

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
 34th Legislative Day
 Thursday, April 25, 2013

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

Prayer by The Reverend Canon Victoria Sirota, The Cathedral Church of Saint John the Divine, New York, New York.

National Anthem by Skowhegan Regional High School Jazz Band and Concert Choir.

Pledge of Allegiance.

Doctor of the day, Thomas Dancoes, DO, FACEP, Hampden.
 The Journal of yesterday was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 136)

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

April 18, 2013

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to my authority under Title 5, Chapter 501, §19202 of the Maine Revised Statutes, I have appointed Representative Jane P. Pringle of Windham to the Maine HIV Advisory Committee.

If you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 134)

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

April 25, 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:"

Agriculture, Conservation and Forestry)

L.D. 476 Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Policy To Reduce Food Waste in All State-funded Institutions

L.D. 630 An Act To Reserve Ten Percent of Campsites at State Parks for Maine Residents

L.D. 1170 Resolve, Regarding the Transfer of State Property To Assist the Save the Depot Project in Greenville

Energy, Utilities and Technology)

L.D. 1012 An Act Regarding Automated Calls

Inland Fisheries and Wildlife)

L.D. 98 Resolve, Directing the Department of Inland Fisheries and Wildlife To Study Issues Related to Bear Hunting and Management

L.D. 599 An Act To Review Possible Expansion of Dip Net Fishing in Northern Maine

L.D. 758 An Act To Protect Boats, Moorings and Docks in the Inland Waters of the State

L.D. 775 An Act To Require a Nonresident To Hire a Maine Guide To Hunt Sea Ducks

L.D. 800 An Act To Expand Migratory Waterfowl Hunting Opportunities

L.D. 1117 An Act To Amend the Laws Governing Muzzle-loading Hunting Season

Insurance and Financial Services)

L.D. 448 An Act To Authorize the State Employee Health Commission's Preferred Provider Program

Judiciary)

L.D. 308 An Act To Require the Attorney General To Consult with Federally Recognized Indian Tribes before Issuing an Opinion on Federal Legislation Affecting the Maine Indian Claims Settlement Act of 1980

L.D. 686 Resolve, To Increase Funding for Indigent Legal Aid Provided to Wabanaki Tribal Members

L.D. 733 An Act To Improve the Child Support Collection Process

L.D. 869 An Act To Relax Divorce Requirements for Victims of Domestic Violence

L.D. 871 An Act To Protect Victims of Domestic Violence by Waiving Their Filing Fees in Divorce Actions

L.D. 1000 An Act To Protect Maine Consumers

Marine Resources)

L.D. 497 An Act To Move Maine's Elver Fishery towards Sustainability

L.D. 778 An Act To Develop Principles To Guide Fisheries Management Decisions

Taxation)

L.D. 562 An Act Related to Service Charges in Lieu of Property Taxes on Tax-exempt Property

Veterans and Legal Affairs)

L.D. 767 An Act To Limit Contributions to Candidates for Maine Offices to Maine Residents

L.D. 921 Resolve, Directing the Commission on Governmental Ethics and Election Practices To Improve Public Access to Campaign Finance Information

L.D. 1077 An Act To Amend the Maine Clean Election Act and Campaign Finance Laws

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.

The Following Communication: (H.C. 137)

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

April 25, 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 Insurance and Financial Services has approved the request by the sponsor, Senator Cushing of Penobscot, to report the following "Leave to Withdraw":

L.D. 651 An Act To Amend the Captive Insurance Laws

Sincerely,

S/Millicent M. MacFarland

Clerk of the House

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves 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 Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry"

(H.P. 1046) (L.D. 1461)

Sponsored by Representative JONES of Freedom.

Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: CASAVANT of Biddeford, CHAPMAN of Brooksville, CHIPMAN of Portland, HARLOW of Portland, KENT of Woolwich, McGOWAN of York, NOON of Sanford, STUCKEY of Portland.

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act To Promote Local or Community-based Generation Projects"

(H.P. 1041) (L.D. 1456)

Sponsored by Representative BOLAND of Sanford.

Cosponsored by Representatives: BOLDUC of Auburn, CHENETTE of Saco, NADEAU of Winslow.

Bill "An Act To Amend the Charter of the South Berwick Sewer District"

(H.P. 1042) (L.D. 1457)

Sponsored by Speaker EVES of North Berwick.

Cosponsored by Senator HILL of York and Representative: BEAVERS of South Berwick.

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

HEALTH AND HUMAN SERVICES

Bill "An Act To Clarify and Correct Provisions of the Maine Medical Use of Marijuana Act"

(H.P. 1047) (L.D. 1462)

Sponsored by Representative DION of Portland.

Cosponsored by Senator HASKELL of Cumberland and Representatives: FARNSWORTH of Portland, GILBERT of Jay,

HARVELL of Farmington, HAYES of Buckfield, MOONEN of Portland, SANDERSON of Chelsea, Senators: LANGLEY of Hancock, VALENTINO of York.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Enact the Maine Small Business Investment Protection Act"

(H.P. 1043) (L.D. 1458)

Sponsored by Representative HERBIG of Belfast.

Cosponsored by Senator PATRICK of Oxford and Representatives: GILBERT of Jay, MASON of Topsham, MASTRACCIO of Sanford, ROCHELO of Biddeford, VOLK of Scarborough, WINCHENBACH of Waldoboro, Senator: CUSHING of Penobscot.

STATE AND LOCAL GOVERNMENT

Resolve, Directing the Maine Library of Geographic Information Board To Convene a Stakeholder Group To Study the Feasibility of Using Maine's GeoLibrary GeoPortal for a Pilot Project That Involves Geographic Information Systems Trail Mapping

(H.P. 1044) (L.D. 1459)

Sponsored by Representative CHENETTE of Saco.

Cosponsored by Senator VALENTINO of York and Representatives: BOLDUC of Auburn, MacDONALD of Old Orchard Beach, NADEAU of Winslow, PEASE of Morrill.

TAXATION

Bill "An Act To Examine Best Practices Relating to Tax Expenditures"

(H.P. 1048) (L.D. 1463)

Sponsored by Representative ROTUNDO of Lewiston.

Cosponsored by Representative KNIGHT of Livermore Falls and Representatives: GOODE of Bangor, KESCHL of Belgrade, LIBBY of Lewiston, STUCKEY of Portland, Senators: CAIN of Penobscot, WOODBURY of Cumberland.

TRANSPORTATION

Bill "An Act To Update and Clarify the Laws Governing the Operation of Bicycles on Public Roadways"

(H.P. 1045) (L.D. 1460)

Sponsored by Representative JORGENSEN of Portland.

Cosponsored by Senator GRATWICK of Penobscot and Representatives: CHENETTE of Saco, CHIPMAN of Portland, DORNEY of Norridgewock, McELWEE of Caribou, MOONEN of Portland, PEOPLES of Westbrook, ROCHELO of Biddeford, VOLK of Scarborough.

Bill "An Act To Streamline the Laws Related to Transportation"

(H.P. 1049) (L.D. 1464)

Sponsored by Representative THERIAULT of Madawaska.

Cosponsored by Senator COLLINS of York.

Submitted by the Department of Transportation pursuant to Joint Rule 204.

Bill "An Act To Increase Accountability and Efficiency of Independent Entities Involved in Separate Aspects of the State's Transportation Systems"

(H.P. 1050) (L.D. 1465)

Sponsored by Representative ROTUNDO of Lewiston.

Cosponsored by Representatives: ESPLING of New Gloucester, LAJOIE of Lewiston, TIMBERLAKE of Turner, WERTS of Auburn, Senator: SAVIELLO of Franklin.

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

ORDERS

On motion of Representative POULIOT of Augusta, the following Joint Resolution: (H.P. 1040) (Cosponsored by Senator CUSHING of Penobscot and Representatives: LOCKMAN of Amherst, TIMBERLAKE of Turner, WILLETTE of Mapleton, WILSON of Augusta, Senators: BOYLE of Cumberland, DUTREMBLE of York, SAVIELLO of Franklin)

JOINT RESOLUTION RECOGNIZING MAINE'S REALTORS

WHEREAS, the Maine Association of REALTORS® has nearly 4,000 members actively involved in the business of real estate and it has approximately 1,000 affiliate members, including lenders, appraisers, title companies, building inspectors, surveyors and insurance providers; and

WHEREAS, the not-for-profit association provides each member with an equal voice and representation in the real estate profession, serving members in all 16 Maine counties and in their communities; and

WHEREAS, the benefit that the Maine Association of REALTORS® provides to Maine's economy includes not only the money spent and reinvested in the sale price of a property, but all those services and expenditures that occur in relation to a property transaction, both for a buyer and a seller; and

WHEREAS, according to national statistics, it is estimated that one job is generated for every 2 home sales and that each home sale contributes about \$60,000 to the economy; and

WHEREAS, the real estate market in Maine is slowly recovering as evidenced by the number of home sales increasing by 17.12% in 2012 and the median price of a home increasing by 3.03%; and

WHEREAS, home ownership has been enhanced by the work in Maine of the public and private sectors to provide housing opportunities; and

WHEREAS, expanding home ownership will strengthen our State and its families and communities, enhance our economy and create jobs; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, take this opportunity to recognize the Maine Association of REALTORS® and its members for their positive contributions and the significant role they have played in the lives of Maine citizens and their communities, and that their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Association of REALTORS® and its 12 local association boards.

READ.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Pouliot.

Representative POULIOT: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. As a REALTOR®, I rise today in support of all REALTORS® across the State of Maine. I am sure many of you own your own home, some of you maybe more than one. I am sure that many of you have had your own personal experience working with a REALTOR® at one time

or another. The social and economic fabric of our nation, and our state, is deeply rooted in the fundamental right of all people to own, use, and transfer real property. Real property ownership has been, and continues to be, one of the highest personal priorities of most Americans. Real property is defined as land and anything permanently affixed to the land together with all rights exercisable in connection with such land and fixtures. Real property ownership inspires a deep sense of personal pride and accomplishment and fosters greater interest and involvement in community affairs. Real property ownership encourages savings and investment and contributes to economic stability and self-sufficiency. Each day, real estate is bought and sold throughout our state. A recent study showed for every two homes sold, one job is created, pumping revenue back into our economy. Today you will see many REALTORS® about the State House as part of the Annual REALTOR® Rally Day. At 11:30, they will be putting on a luncheon in the Hall of Flags. I encourage each of you to reach out to them and thank them for helping to create jobs in our state and for helping to contribute to the American Dream. Thank you.

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

On motion of Representative RANKIN of Hiram, the following House Order: (H.O. 20)

ORDERED, that Representative H. David Cotta of China be excused April 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Wayne T. Mitchell of the Penobscot Nation be excused April 9 and 10 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas M. Tyler of Windham be excused April 9 and 10 for health reasons.

