislative committee on the Veterans and Legal Affairs to work on this issue and come out with a bill. They are doing that in concert with the work of the Appropriations Committee. This is a big deal. This is a \$450 million potential contract and we wish the people on the committee good work. We're proud of the people on that committee. We know that they will do good work. I just wanted to rise and recognize the importance of this particular action. Thank you, Mr. Speaker.

(H.P. 778) (L.D. 1109) Bill "An Act To Clarify the Maine New Markets Capital Investment Program Tax Credit" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-57)**

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

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On motion of Representative KESCHL of Belgrade, the House adjourned at 11:43 a.m., until 10:00 a.m., Tuesday, April 23, 2013 pursuant to the Joint Order (S.P. 495) and in honor and lasting tribute to Philip Jackson Cobb, of Belgrade Lakes.

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#### COMMUNICATIONS

The Following Communication: (H.C. 126)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

April 9, 2013

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

Dear Speaker Eves:

This is to inform you that I am today nominating Ryan Armstrong of Hampden for appointment as the student member to the Board of Trustees, Maine Maritime Academy.

Pursuant to P&SL 1975, Chapter 771 §428, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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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:

(S.P. 193) (L.D. 503) Bill "An Act To Amend the Limited Liability Company Laws" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-22)**

(H.P. 211) (L.D. 302) Resolve, Directing the Public Utilities Commission To Review Certain Electricity Distribution Charges Assessed on Businesses Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-58)**