READ and PASSED.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-33)** on Bill "An Act To Improve Community Mental Health Treatment"

(S.P. 38) (L.D. 87)

Signed:

Senators:

CRAVEN of Androscoggin
LACHOWICZ of Kennebec

Representatives:

FARNSWORTH of Portland
CASSIDY of Lubec
DORNEY of Norridgewock
GATTINE of Westbrook
STUCKEY of Portland
PETERSON of Rumford

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

Signed:

Senator:

HAMPER of Oxford

Representatives:

MALABY of Hancock

McELWEE of Caribou
SANDERSON of Chelsea
SIROCKI of Scarborough

Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-33)** Report.

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-33)**.

READ.

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

The same Representative **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 Portland, Representative Farnsworth.

Representative **FARNSWORTH**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is a bill that is basically designed to respond to the AMHI Consent Decree. As we looked at the budget proposal for this year, the request that was made by Judge Wathen as well as from members of the commissioner was for \$5.6 million to basically cover the costs of developing services in the community for the consent decree. The budget came through with a request for \$2 million for the first fiscal year and \$0 for the second fiscal year. This is an attempt to not only fill that gap but also to accede to the commitment that we have made in the consent decree to provide services, the community based services, for this particular population. Thank you.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. LD 87 is a bill with the best of intentions. There is no doubt that many of our citizens who suffer from mental illness could potentially benefit greatly from having the individualized plan of care delivered to them in their home if they so choose, but here are the challenges. Right now, we are currently struggling to serve a lot of the home visitation services that we already deliver. Do we have an extra \$5.6 million to expand this home delivery program? It would be great if we did. Unfortunately, we don't. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hancock, Representative Malaby.

Representative **MALABY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to echo the sentiments of the last speaker, which is to say I rise in opposition to the pending motion. We have numerous challenges we face in the HHS Committee on a regular basis and the allocation of resources is a very important thing to us. I, however, differ with the pending motion in the sense that we simply cannot afford this. We have looked at all kinds of expansions of programming and we will in addition look at some further today. We are just not in a fiscal situation in which we can address these needs right now. There are many, many, many unmet needs. There are priorities that have long been unmet and I cannot support the motion before us.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Gattine.

Representative **GATTINE**: Thank you, Mr. Speaker. I think it's important, Men and Women of the House, when you determine how you're going to vote on this, to understand that it's not a choice about whether or not we comply with the AMHI Consent Decree. The AMHI Consent Decree is an agreement that the state entered into over 20 years ago and as a state, we're required to meet the obligations that we took on. The issue of funding is obviously very critical, but at the end of the day, we need to meet those requirements and what the appropriate funding is will be worked out during the budgetary process. I hope folks, when they evaluate this, will take a look at the language. I think what's important here is this bill does not prescribe anything specific to the state or to the Department of Health and Human Services of what they need to do. It simply incorporates into the general policy language in the existing statute the very important concepts that services to people with mental illness should be done in the least restrictive means. It should be done in the community where those people live. That we need to address the problem of homelessness among this population, an issue that all of us can see the effects of when we go out in our communities. Again, we need to comply with the consent decree, but I think what we need to do today is to incorporate those very important principles into our statutes as state policy. Thank you very much.

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. There are many people in our society who need mental health services that don't have access to them. The needs of those with mental illness are often pushed aside or ignored until it is too late, and, unfortunately, mental illness maintains a stigma that other health care issues do not. Recently, our country has been confronted with issues of gun violence where mental health problems have been linked, so the legislative approach should be to focus more on bills that make access to care easier for those who need it, and this bill will develop programs to help provide medically necessary mental health services to persons with chronic mental illness, a necessary first step in addressing and improving mental health treatment. I urge you to vote for the Majority Report, Ought to Pass. We can't afford not to. 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. 49

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

NAY - Bennett, Black, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Harvell, Jackson, Johnson D, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee,

Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Volk, Wallace, Weaver, Willette, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Beaulieu, Carey, Crockett, Frey, Guerin, Peterson, Rykerson.

Yes, 92; No, 51; Absent, 8; Excused, 0.

92 having voted in the affirmative and 51 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-33)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, April 30, 2013.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-25)** on Bill "An Act To Restore Eligibility and Funding for Drug Programs for the Elderly and Disabled"

(S.P. 219) (L.D. 629)

Signed:

Senators:

CRAVEN of Androscoggin
LACHOWICZ of Kennebec

Representatives:

FARNSWORTH of Portland
CASSIDY of Lubec
DORNEY of Norridgewock
GATTINE of Westbrook
McELWEE of Caribou
STUCKEY of Portland

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

Signed:

Senator:

HAMPER of Oxford

Representatives:

MALABY of Hancock
SANDERSON of Chelsea
SIROCKI of Scarborough

Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-25)** Report.

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-25)**.

READ.

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

Representative BERRY of Bowdoinham **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 Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill is to

restore funding for the DEL program for our elderly. In the last legislative session, we, of course, reduced it from 185 percent of poverty level to 175 percent of poverty level. We are still 75 percent above the national average. The DEL program was instituted at a time when we didn't have the \$3 and \$4 low cost prescriptions from many of our pharmacies at this time. We also have hospitals at this time who are working very hard and they have worked very aggressively with folks who come through their facilities to work with the pharmaceutical companies to get them signed up on to prescription programs to help get them no cost, low cost medications. If we expand this from 175 back up to 185, such as this bill directs, we are looking at an additional almost \$4 million, by 2015, a year for this. Now is this important? Absolutely, certainly it is; however, there are other options. We are picking away and picking away and adding and adding and adding to our spending when there are other options available, while at the same time trying to fill a tremendous budget shortfall and trying to find ways to fund the services that we have for folks who are on waiting lists and not receiving services, folks who can't even feed themselves at this time. While we say again this is an important program, there are other options available and I think it's important that we work to get that information out. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In my former eight years on Health and Human Services, this was one of my biggest pets, to take care of prescription drugs for our elderly and disabled, and I guess it disappeared the last two years that I haven't been here. I worked real hard for this one and my good friend, the former Chief Executive of the State of Maine, John Baldacci, worked very hard with me too to keep this afloat. I'm glad it's back and I hope you'll follow my light and vote for it. Thank you very much, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to add one thing and that is that several years ago there was a referendum that passed in this state and it authorized a casino. Well, at the time, it was a racino; we have since turned it into a casino and that would be the Hollywood Casino in Bangor. In the original bill, in the referendum, in the original question that was asked, it said something along the lines of "Do you support a racino if part of the funding goes to support Drugs for the Elderly, prescription drugs for the elderly and the disabled?" and that revenue stream was approved by the people of Maine and the voters of Maine, and so I was disappointed to see that the revenue stream was cut originally because there is a dedicated revenue stream for this. I think that there are other revenue streams that go into it, but the fact of the matter is that the people of Maine have voted in support of funding prescription drug programs for the elderly, and while there may be a lot of folks working hard to make sure the elderly have access and good access to prescription drugs, the fact of the matter is when I hear from my constituents and when I hear from people across the state, one of the big concerns they have is that they can't afford their prescriptions. So I don't buy the idea that there is not a need for this program, so I look forward to voting for this and I am delighted to see that we are going to be restoring funding, especially since there is a revenue stream that was voted on by the people of Maine. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Farnsworth.

Representative **FARNSWORTH**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This, to me, is I think one of the most critical kinds of programs that we can offer to our senior citizens. We continually talk about trying to reduce health care costs and the primary cause of increasing health care costs are misuse of the emergency rooms, a lot more hospitalizations, and the high costs kinds of services. This program is designed to help senior citizens who are struggling to basically make ends meet. We are talking about people on very, very modest incomes, for the most part living on Social Security, which I, from personal experience, can say isn't a whole lot and as a result this gives them that additional ability to have access to appropriate medication so that they can maintain their health at home, in their home communities, and to be able to avoid, as much as possible, the acute care channels that we have which are emergency rooms and hospitalizations. I am very concerned that this particular program being cut back will take and increase, ultimately, the cost, all the way down. I always use the example of the balloon. You can squeeze it in one place but the cost comes up some place else. The need does not go away. I realize one of the former speakers referred to other kinds of programs that are presented by the pharmaceutical companies; however, the testimony that we have heard indicates that these are very limited, very complex to deal with and offer a very, very narrow kind of access to drugs, and I think represents not a good solution to the problem. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Treat.

Representative **TREAT**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I did want to say a few words on this because I actually can't think of a single other issue that I've gotten more constituent email about, and I have one of them here and I just wanted to read a little bit about it so that we can put a human face on what we're talking about. It's from a woman in my district who says "I don't know the answers to the budget crisis, but I do know that I will certainly be affected by these cuts on the elderly drug program, as so many others here in Maine. It is getting tougher for us to remain on these medicines, which give us such a better quality of life. The expense of medicines is unattainable for us without this program. I know people will be stopping medicines because of the expense involved if we lose this help. I am trying to think where I can cut within my household again. I have always been frugal and for years I have turned my heat way down, my electricity, usage of water, etcetera. I do a lot of my own yard work to save money. I haven't had a vacation for years. I have worked for 60 years. I stopped when I have 7½ with deductions from my pay. I can say I worked hard, raised a family and contributed to the State of Maine and our government. I just wanted you to know that not going on a vacation, it isn't because I'm not able to travel but I have no money. I must hang on to any monies I may have for emergencies like replacing my roof. I need to make repairs on my home still, which has a pretty hefty mortgage still at my age."

So that is what we're talking about. This is an elderly lady in my district, it's one of many. We need to do what we can. We can trust to the Appropriations Committee to take a look at this bill, among many others that they'll be looking at, all of the budget issues, and figure out what is the best way to balance all of our priorities. This is very important. I hope you will follow my light and vote yes today.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. With all due respect to my dear colleague from Chelsea, Representative Sanderson, this

fiscal note is not especially significant in terms of the positive impact it can have on the poorest and oldest among us. With all due respect to my dear colleague from Portland, Representative Russell, while I do share the frustration of dedicated revenues, revenues dedicated by direct vote of the people, the real issue here is how we as a society care for our elderly. Now, my mother and father are both 80. I don't like it when I say this but demographically, Maine is the oldest state in the nation, okay, and in terms of poverty, what we're looking at, what this bill would do, is it would raise the income for a single widow or shut in elderly person, it would raise eligibility for this benefit from \$20,107 to \$21,256 a year. Quite frankly, this increment is, quite frankly, almost unconscionably too small. We are going to be judged as a state, okay, as a society, as legislators by how we take care of those who have difficulty taking care of themselves and who have lived as productive and contributing members of our society for their whole lives. I don't think this goes far enough, but this is the motion on the table and I would urge you please to give this modest benefit to the poorest among us.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker. While every one of the previous speakers who has spoken before me certainly have hit the mark on many things that are true, what we're not talking about is other options that are available. I, too, have had constituent emails. I, too, have had the conversations surrounding the eligibility for the DEL program. But what I also have done is done the research and come up with other avenues for these folks and have offered them, and in two cases, these seniors were able to access other programs with a higher eligibility level that offer the same level of coverage for the same medications that they use and here's the most important piece. These seniors are now stable in this program without having to worry about the yearly budget debate on "Is my benefit going to get cut?" They have stability in their prescription program because I was able to show them that we do have options. Now, we're not saying cut the DEL program. We're saying there are other options that are available that can serve these seniors and disabled as well, maybe, if not better. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hancock, Representative Malaby.

Representative **MALABY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in opposition to the pending motion and it gives me some degree of discomfort because I, too, support our seniors. I wanted to add a few things to what the Representative from Chelsea just stated. In her first discussion, she indicated that there were alternatives. One that has not been mentioned is we do have something that was started long after this program was initiated which is called Medicare Part D, and Medicare Part D is the prescription drug benefit. The CBO released a report not long ago that said 91 percent of older people who are using Medicare Part D for drugs were previously purchasing their own drugs. That sounds a little strange to me. I also want to speak to the other alternative, the pharmacy assistance programs, which is an optional thing in Maine. I was very involved with my hospital, crafting and drafting one back in 2002. There are many hospitals in Maine that do this quite aggressively. There are some hospitals that do not do this. There are states that have state run programs that get free drugs for the elderly and, oh, my goodness, it is the private market solution. It takes no tax money. We're looking on a regular basis in Health and Human Services at about \$150 to \$175 million of optional and elective services that we have over the years chosen to expand. We are constrained budgetarily and I urge you to vote no on this. We all have to live within a budget. We

are concerned about our elders' budget. We also have a fiduciary responsibility to the taxpayers of Maine. This is a hard choice. It is indeed why we've been elected. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Chase.

Representative **CHASE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in opposition to the motion before us. For those of you who may not know, for the last 14 years of my life, my personal life, I have donated thousands and thousands of hours working with seniors, working together building a senior center and putting programs out in our area. We have a proud senior center with over 700 members, active members, in our senior center. This group that we're talking about are not all weak and they're not all incapable of making decisions for themselves. Yes, I received emails on the programs when we said we were going to eliminate it totally, but programs like this for the expansion, when you ask the seniors, they understand in their group, no different than any other group, there are some that have more retirement benefits, they make a little bit more money, and there are those that are truly needy and truly poor. In this group, from 175 to 185 percent, these people will tell you right up front, they're not the poor and needy ones. They would look at that \$4 million and they would say, "Give it to those who really need it. We're capable of looking around, looking at the alternatives, learning alternatives, and getting things done ourselves." I think we don't give them enough credit and having dealt with all these people for the years that I have, I can tell you they will be the first to tell you, give it to the ones who truly need it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Boland.

Representative **BOLAND**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this bill but sadly so because I really agree with everyone who has spoken before this, but the fact that we make ourselves so exclusively dependent on pharmaceutical drugs for health is the part that I find sad. To go door to door and see some of our elderly with so many bottles of medicine sitting on their counter that it's making them go bankrupt, when we also hear so much about how so much of our illness can be solved with healthy lifestyle changes. I really have been working since I got here to try to get that message over and as much as we talk about wellness and prevention, we don't do much about it that doesn't involve a medical solution. I'm talking in my field about nutritional supplements and healthy foods. Many of our foods, of course, we've had a discussion about GMO, they are modified and sometimes not in a very healthful way, and so these people are living on foods that maybe aren't good with choices that come with all sorts of risks listed on the packaging of their medicines, and the cost is enormous. I was having a conversation with the Maine Medical Association the other day about another bill that I have and twice he started his sentence with "We will not allow the Maine Legislature." "We will not allow the Maine Legislature" with a confidence in his voice that was scary. Now, I'm concerned about our senior citizens and I want them to have what is available to them, what they can be afforded, but I highly regret the fact that their selection, the spectrum of choices they have allowed them is so small.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative McClellan.

Representative **McCLELLAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. As I sit and listen, I have to for myself look at the big picture. Now I'm a parent. When my kids were younger, we used to go to yard sales and either they had their money or I'd give them some money, and I

always had to caution them to walk around the whole yard once, don't buy the first thing you see because you might find something later you really want and you won't have any money for it. In this House, it seems like every issue we debate at that moment is the most important issue. This one seems very important. I can understand why people, at that moment, are going to just really want to do the best they can for that issue, but I realized this week in the Education Committee, we added over \$30 million to the budget for one year, and I understand that in DHHS, I think they doubled that in their budget. So I might agree that this is an amazingly important issue, our seniors, of course, but it just seems to me like we spent our money at the beginning of the yard sale and we're out of cash. Thank you, Mr. Speaker.

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

Representative **COOPER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this bill and I just wanted to correct one, perhaps, misconception. This program is a program of last resort. There's no question that there are other means for elderly people to get low cost or affordable medications through Part D Medicare or pharmaceutical programs, through their doctor, through other avenues, but for one reason or another, these other outlets have proved inadequate. Part D, for example, provides pharmaceuticals to elderly people but at prices set by the manufacturer. They are forbidden by federal law to negotiate with the government as to the price, so it still may be far out of the reach of elderly patients. So I submit to you that this is a voluntary program, it is used by Mainers only when there is no other recourse, and Mainers, being the proud people they are, will rely on this only when absolutely necessary. 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. 50

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

NAY - Beaulieu, Bennett, Black, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson D, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Frey, Peterson.

Yes, 93; No, 55; Absent, 3; Excused, 0.

93 having voted in the affirmative and 55 voted in the negative, with 3 being absent, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-25)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, April 30, 2013.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Allow Hunting for Deer with a Crossbow during the Expanded Archery Season"

(H.P. 81) (L.D. 99)

Signed:

Senators:

DUTREMBLE of York
HASKELL of Cumberland

Representatives:

SHAW of Standish
BRIGGS of Mexico
ESPLING of New Gloucester
EVANGELOS of Friendship
KUSIAK of Fairfield
MARKS of Pittston

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-67)** on same Bill.

Signed:

Senator:

BURNS of Washington

Representatives:

CRAFTS of Lisbon
DAVIS of Sangerville
SHORT of Pittsfield
WOOD of Sabattus

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Strengthen the Rights of Grandparents under the Grandparents Visitation Act"

(H.P. 170) (L.D. 209)

Signed:

Senators:

VALENTINO of York
BURNS of Washington

Representatives:

PRIEST of Brunswick
BEAULIEU of Auburn
GUERIN of Glenburn
MOONEN of Portland
PEAVEY HASKELL of Milford
VILLA of Harrison

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

TUTTLE of York

Representatives:

CROCKETT of Bethel
DeCHANT of Bath
MONAGHAN-DERRIG of Cape Elizabeth
MORIARTY of Cumberland

Representative MITCHELL of the Penobscot Nation - of the House - supports the Minority **Ought to Pass** Report.

READ.

Representative PRIEST of Brunswick moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Expedite Court Proceedings by Providing Funds for Additional District Court Personnel"

(H.P. 371) (L.D. 552)

Signed:

Senators:

VALENTINO of York
BURNS of Washington

Representatives:

PRIEST of Brunswick
BEAULIEU of Auburn
CROCKETT of Bethel
MONAGHAN-DERRIG of Cape Elizabeth
MOONEN of Portland
MORIARTY of Cumberland
PEAVEY HASKELL of Milford
VILLA of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-78)** on same Bill.

Signed:

Senator:

TUTTLE of York

Representatives:

DeCHANT of Bath
GUERIN of Glenburn

Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought Not to Pass** Report.

READ.

Representative PRIEST of Brunswick moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Make Gold and Silver Coins and Bars Legal Tender"

(H.P. 124) (L.D. 149)

Signed:

Senators:

PATRICK of Oxford
CLEVELAND of Androscoggin
CUSHING of Penobscot

Representatives:

HERBIG of Belfast
CAMPBELL of Newfield
GILBERT of Jay
HAMANN of South Portland
MASON of Topsham
MASTRACCIO of Sanford

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representatives:

DUPREY of Hampden
LOCKMAN of Amherst
VOLK of Scarborough
WINCHENBACH of Waldoboro

READ.

Representative HERBIG of Belfast 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**: The Chair recognizes the Representative from Limington, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is an economic revenue-generating bill. Presently, if you want to buy pre '64 silver coins or gold or silver bullion, you are required to pay sales tax. Old coins and bullion are purchased as financial investments. Thirty states presently offer tax exemptions for coins and bullion, including California and Massachusetts. Texas has just reduced the minimum purchase for a sales tax exemption from \$1,000 to zero. The bill received a fiscal note of zero. The State of New Hampshire has a trade show every month for coins and bullion with at least one show a year that brings in folks from all over the country. Coin and bullion shows have been shown to generate revenue that ranges from \$7 million to \$20 million a show. Maine is considered "Vacationland." I firmly believe people would rather travel to Portland or many other great locations in our state for a trade show than Manchester, New Hampshire. Maine will never have a coin trade show as long as we charge sales tax for these investments. Thank you very much.

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. 51

YEA - Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Farnsworth, Fowle, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hobbins, Hubbell, Jorgensen, Kaenrath, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Luchini, MacDonald W, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nelson, Noon, Peoples, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Villa, Welsh, Werts, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Boland, Campbell J, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Hickman, Jackson, Johnson D, Johnson P, Jones, Kent, Keschl, Kinney, Knight, Libby A, Lockman, Long, Longstaff, MacDonald S, Maker, Malaby, Marean, Marks, McClellan, McElwee, Nadeau A, Nadeau C, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Pouliot, Reed, Russell, Sanderson, Sirocki, Timberlake, Turner, Tyler, Verow, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Frey, Peterson.

Yes, 79; No, 69; Absent, 3; Excused, 0.

79 having voted in the affirmative and 69 voted in the negative, with 3 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

**ENACTORS
Emergency Mandate**

An Act To Ensure the Confidentiality of Concealed Handgun Permit Holder Personal Information

(H.P. 250) (L.D. 345)
(C. "A" H-89)

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

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'm not in any illusion about what the probable outcome of this vote is going to be, but I do want to put on the record a few comments. This bill establishes secret concealed weapons permits. I hope we all recall that we do not allow secret weapons into the chamber or into the State House. We have an area where police search all of our constituents so that any weapons, concealed or not, do not appear in this State House. What kind of secrecy is it for our constituents when they are searched like that? Somehow, we have one view of ourselves and another view for all of our constituents. Employers don't have the ability to search everybody who comes into their area for concealed weapons. There is no broad need, there is no proven need for this. We had no harm given to anybody because of this during our testimony. The policy of this bill will be extended soon to hunting licenses, I can tell you that, because they too indicate that you have possession of a gun and so on. Passage of this will do untold harm to the Right to Know law, something I hope you will all bear in mind, so I ask you to vote against Passage of this bill. Thank you.

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

Representative **COOPER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Unlike my esteemed colleague, Representative Priest, I am an optimist and so I stand before you again. They say there are no second acts in America but the Legislature is one place where you do get a second chance, a chance to rethink your vote, to go deeper inside yourself to determine whether or not you're doing the right thing. I urge you to vote against this measure because it is a bad precedent for the openness of our government. The goal of the sunshine law is to keep government records as open as possible, to make exceptions as narrow as possible. Representative Priest's alternative bill would have responded to the real needs of real people who had reason to fear their names and addresses being given out. The rest of the ban is a broad-brush attempt to create a level of secrecy that is unprecedented in this law. I understand that many of you are opposed to this measure because of reasons that are unrelated to the bill at hand. That is to say that the gun advocacy groups are strong in this state. The feelings about guns are strong in this state and I understand that. It's not an unrealistic trepidation to vote against this measure, however, 2013, we are a different people in America and we are a different people in Maine. Recent polls indicate that 90 percent of Mainers do not support this measure. They support sensible gun rules on a broad variety of bills. So if you think that are getting political safety by voting for this bill, I fear that you are wrong, not only wrong in terms of the correctness of your position but wrong in the eyes of history and wrong in the eyes of your constituents. If you are voting for this bill, you must also remember that who is behind it. It is not the 100 people who showed up at the hearing, sincere though they may be; this has been part of a concerted effort by the gun lobby that we will see again and again in the weeks to come. This is the first step and it will be harder and harder to resist their call to vote in their direction. But again, vote your conscience. Vote for history. Vote for what is the safe thing and the right thing to do for Maine.

This bill has absolutely nothing to do with the Second Amendment right to bear arms. It will not come close to touching those rights. Indeed, the Supreme Court itself has said that the right to conceal weapons is not an issue that touches upon their ruling in *U.S. v. Heller* and the First Circuit has explicitly said that it is a privilege, not a constitutional right. Knowledge is power and, in this case, the knowledge that we would gain by keeping these records open is the knowledge to know whether or not concealed weapons are actually doing what they allegedly supposed to do, which is to make their holders and the people around them safer. There are studies that show that this is just the opposite, but we frankly do not have a comprehensive study and we need to do so. That would enlighten all of us and enable us to make a better judgment on these calls. The CDC, for example, in 1996, was barred by Congress from conducting gun safety investigations and that was as a result of the lobbying efforts of the NRA. This is not an innocuous vote. It's not an innocuous vote. That's why gun advocates have worked so hard to come to this point and I remind you of that. It is part of a campaign. So, ladies and gentlemen, especially those of you who voted in favor of the Priest alternative, I urge you to consider whether or not this broad brushstroke that would ban the public nature of these records, whether that is the right course to take. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Wilson.

Representative **WILSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Good morning. I

rise today as the bill's sponsor to be brief and get straight to the point. I believe strongly that this is a public safety issue and though I'm not a law enforcement officer, there is definitely a lot of folks that are that feel the same way as I. So I'm going to be simple and just remind you of who testified in support of this legislation. The Maine Coalition to End Domestic Violence proudly supports it. The National Association of Social Workers supports it. The Maine State Police support it. Maine Chiefs of Police Association supports it. Maine Municipal Association, Sportsman's Alliance of Maine, the City of Bangor, probably about 100 other folks showed up for the testimony in support. Only a handful decided to speak in opposition. Those are the folks that deal with the public safety issues that we as a community face daily. These are the experts in their field. We are not. They are. I ask that you speak today by voting in favor of this legislation. If you can't do it for yourself, do it for those that are in the trenches every day. This is a public safety issue. I urge you to support this legislation today and follow my light. Thank you.

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. As I was reminded just a few minutes ago, the debate on this issue is long gone. I don't remember if I spoke or not, but I do remember sitting in this chair twisting and turning and wondering what I should do. You all know what I used to do for work before I retired. You all know which company I worked for. I'm not going to tell you the name, but it's located in Bangor and it's a newspaper, and you all know where this thing originated I believe. Up until today, I think, maybe even as recently as a few minutes ago, I was sad. Then my seatmate in front of me changed my mind. I would not be true to myself if I didn't stand and say a couple of things. In my early journalism career, I worked with two giants in the journalism field, J. Russell Wiggins, editor of the *Ellsworth American* and, as you know, *Washington Post*. Marshall Stone, editor of the *Bangor Daily News*, former editor of the *Oklahoman* and former editor of the *National Inquirer*. We sat for hours in a room together with many other members of the Maine Press Association and crafted the Right to Know. I don't claim to have done much with that but these folks did, and it has been edited, if you will, and changed over time. But it is always from day one and I will never ever forget what J. Russell Wiggins said to me. As he pointed his finger at me, he said, "Never ever let them block the sunshine. Always be open to the public. They have a right to know and if you don't stand up every single opportunity you have and defend that, you're not a journalist." That's what he said to me.

I was ready to go along with this because, boy, like the rest of you, or many of you, I suspect, in my district I got many phone calls on this. I didn't know there were that many people in Winterport and in Eastern Waldo County that had permits to carry concealed weapons. Some people I sat right beside in the hunters' breakfasts and other things and had no idea that they were armed other than the rifle that was in the truck hanging up in the back window, but they did and they asked me "Please, make it a secret." I will apologize right now because I said to them "I will do my best" because I heard their arguments and their arguments were for safety. A woman approached me or actually called me on the phone and talked to me about having a weapon and said that she was still hiding from her partner, not her husband but her partner, and I sympathized with her. Unfortunately, and again I apologize to all of you for taking up your time and to all of those that I may have made promises to and if this causes me not to be trusted ever again, I am deeply

sorry, but I am going to vote against it because I can't get those thoughts out of my mind from Russ Wiggins and Mel Stone, my boss for many, many years. If the sun doesn't shine and if you don't allow it to shine, you are not a journalist. Thank you, Mr. Speaker.

Representative HAYES of Buckfield **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 Cape Elizabeth, Representative Monaghan-Derrig.

Representative **MONAGHAN-DERRIG**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I'm going to be brief here. I just want to just make everybody realize too that I was one of the three of the Judiciary members that did support the Priest amendment. I was very sad to see it fail two days ago, but I'm just going to make a last attempt at conveying my views and the views of many of my constituents in the greater Portland/Cumberland County area. This bill will not protect people's privacy. This bill will only serve as another attempt to roll back laws aimed to loosen Maine's gun laws and the public's right to know. Although I am only one legislative session ahead of the freshmen class because I was elected in a special election, I understand the feeling of a lot of the freshmen class, but let me tell you something. We have a large freshmen class here. Some of them sit on the Judiciary Committee. Some of don't. But I can tell you as a second-term legislator that I have seen, time after time, after time in this committee laws aimed to roll back laws that have been on the books. I saw it over and over and over again last year. Some of them were small incremental laws aimed to roll back some of these laws, laws that had been on the books for many, many years. Others were draconian efforts to roll back some of these laws. Many of them had to do with the public's right to know and privacy laws and the sunshine law. So I just want to just mention one more time and I ask that everybody look at the states around us. See what they are doing. See what some of the sensible gun laws they are doing to enact and propose, propose and enact. This bill will just do the opposite and I ask you to oppose this bill and keep the concealed weapons permit public as it has for over 30 years. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bethel, Representative Crockett.

Representative **CROCKETT**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. I'll be brief because this was thoroughly debated the other day and I see no need to revisit most of this arguments, but I will touch on just a couple of brief ones. There was a public outcry because of an action manifested a need. The public said this measure qualified as equally as the other 300 exemptions to FOAA, over 300 exemptions to FOAA. The public outcry also said the vast majority of states exempt this information. We as a Legislature, and let me take a step back. We as a Legislature are faced with many hard choices and we all want to do what's right for the State of Maine this year. We have a lot of fiscal constraints and you'll see a lot of bickering back and forth and all well intentioned because we all want to go in a positive direction for the state, but this bill stands as a beacon of hope because you have the public outcry, you had the public meet, you had the manifested necessity to act, and that committee came through with a very thorough process of review establishing requirements for the Department of Public Safety to come back to see if any of the potential issues that have been raised will be addressed. We did it in a bipartisan manner. That could stand as an example for the rest of our session. Let this be a monument to the success of

what can be the 126th Legislature. So with that, I ask that you support the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. The other day I talked about Vermont. I'll talk about myself right now. In my wallet I have a permit to carry in Maine and New Hampshire, so if everybody is concerned they now know and they can tell anybody in the state. For those that are so concerned about knowing who's carrying in the state, maybe we should pass a law like Vermont and someone put the bill in and pass it, that you don't need a permit to carry concealed in the State of Maine and then everybody will be happy. They'll know and they won't know who's carrying a concealed. Thank you.

The SPEAKER: The Chair recognizes the Representative from Morrill, Representative Pease.

Representative **PEASE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Something I was going to say, I want to adlib a little bit first for that but the Representative that just spoke talked about a bill that would allow that. That bill is already before us in committee in LD 660. But moving on, what I really want to address is over the last few days on this debate we've heard about history. History of the NRA, history of this, history of that, but we've forgotten history. For those of you who are students of history, I ask you to go back and look at the history books. Look at the late 1930s, when in Germany, Nazi Germany, a list was compiled, a list of enemies of the state, a list of people that were not of the same religion or persuasion as the leadership, a list of who had weapons and where they were stored. Later on, when they went into Poland, lists were made, who has what weapons and who has where. Let's go to the late '50s, 1958 and 59, if you remember your history and study it. Cuba, lists were made. Lists of who had weapons, lists of who could oppose the state should the state do things against the people. I'm not advocating that we are at that state in this point, but let's go a little bit further. Let's go to Sarajevo. Let's go to Yugoslavia. Let's go to Czechoslovakia which doesn't exist anymore and let's look at how lists were used against the people. Thank you very much.

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 wasn't going to talk on this. I believe that the speakers who have preceded me have made the case for passage of this bill, but I do think that the handout that we got today that quoted the ACLU, the ACLU had it right. Maine's Right to Know laws are not designed to reveal personal information about members of the public who do not serve in government to the broader society. In an age of identity theft, aggressive and coercive marketing and sales tactics, and significant invasions of personal privacy, it is more important than ever that the government safeguard any personal information of the citizens that falls into the government's hands. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Belgrade, Representative Keschl.

Representative **KESCHL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I would remind you that revealing the names and addresses of those who voluntarily undergo a comprehensive background check will not do anything to protect the public, for these people are following the law. Those you should be concerned about are those who carry in violation of the law, those who violate the laws in many cases. Can you reveal their names and addresses? The answer is no. I urge you to follow my light and vote in favor of this bill.

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

Representative **CHIPMAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just want to clear up any confusion there might be around the ACLU. They are actually out in the hall and they just told me they are opposed to this bill and this report, and they hope that we'll vote no on it. Thank you.

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

Representative **GIDEON**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House. I rise today to just remind us all of something very briefly. We have, in this state, a law called the Freedom of Access Act. This bill is about the right to know, it is not about firearms. There are 379 exemptions that exist to this right now, but if we want to continue to chip away at this law, then we should do so by looking at the Freedom of Access Act in its entirety and not by a single issue that is filled with passion. Thank you.

The SPEAKER: The Chair recognizes the Representative from York, Representative McGowan.

Representative **McGOWAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just want to speak to the issue that this, for me, is not a bill of hope, but this is a bill that says we must live in fear and because we live in fear, we must keep this information secret, that information of 30,000 people who have permits to carry secret weapons, 5,000 of them who are from out of state, people who can carry secret weapons to our schools, to our town meetings, through our neighborhoods and in our communities. I reject the idea that this is hope, that this says we are condemned to fear and therefore we must keep this information secret so that the people in the community would not have access. Thank you.

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

Representative **CAREY**: Thank you, Mr. Speaker. Mr. Speaker, I want to begin by commending the Representative from Augusta on a forceful and effective advocacy for his bill. The premise, as I believe, as I understand it, and I think I'm appropriately stating it, that public safety has increased when concealed weapons applicants and successful applicants are private. Like any human institution, government makes mistakes. Open government and the freedom of access is our check as citizens against government overreach, mistake and fraud. We all know examples of those, whether it's large scale like the Turnpike Authority or small scale like the 2,000 people who inappropriately received denial of health care this past couple of months from the Department of Health and Human Services. Open government is how we the citizens catch that, how we check that, and how we turn that back.

The current process for concealed weapons, where many departments across the state issue the permits with very different processes and there is no unified form, leaves open the opportunity for mistake, for honest mistake but mistake. I have firsthand knowledge of such a mistake. Within the past year, I was in the District Court in Maine at a protection from abuse trial. The defendant was before the judge. As many of you know, a concealed weapons process is long as the Representative from Belgrade suggested, there is a very long background process that is laid out in law. One of those things is you cannot have a concealed weapons permit if you are a felon; it's very clear. So the judge said, "Are you a felon?" He said, "I have a concealed weapons permit." He said, "Are you a felon?" "Well, I can't be. The concealed weapons permit says I can't get one if I'm a felon." Well, it came out later in the trial that he had in fact served time in

another state. It came out in the trial when the judge asked him what he served time for, attempted murder. "How long did you serve?" "Over two years." He said, "That sounds like a felony." He said, "I don't know." It turns out it was a felony after the judge did some research into the laws in Maryland in understanding where that was. There was no question, however, that he bore a valid concealed carry permit in the State of Maine.

It is often said, and has been repeated, that the people who carry concealed weapons permits are not those that we should worry about, that the background check is comprehensive. The fact is that the system that we have in the state doesn't ensure the law as this chamber has laid out over the years. Mistakes happen. Mistakes happen in this state in the way that we implement this law currently. Open government is the way that we check mistakes, in this state and in every other government in this country. This bill passes an opportunity to check mistakes will be lessened. The intent, as I've said, is admirable, but there are just too many unintended consequences. I implore you, please do not throw good government after bad. 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. I'd like to go back to one of the premises that I've talked about a number of times which is the importance of committee work, to remind everybody in this body that in this particular bill, which was passed out in a bipartisan fashion, came out of committee 10-3, and the Minority Report was the one that was moved and was defeated, and then the other report, the Majority Report, was moved and then voted on and received 106 votes in this body, my recollection is. In the other body, the same bill was passed 28-7, I believe, and I can stand corrected on that. People talk about the fact that this is not a gun bill. How can you talk about this bill and not have it be about guns, when it's about privacy, it's about open government. This is a gun bill. It's about a fundamental constitutional right that we have, both in our Federal Government Constitution and our State Constitution. These are law-abiding gun owners. As the good Representative from Lewiston indicated, there will be times when there are mistakes. In enforcement, there are mistakes every day in enforcement on lots of issues and that's not a reason to defeat this bill, because it isn't being properly enforced. Ladies and Gentlemen of the House, the clock has run out. Leadership in both the House and the other body, Republicans and Democrats, came together at a time earlier in this session to create a moratorium on this issue so that this specific issue could be debated in committee, so there could be debate on this floor. Many people came and spoke. But, ladies and gentlemen, the clock has run out. Time is up. That moratorium ends this month, a couple of days away, so if we don't pass this today, the clock has run out. Mr. Speaker, I ask, request that you read the Committee Report. Thank you.

The same Representative **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 Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. If you'll indulge me for a couple of moments, I rise today to thank the committee for their hard work, their bipartisan work. I also rise today to recognize that it's not often that I get to side with a member from the other body, the Senate Democratic Chair, actually, and for folks who have served in this House recognize that she and I often disagreed in the past so it's good to actually agree today. I think

that we've seen over the last month this committee work this bill and not because of political influence or lobbying or politics, but because of the committee process in vetting has brought forward a bipartisan Majority Report with five members from one side of the aisle and five members from the other side of the aisle.

I also recognize as part of that work that they reviewed, through some information from OPLA, that there are 379 public records exemptions through the FOIA law. The committee determined the following: that the proposed exemption protects the individual's privacy interest and the interest substantially outweighs the public interest in disclosure. The public disclosure could jeopardize the safety of a member of the public or the public in general and that safety interests substantially outweighs the public interest in the disclosure of record and the proposed exemption is as narrowly tailored as possible. That work was done. The other thing that the committee was able to do is come to a bipartisan agreement as far as how this data should be collected so that it can be used for law enforcement, so that mistakes, as mentioned before by the good Representative from Lewiston, Representative Carey, can be avoided. I think it's clear today the folks that support this understand this issue. We have the National Association of Social Workers, Maine State Police, Maine Chiefs of Police Association, Maine Municipal, various police departments around the state. We have the City of Bangor. We hear frequently from the City of Bangor in this chamber and they are very proactive when it comes to pieces of legislation. That is why I will support this. It is the hard work of the committee, it is the bipartisan compromise, and it's moving this issue forward. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This is a very hard vote for me yesterday and it is not a hard vote today. I did not campaign for this office here because I was concerned about lists being published or not published. It was not an issue that chose me and I think for many of us here in this body the same might be said. Rather it chose us. These are the times that we live in. I honestly had not made up my mind until yesterday morning about whether the individual's privacy interest or the public interest in disclosure was truly more important. But fundamentally, the work of the Judiciary Committee, both the Minority and the Majority Reports, to increase the confidentiality of the permits and to change, current law helped me to decide that fundamentally we do need to respect the individual's privacy interest here. And that it boils down for me personally to the statement by the ACLU of Maine and I fully respect and realize that they do not support the pending motion, which I do support, but the statement that Maine's Right to Know laws are not designed to reveal personal information about members of the public who do not serve in government to the broader society, it is more important than ever that the government safeguard any personal information of the citizens that falls into governmental hands.

Mr. Speaker, Men and Women of the House, as a select board member in the Town of Bowdoinham, having approved the concealed weapons permits of many of my neighbors, law-abiding citizens, I cannot in good conscience vote today to allow the names, the addresses, the dates of birth of those neighbors, those good neighbors, to be published willy-nilly. I do not see it as being in the public interest, for that information to be out there more than it is in their interest for that personal information to be confidential. There are many other places where this question, this balance has to be weighed, and it seems very clear to me now that we need to come down strongly on the side of

protecting the personal information of Maine people. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Sabattus, Representative Wood.

Representative **WOOD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am rising to let everybody know that we have laws that say that you cannot bring a weapon on school property, so you don't have to be scared that someone with a concealed weapons permit is going to bring a weapon on to school property. I have hundreds of people that have contacted me that don't belong to any gun rights activist groups or anything that want me to vote to conceal their information. Thank you.

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

Representative **MORIARTY**: Thank you, Mr. Speaker. Mr. Speaker, Fellow Members of the House. Having spoken extensively two mornings ago, I had not anticipated speaking again today, but I do wish to make a few remarks, which I promise you will not be a rehash of what I said two days ago. I wish to respond initially to my colleague and friend, the good Representative from Yarmouth, who suggested that this measure was merely a forerunner of things to come insofar as firearm measures are concerned. I don't agree with that at all. I see this as fundamentally different. If this had been a firearms bill, it would not have come to the Judiciary Committee at all, but on the contrary would have been assigned to Criminal Justice and Public Safety. Therefore, I don't believe that this vote today is an indicator or a bellwether of what may follow later on in the session on weapons-related issues generally. As it turns out today, I will vote the same way as my colleague and the good Representative from Newport, Representative Fredette.

I do take issue with the Representative's comment that this is a gun law for the previous reasons suggested. I see this entirely as a privacy and personal safety issue. We had extensive testimony and I have personally received large quantities of email messages, as I'm sure many of you have, regarding the personal risk that individual Mainers in Maine who have chosen to seek a concealed handgun permit for legitimate personal reasons may face, if their identity and their addresses are disclosed. This is, I believe, preeminently and fundamentally a privacy and personal safety issue. I believe that those concerns override the other issues of the Freedom of Access Act for which I have tremendous respect. I do not wish to chip away at that in any fundamental or meaningful way. I don't believe that this does this. This reinforces that portion of the Act, which recognizes that the privacy of the individual is of paramount importance in Maine, in our statutory and constitutional system, and I think we recognize that by voting for the Majority Report this morning. Thank you, Mr. Speaker.

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

Representative **PRIEST**: Thank you, Mr. Speaker. It's fascinating, Men and Women of the House, it's fascinating, frankly, to see that on this side of the House it's a privacy issue. On that side of the House it really is a gun issue. This is going to be, this bill, if it's passed, will do great harm to the Right to Know law. Think about the argument that's just been made for privacy. What's going to be revealed if this law isn't passed? Only the name and address of the person who owns the permit, that's all. Everything else is and has been for 30 years confidential. So we're talking about revealing names and addresses for permits. If you take the argument that has been made by the good gentleman from Bowdoinham, that in fact the names and addresses should be private because they are not part of

anybody who works for the government, then the same argument applies to hunting permits and almost to every other permit that is issued by the State of Maine because they all have names and addresses and they all can be published. Ladies and gentlemen, this bill will do great harm to the Right to Know law. It's not a chipping away at the Right to Know law, it's taking a big chunk away from it. Again, I urge you to vote against the bill. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bethel, Representative Crockett.

Representative **CROCKETT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I very rarely rise twice and I promise I won't make it a habit, but in response to what the good Representative just said, both reports carved out exceptions. The difference between the two is one does it correctly. That's the sole difference. I, too, agree with the fact that it is a privacy issue. That's why it came to the Judiciary Committee. As a lead on that committee, that is why we should have had that hearing and that's why we did a thorough analysis. They both carve out exceptions. One does it more appropriately than the other. That's why I'd urge you to support the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from York, Representative McGowan.

Representative **McGOWAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I apologize for rising twice, but I must respond to this issue about the privacy issue of the individual substantially outweighs the interest of the public. What we're talking about is .02 percent of our population, 30,000 people, that their privacy interest is more important than basically the 99.9 percent of our state. Thank you.

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 had not planned on rising to speak to this issue again and it seems like there are two issues, one that it is potentially a gun issue, one that it is a privacy issue, and perhaps it is a little bit of both. The purpose, and let me start out by saying that I am a gun owner and former concealed weapons permit holder. The purpose of a concealed weapons permit is to allow people to protect themselves, without disturbing the public. To qualify for a concealed weapons permit I had to meet certain requirements such as residency, minimum age, submitting fingerprints, passing a background check, attending a certified handgun/firearm safety class, passing a practical qualification by demonstrating handgun proficiency, and paying a required fee. Given the background checks and training one has to go through, concealed weapons permit holders are by and large responsible law-abiding citizens who have committed no crime and pose no danger to society.

Concealed by definition means to keep secret; to prevent from being known or noticed. Making the names and addresses of permit holders public defeats the purpose of "concealing" the weapon. As demonstrated in New York, the releasing of the names of permit holders made them targets for threats, but it can also make criminals aware of who has firearms, or open permit holders to the very people they want to protect themselves from. Also, we've heard from people who don't own guns but they also don't want that fact made public. Permit holders range from dentists, pharmacists, veterans, hunters, electricians, bankers, and domestic violence victims. I also want to point out, and this is something that we can't ignore, that Mainers have a proud tradition of being fiercely independent – especially in rural areas with a culture that includes hunting as a way of life, and with this a certain level of comfort with guns.

When you want to talk about the privacy of individuals, the Freedom of Access Act has 369 exemptions. Most of them protect the government and/or corporations. One FOAA exemption protects the amount the state pays a pharmaceutical company for prescription drugs. Why are we protecting pharmaceutical companies over the private information of law-abiding citizens? Under Maine's Freedom of Access Act, I will say this again, it is intended to maximize transparency in government, meant to prevent backroom deals. FOAA was not intended to allow for the collection and publication of information of our law-abiding citizens. 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 did not plan to rise again on this bill after the discussion we had the other day, but there is one thing that has been widely reported and had no discussion, either two days ago or today, so I thought it needed to be discussed. That is that this list was already requested not long ago by a company named Catalyst. Catalyst collects information on voters all over the country, lots and lots of information. They collect information on what magazines you subscribe to, and they collect all of this information and then sell it to campaigns so that campaigns can figure out how to target the voters that they want to reach. Catalyst has the list of concealed weapons permit holders in Maine. So what this means is this bill creates a false sense of security and I heard that about the Minority Report. Frankly, I think it's true about the Minority Report and it's true about this one. This is a false sense of security because even if this bill passes, anybody can form a campaign, or an individual, say a billionaire, like Michael Bloomberg who hates guns, wants to go to Catalyst, offer them money, buy the list and then he can publish it if he wants to or any campaign can use the list in any way that they want to. So the cat's already out of the bag on this list and Catalyst did that. So if you need to feel a false sense of security, then push the green button. But if you realize that we live in the real world and the cat's already out of the bag and somebody else already has this list and they can sell it to anybody they want to, then push the red button. Thank you, Mr. Speaker.

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

Representative **McCABE**: Thank you, Mr. Speaker. My apologies for rising a second time. Ladies and Gentlemen of the House, I just wanted to correct something that was said and the good Representative from Portland discussed a little bit about the list and what's already out there. Communities around the state have these lists. These communities keep them in different formats, in a file drawer, in a binder, and that information that's on their list may include addresses, ages, dates of birth. It's not like it's truly uniform. And as far as pretending as if that list has actually gone far and wide, I don't believe that to be the case and I know many municipalities did not respond knowing that this was coming forward and that the emergency measure from several months ago had passed, so I don't believe there is a list out there. We have such a fragmented form of keeping the list at this time that there really is no single list. Thank you.

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

Representative **COOPER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I, too, apologize for rising again, but I wish to respond to a couple of points that were made. One of my good colleagues from across the aisle mentioned that we have a duty to protect those in the trenches and I absolutely agree, but this bill does nothing to do that. In

fact, it was the Minority Report that would take steps to protect those in the trenches. That is law enforcement officials on the street, in their cars, have no way of knowing whether or not the driver that they are confronting has a concealed gun on their person. That's because there is, as it's been noted, no master list. It is spread out over every town and village and city in our state.

Secondly, the point about, well, if we give exceptions to the sunshine law to things like pharmaceutical companies, why are we hesitating about this one. Well, I agree. The pharmaceutical exception makes absolutely no sense, except in the sense that there was a powerful lobby group that wanted to keep its secrets about pricing or otherwise from the public and managed to secure that exception. That is not a good way to make law and I agree with my colleague from Freeport that we should take a broader look at the Freedom of Access law and make a rational decision about what kind of exceptions, if any, should be made. It may be, for example, that we don't want to release anything having to do with facts that would lead to identity theft, but remember, we have voting lists, we have driving lists, we have hunting lists and on and on and on, all of which are publically available by advertisers, by political groups, and on and on. Finally, yes, well that concludes my remarks. 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 just wanted to respond to the comments from my friend from Skowhegan. I've worked on a lot of campaigns and not just little State House campaigns, big ones with multimillion dollar budgets, and Catalyst is a company that exists for the sole purpose of collecting data on voters across this country and selling it to campaigns that need it. It is entirely possible that some towns didn't respond to Catalyst's requests for the concealed weapons permits holders in Maine and I'm willing to bet that Catalyst kept hounding them and went to those town halls to get that information, and even if they didn't get all of it, if they only got 25 or 30 out of the 40,000 people that have these permits, that's still a pretty big list and Catalyst can sell it to anybody they want to. If this bill passes, then you're going to have separate classes of people, concealed weapons permits holders whose information is on that list and can be sold and made public at any time and concealed weapons permits holders whose names are not on the list that Catalyst has and will be private. So then you've got concealed weapons permits holders being treated differently and either way I'm pretty sure at some point somebody is going to buy that list from Catalyst. I don't know who it is, but, you know, Mike Bloomberg feels pretty passionately about this stuff.

The SPEAKER: The Chair recognizes the Representative from Belgrade, Representative Keschl.

Representative **KESCHL**: Thank you, Mr. Speaker. I rise to just address the comment that the good Representative Cooper made about the policemen, or people, when they approach a vehicle, they don't know whether the driver in that vehicle or not has a concealed weapon. That's true. And as I understand it, the police are trained to approach every vehicle as if they are carrying a weapon, so that issue is taken care of right now because there is no complete list for anyone that has a concealed weapon and there are many people who carry with a concealed weapon permit. Thank you.

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.

In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 52

YEA - Ayotte, Beaulieu, Beck, Bennett, Berry, Black, Bolduc, Briggs, Campbell R, Cassidy, Chase, Chenette, Clark, Cotta, Crafts, Cray, Crockett, Davis, DeChant, Devin, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Gattine, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Harvell, Herbig, Hickman, Hobbins, Jackson, Johnson D, Johnson P, Jones, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Mearan, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, Moriarty, Nadeau A, Nadeau C, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Rankin, Reed, Rochelo, Russell, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Beavers, Boland, Brooks, Carey, Casavant, Chapman, Chipman, Cooper, Daughtry, Dickerson, Farnsworth, Gideon, Hamann, Harlow, Hayes, Hubbell, Jorgensen, Kruger, Kusiak, McGowan, McLean, Monaghan-Derrig, Moonen, Morrison, Nelson, Priest, Pringle, Rotundo, Rykerson, Sanborn, Stuckey, Treat, Welsh.

ABSENT - Beaudoin, Campbell J, Frey, Peterson.

Yes, 114; No, 33; Absent, 4; Excused, 0.

114 having voted in the affirmative and 33 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**.

Emergency Measure

Resolve, To Open Wild Turkey Hunting in Wildlife Management District 27 for the 2013 Spring Turkey Hunting Season

(H.P. 327) (L.D. 477)

(C. "A" H-96)

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. 144 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Help the Unemployed Find Work"

(H.P. 728) (L.D. 1033)

Signed:

Senators:

PATRICK of Oxford

CLEVELAND of Androscoggin

Representatives:

HERBIG of Belfast

CAMPBELL of Newfield

GILBERT of Jay

HAMANN of South Portland

MASON of Topsham

MASTRACCIO of Sanford

WINCHENBACH of Waldoboro

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

CUSHING of Penobscot

Representatives:

DUPREY of Hampden

LOCKMAN of Amherst

VOLK of Scarborough

READ.

Representative HERBIG of Belfast moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative WILLETTE of Mapleton **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 Arundel, Representative Parry.

Representative **PARRY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I put this bill in as just a way for the unemployed to have another tool in their tool chest. It comes to me because of where my wife works. She works at a secured facility, you need cards to scan in and out and all that, and they don't hire anybody off the street. They have a temporary agency that they work with. People have to go to the temporary agency to go there to get a job. Through the temporary agency, they work for three months or six months and if they turn out to be a very good worker, they get hired, full benefits, full pay, the whole works, retirement and all of that. I just looked at this as a bill to help more of the unemployed have a way to find a job. 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. 53

YEA - Beavers, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig,

Hobbins, Hubbell, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Peoples, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Winchenbach, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Hickman, Jackson, Johnson D, Johnson P, Jones, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Pouliot, Reed, Sanderson, Shaw, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winsor, Wood.

ABSENT - Beaudoin, Beck, Frey, Peterson.

Yes, 87; No, 60; Absent, 4; Excused, 0.

87 having voted in the affirmative and 60 voted in the negative, with 4 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Strengthen Collaboration in the Transfer of Responsibilities for State and State Aid Highways"

(H.P. 70) (L.D. 67)

Signed:

Senators:

MAZUREK of Knox

COLLINS of York

Representatives:

THERIAULT of Madawaska

GILLWAY of Searsport

McLEAN of Gorham

NUTTING of Oakland

PARRY of Arundel

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" (H-63)** on same Bill.

Signed:

Senator:

VALENTINO of York

Representative:

PEOPLES of Westbrook

READ.

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

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Boland.

Representative **BOLAND**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to explain this bill to you, where it came from. In towns throughout Maine,

on occasion, the state turns back their roads to the town and just tells them, okay, it's yours now, and what this bill results – well, what this bill came from, is a town where a very poor job was done. The bill requires that the project be left in such good condition that there is no serious work needed for 10 years and the photos that were shown after six months did not show a job that any of us would be proud of. This is a bill that was presented by the Maine Municipal Association for the towns to get more consideration in handling these things, so that they are consulted and they are able to come up with an agreement that they all can agree to. What this does is say no to them and in addition, the department also said no to fixing that particular area in this town where there have been many accidents. I'm not asking for a roll call on this because it has to do with expenses to either the state or the town and highway expenses are difficult, but I rise really to caution you to tell your towns to be careful when these projects are being handed to you. Caution them to be careful in their negotiations and their talks with the state so they are not disappointed in the end. Thank you.

The SPEAKER: The Chair recognizes the Representative from Searsport, Representative Gillway.

Representative **GILLWAY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. As a municipal town manager, I was very interested in this bill, fearful that it would negatively affect our municipalities. I quickly learned in work session that the road transfers that occur under this existing statute only take place or are triggered when a town is designated an urban compact town and its population grows and it qualifies as an urban compact town by the Census. So every 10 years this happens and it only affects a few roads in each of those 10 years. There is a process in place, and I will be brief, it does require that the roads be left in good repair, which basically means a 10-year standard. This legislation is a reaction to a transfer that, in the town's opinion, did not go well. We heard from DOT and others about the existing appeal process and this bill creates a unique and separate appeals process and even creates a new board to deal with them. The bill imposes unnecessary mandates on the state and could actually make the process more difficult. Thank you.

Representative **LIBBY** of Waterboro **REQUESTED** a division on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

The Chair ordered a division on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

A vote of the House was taken. 124 voted in favor of the same and 13 against, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Promote Small Businesses by Enhancing the Use of On-premises Signs"

(H.P. 333) (L.D. 483)

Signed:

Senators:

MAZUREK of Knox
COLLINS of York
VALENTINO of York

Representatives:

THERIAULT of Madawaska
GILLWAY of Searsport
MCLEAN of Gorham
PARRY of Arundel
PEOPLES of Westbrook

POWERS of Naples
VEROW of Brewer
WERTS of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-65)** on same Bill.

Signed:

Representatives:

NUTTING of Oakland
TURNER of Burlington

READ.

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

Representative BERRY of Bowdoinham **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 Belgrade, Representative Keschl.

Representative **KESCHL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today to speak in opposition to the pending Ought Not to Pass motion on LD 483, "An Act To Promote Small Businesses by Enhancing the Use of On-premises Signs." Over the last month, I have listened with interest to debates in this chamber about the placement of signs on the Maine Turnpike or other federally funded highways in contradiction to state law or state-federal agreements. I was pleased when these bills received overwhelming support because it displayed an understanding that this body recognizes the informational value of signs.

Now for your information, these debates concerned "outdoor advertising" signs, common terminology in the advertising business for "off-premises" signs, such as billboards. These are prohibited in Maine. In fact, the Maine Traveler Information Act of 1981 did a great service for the people of Maine by prohibiting the use of "off-premise" outdoor advertising signs and billboards on our highways. However, this bill, LD 483, "An Act To Promote Small Businesses by Enhancing the Use of On-premises Signs," will not add a single billboard to our state highways. Let me repeat. This bill will not add a single billboard to our Maine roadways. You would not know this from the emotionally charged outcries of the opponents who frequently resorted to using the term "billboard bill" to describe this legislation.

So what does it do? In essence, this is a pro-small business growth bill. It returns to the business owner some of the private property and commercial free speech rights taken away by existing law, thus allowing business owners more flexibility to place a sign on their business property where they believe it would best promote their business. Industry surveys indicate that 50 percent of new business is due to the use of "on-premise" signs and the many small businesses that have scarce resources to use to promote their business should be allowed to use what scarce money they have to their best advantage.

This bill also provides for definitions that will help to correct some of the arbitrary regulations that have caused many existing signs, signs that are in place right now, to be in violation of current law. This is because they are either placed "too far" from the business activity or placed incorrectly where two public roadways may meet. If this legislation does not pass, many of these signs will need to be removed or relocated to come in compliance with the existing law.

Some opponents voiced concerns about the potential for a rapid proliferation of signs that they say, "will destroy the scenic beauty of our highways." This is simply not an issue because the bill addresses issues only related to signs that are placed on a business property, not those "off-premise" signs placed along the roadside and that, by the way, are prohibited by law.

Finally, many people expressed concerns about the existing state law, in that the state law may allow signs that local communities may want to prohibit. However, local control allows a community to pass an ordinance that is more restrictive than state law, thus they can prohibit signs that the state may allow. This bill does not in any way interfere with local control. Therefore, I urge you to follow my light and vote no on the pending motion. Thank you.

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

Representative **THERIAULT**: Thank you, Mr. Speaker. Just a few words and I will be short. Maine has a very good signage law in place now and it has been there for years and we should not be changing it. The current sign law has not been a problem for business. We had business people who came in and said, "Leave it as it is; we don't need any more than what we've got there." Current sign restrictions are popular with the public and these types of signs can be distracting. The ones that are the signs that change every so much time, the lighted signs so-called, and that would be some of the reasons why we feel that what we have now is good for us and we thank you.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Gifford.

Representative **GIFFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I don't often rise to speak on a bill, but this one in particular, I talked to a young man that has just moved to our area and opened up a new motel. We also had another new business in town, Tim Hortons, and they got together and petitioned for signs out on the interstate and got them. To me, this has made a big deal. I know this isn't a billboard sign, but it reflects on the ability of signs to promote commerce and bring businesses to our area. I'm rising to speak in favor of this sign and what it lists. Thank you.

The SPEAKER: The Chair recognizes the Representative from Belgrade, Representative Keschl.

Representative **KESCHL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I do apologize for rising a second time, but I just wanted to clarify the issue of lighted signs. Lighted signs are allowed in existing law. They can be prohibited by local ordinances using local control. If an individual would like to raise the amount of time it takes for that sign to change, in existing law they can do that but through an ordinance, or if they want to reduce the amount of time that that sign changes they can do so. So that's already in existing law. This bill would no way change that. Thank you.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Peoples.

Representative **PEOPLES**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. If it's not broken, don't fix it. Maine has had the signage law we have had since 1981/82. I'm old enough to remember what signs were like before that time. A lot of us are. I think that this is the camel's nose underneath the tent. This comes up every couple of years. It is another battle in the war of advertising on our highways. We have a brand in the State of Maine and this is a threat to that brand. We have a quality of place in the State of Maine and this is a threat to that quality of place, and it's easy to say this is one small bill, but it is one step down the slippery slope of a place I don't think we want to go. What worries me the most, people will

say this is just, you know, if people don't want the signs, they have sign ordinances, and that is true. The difficulty with that is not every community in Maine has a sign ordinance and, generally speaking, they are the more rural and more scenic parts of the state. So I beg and plead with you, do not pass this bill. Thank you.

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. Lack of signage can certainly affect small businesses in Maine. I have a constituent who owns the beautiful streamside golf course, Kenduskeag Stream Golf Course. This is a small golf course that he has worked very hard to improve in the last few years. It had fallen into disrepair by the former owners, so new customers are really a necessity for him. His property, the property he pays taxes on, goes up the main road, Route 15, and he is not allowed, under the current law, to have a sign put on his own property on the main road. He does not want a large billboard sign. I am not asking for a return to the days of billboards. This law would give him an opportunity to have a sign on his own property advertising his business, which absolutely needs new customers. I would ask you to vote against this Ought Not to Pass resolve.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative McLean.

Representative **MCLEAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Today I rise in support of the motion on the floor. In 1979, in the late 1970s/early 80s, we enacted one of the nation's four landmark billboard laws – dismantling and removing a blight along the sides of our roads. This law followed with our own Maine tradition of independence and leadership in environmental stewardship.

This bill, LD 483, doesn't repeal the billboard law, but it begins to erode our landmark law. We all see signs on the side of the road for our businesses. They are readily apparent when we drive up to them. This bill would allow signs to be bigger, it would increase the number of signs on the road, it would increase the height of these signs, and it would increase the brightness of these signs among many other things. It's not something that we need. Businesses came to our committee to testify in opposition to this bill because so many of their customers and patrons come to Maine precisely for the lack of billboards and excessive signage. This is about what the public's perception of our state is.

From urban Portland to rural Aroostook, there is no shortage of scenery around our great state. The billboard law passed 30 years ago was a bill about quality of place and quality of life, and it would be a sad day for our state to see this bill begin to be eroded. Because of our leadership prohibiting billboards along our roads, our Highway Fund is also given an additional 5 percent of federal dollars through the federal Highway Beautification Act passed in 1965 – and we all know our roads could use a little help. When we passed our bill 30 years ago, it was good public policy and it fit Maine – a place known for the way life should be. Maine is the way life should be – simple, clean, pristine, and this is something I know that Republicans, Democrats and Independents are proud of. I urge you to join me in supporting the motion, Ought Not to Pass.

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. 54

YEA - Beaulieu, Beavers, Beck, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Espling, Evangelos, Farnsworth, Fowle, Fredette, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Maker, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nelson, Noon, Parry, Peoples, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Volk, Welsh, Werts, Wilson, Mr. Speaker.

NAY - Ayotte, Bennett, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Davis, Doak, Dunphy, Duprey, Fitzpatrick, Gifford, Guerin, Harvell, Jackson, Johnson D, Johnson P, Keschl, Kinney, Libby A, Lockman, Long, MacDonald S, Malaby, Mearan, McClellan, McElwee, Nadeau A, Nadeau C, Newendyke, Nutting, Pease, Peavey Haskell, Pouliot, Reed, Sanderson, Short, Sirocki, Stanley, Timberlake, Turner, Wallace, Weaver, Willette, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Crockett, Frey, Peterson.

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

Second Day

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

(S.P. 113) (L.D. 280) Resolve, Concerning Rights-of-way over Eastern Road in Scarborough

(S.P. 196) (L.D. 506) Resolve, Directing the Bureau of Insurance To Amend Its Rules Pertaining to Medicare Advantage Plans (EMERGENCY)

(S.P. 211) (L.D. 521) Bill "An Act To Change the Budget Approval Process for Alternative Organizational Structures"

(S.P. 9) (L.D. 1) Bill "An Act To Amend the Maine Workers' Compensation Act of 1992" (C. "A" S-31)

(S.P. 111) (L.D. 278) Bill "An Act To Provide Greater Access to Capital for Certain Businesses Through Advance Payment of Employment Tax Increment Financing Benefits" (C. "A" S-21)

(S.P. 120) (L.D. 287) Bill "An Act To Improve Funding of Agricultural Development Projects" (C. "A" S-36)

(S.P. 150) (L.D. 370) Bill "An Act To Increase Elementary School Applied Learning Opportunities" (C. "A" S-37)

(S.P. 170) (L.D. 438) Bill "An Act To Expand the Types of Vehicles on Which a Sportsman Registration Plate May Be Displayed" (C. "A" S-28)

(S.P. 172) (L.D. 440) Bill "An Act To Support Community Health Centers through Tax Credits for Dentists and Primary Care Professionals Practicing in Underserved Areas" (C. "A" S-24)

(S.P. 308) (L.D. 883) Bill "An Act Regarding the Sexual Assault Forensic Examiner Advisory Board" (C. "A" S-26)

(H.P. 5) (L.D. 3) Resolve, Regarding Legislative Review of Portions of the MaineCare Benefits Manual, Chapter III, Section 21: Home and Community Benefits for Adults with Intellectual

Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

(H.P. 296) (L.D. 424) Bill "An Act To Amend the Short Form Deeds Act"

(H.P. 479) (L.D. 687) Bill "An Act To Amend the Law Concerning Protection from Abuse Orders To Include Pets"

(H.P. 536) (L.D. 785) Bill "An Act To Ensure the Periodic Review and Revision of Statutory Provisions"

(H.P. 600) (L.D. 849) Bill "An Act To Validate Certain Real Estate Transactions Entered into by a Corporation while Its Charter Was Suspended"

(H.P. 601) (L.D. 850) Resolve, To Study the Issue of Inheritance of Digital Assets

(H.P. 262) (L.D. 387) Resolve, To Direct the Department of Health and Human Services To Assist Individuals with Intellectual Disabilities with Home Support (C. "A" H-95)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

BILLS IN THE SECOND READING

Senate as Amended

Bill "An Act To Change the Taxes on Fuel Purchased for Use Other Than on the Highways"

(S.P. 221) (L.D. 631)

(C. "A" S-20)

House as Amended

Bill "An Act To Protect Public Health at Public Institutions of Higher Education"

(H.P. 318) (L.D. 468)

(C. "A" H-77)

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

ENACTORS

Emergency Measure

An Act To Amend the Limited Liability Company Laws

(S.P. 193) (L.D. 503)

(C. "A" S-22)

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. 145 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.

Mandate

An Act To Increase Suicide Awareness and Prevention in Maine Public Schools

(H.P. 428) (L.D. 609)

(C. "A" H-86)

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

Representative BERRY of Bowdoinham **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 Jay, Representative Gilbert.

Representative **GILBERT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, Glen and Timmy. The purpose of this bill is to save lives. This is not a partisan issue – it is a human issue. I submitted this bill after meeting with individuals from around the state who have lost loved ones from suicide. These people have experienced much grief that will be part of the rest of their lives. They are asking that we help other families by establishing procedures that may help to identify signs of a potential suicide attempt. I am humbled for being asked by one of these family members to help, by sponsoring this bill. I thank the 103 cosponsors and the members of the Joint Committee on Education and Cultural Affairs for their unanimous votes of support of this bill and I thank everyone who worked and helped to get us here.

Since introducing this bill, I have received many messages, from across the state and beyond, telling me their stories. Here are excerpts of a few of those messages. The first comes from a student athlete whose friend, classmate and team mate completed suicide. He writes: Suicide is a devastating tragedy. Knowing that life can come and go so quickly is unfortunately my new reality because I have personally experienced the tragedy of suicide. I will never forget the phone call received one night that left me speechless and huddled crying in disbelief on the floor. The worst part is knowing how close I was to Jake and how unaware I was of his pain. ... I did not know that Jake needed help. I was his best friend, but I was still unbelievably unaware.

The second comes from a teacher whose youngest sister completed suicide. I am a teacher and I have been reading and following the progress ... on your bill focusing on suicide prevention and making sure educators and school personnel had the necessary training to identify students at risk. My sister and I lost our youngest sister, Olivia, to suicide 3 years ago. She had struggled with depression/anxiety since she was 14 years old, so you can imagine the outpouring of emotion I felt when I first read of this bill you had put forth. This issue is one close to our hearts as we were both devastated by the loss of our sister. ... This bill is ever important because I truly believe that my sister and the countless other youth who fall victim to suicide could be saved if teachers and educators were trained to look for identifiers in student behavior.

And the third excerpt comes from a mother whose 12 year old son attempted suicide. My son, Daniel, hung himself, he was 12 years old. My younger son found him purple, swollen eyes/lips, and hanging from a canvas belt in his bedroom, urine streaming down his pant leg. We struggled to get him down and I had to leave him hanging while I called 911. My younger son found a knife and sawed through the belt. I started rescue breathing; he was ambulated to CMMC then LifeFlighted to the Maine Medical Center where, on LifeSupport, the doctor told us "it didn't look good." My husband and I started talking about organ donation, the day we took my son off LifeSupport, he could breathe on his own! He is now diagnosed with mild brain damage that affects mostly just his memory, but he is alive and doing well. ... We appreciate your action on this matter. You will definitely be remembered in our family's book for supporting the suicide training bill.

Fellow legislators, there are many such stories as this affects so many lives. None of us are immune from these tragedies. In the last month, we have experienced youth suicides in Thorndike, in Wilton, in Farmington, in Sanford, in Lewiston and other towns here in Maine. There have also been suicide attempts. Suicide

knows no boundaries. It can be experienced by any friend, any team mate, and any family at any time. Ladies and gentlemen of the House, it can happen to us. Suicide is the second leading cause of death among those 24 years of age and younger. In 2010, Maine ranked 11th in the nation for the highest teen suicide rate. At any given time, there could be two young people in a classroom in Maine thinking about ending their lives. Ladies and gentlemen, these tragedies can be prevented through training and educating those who are likely to encounter a suicidal student.

My bill, our bill, LD 609, before us today, would require all school employees to take part in a 1 to 2 hour seminar on the signs of a potential suicide. In addition, each school district would be required to have a minimum of two staff members who would be provided with advanced training that would be similar to the 8 hour Gatekeeper training on how to approach a potentially suicidal youth. Knowing that school administrators need time to implement this ambitious plan, implementation would be spread over two years beginning in 2014. But, your vote is needed now. This is a good bill. It will save lives. Our families, our communities and most of all our youth will benefit. Thank you for patience and your attention and for your support of LD 609.

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

Representative **MacDONALD**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise only to say that the Committee on Education and Cultural Affairs did unanimously vote for this, but not only that, we had an amazing and strong coalition of not only parents, daughters, sons, teachers, administrators and the Department of Education, along with every organization associated with education in our state, coming together to endorse and support this bill. So I, as chair of the committee and representing the rest of the committee on that amazing coalition, ask you to support this bill today. Thank you.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Thank you, Mr. Speaker. I rise on behalf of LD 609, although quite not as eloquent as my dear friend and colleague from Jay, Representative Gilbert. I do want to reiterate one point he made. Suicide is the second leading cause of death for Maine's young people. Let that sink in for a second. Suicide is the second leading cause of death for Maine's young people. But actually, I rise in honor of the memory of Kitty McGuire, a 13-year-old from Troy, Maine, who on April 11, 2012, took her own life, and I would ask rather than listen to your Representative speak, that we all maintain silence for just a moment.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative McLean.

Representative **McLEAN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. Today, I rise in support of the motion in front of us, and I want to thank the good Representative from Jay, Representative Gilbert, for his leadership on this very, very important issue. Like many of you, I work another job. When I am not here in Augusta, my work takes me to USM in Gorham where I work every day with students with behavioral issues. My work in higher education has informed much of my understanding about human behavior. There are so many of us who struggle with different issues – depression, family trouble, we don't like the way we look, a physical disability, some of us have experienced a loss in our life. We are all human and we are all imperfect. Some struggle with these things more than others and some end up taking their own life.

In November of 2011, one of our freshman students who lived in one of our residence halls took his own life. He took his own

life in his own room. It was devastating. It was devastating not just to him, not just to his family, although that is where the pain was felt the most. But it left his USM community devastated. From November through the present day, many of us at USM still work with students who grapple some of life's most perplexing questions: Why did he do this? How do I move on? Could I have done something to save his life? I regularly have students in my office who are in for a variety of reasons – the use of alcohol, vandalism, fights. But one student in particular who I've met with on so many occasions about alcohol, vandalism, fights, has always stuck with me. When I ask, "What's going on?" He, a bright, talented, young athlete can't get two words into his reply without breaking into tears. He was the neighbor of the young man in the residence hall who took his life and he struggles every day to come to grips with what happened several years ago. To this day, most of our subsequent conversations end up being about his friend's death.

The impacts of another person we care about taking their own life go far beyond the person and their family. Some of the effects are visible – people get angry and they take it out physically. Some take it out emotionally. Some never work through their grief. And sometimes, these events affect others in ways we don't even know about. Most of the time we never find an answer to those perplexing questions that life asks us, but our job as administrators and support professionals at USM is to guide these students through their questions in the hopes that they will heal from their loss. My point is this: Depression and suicide know no political party, they know no gender. They know no intellectual ability or age, though our young people are the most deeply affected by this issue. We have all been impacted by depression and suicide. Depression and suicidal thoughts are not something to be ashamed of, but instead acknowledged, talked about and worked through.

I know that the events at USM are not unique. Unfortunately, these types of incidents are repeated thousands of times over around our country. When I was in high school, a fellow classmate took his own life. I'll always remember someone saying to me, "suicide is a permanent solution to a temporary problem." This is the message that we must take forward. Care for people, be kind, supportive and helpful and most of all, let's make sure that our young people, as they grow up in our hectic and oftentimes crazy world, know that suicide is a permanent solution to only a temporary problem. Let's make sure that our educators have the resources and tools to identify young people who are struggling and make sure that they get the help and support they need. Thank you, Mr. Speaker, and I urge all my fellow members of the House to join me in supporting the Ought to Pass motion.

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.

In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 55

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, 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, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, 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, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudoin, Frey, Libby A, Peterson.

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 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**.

Acts

An Act Regarding the Authority of a School Board To Elect a School Superintendent

(H.P. 10) (L.D. 6)

(C. "A" H-31)

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

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

(H. "A" H-32)

An Act To Remove an Unnecessary Provision in the Maine Insurance Code

(H.P. 445) (L.D. 653)

An Act To Provide Free Fishing Licenses to Certain Children in the Custody of the Department of Health and Human Services

(H.P. 489) (L.D. 717)

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.

Resolves

Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Allow Veterans with Lower Limb Loss To Obtain "Any-deer" Hunting Permits

(H.P. 55) (L.D. 63)

(C. "A" H-37)

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

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.

Bill "An Act To Clarify the Laws Governing Noise from Wind Turbines"

(H.P. 1023) (L.D. 1434)

(Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested)

TABLED - April 23, 2013 (Till Later Today) by Representative HOBBS of Saco.

PENDING - **REFERENCE.**

Subsequently, the Bill was **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, ordered printed and sent for concurrence.

SENATE PAPERS

The following Joint Order: (S.P. 534)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, April 30, 2013 at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

Bill "An Act To Authorize a General Fund Bond Issue To Ensure Clean Water and Safe Communities"

(S.P. 539) (L.D. 1455)

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 Increase the Transparency of Charges and Expenses of Hospitals That Receive State Funding"

(S.P. 537) (L.D. 1453)

Bill "An Act To Amend the Law Governing Provider Contracts with Insurance Companies"

(S.P. 540) (L.D. 1466)

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

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act To Require the Membership of the State Workforce Investment Board To Include Representatives of the Local Workforce Investment Boards"

(S.P. 535) (L.D. 1451)

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.

Bill "An Act To Allow Municipalities with Shellfish Conservation Ordinances To Request Permission To Prohibit Marine Worm Harvesting"

(S.P. 536) (L.D. 1452)

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Unicameral Legislature

(S.P. 538) (L.D. 1454)

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.

The following Joint Order: (S.P. 533)

ORDERED, the House concurring, that the Joint Standing Committee on Energy, Utilities and Technology shall report out, to the Senate, a bill regarding standard sewer districts.

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

READ and **PASSED** in concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 135) (L.D. 355) Bill "An Act To Amend Provisions Relating to the Department of Corrections To Clarify Certain Enforcement Powers" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-38)**

(H.P. 256) (L.D. 381) Bill "An Act To Allow a Court To Order a Person Who Violates a Municipal Ordinance To Perform Community Service Work" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-97)**

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

SENATE PAPERS

Bill "An Act To Allow School Administrative Units To Establish Rules, Procedures and Guidelines for Properly Trained Staff To Carry a Concealed Handgun on School Property while Acting in Their Official Capacities"

(S.P. 515) (L.D. 1429)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Create an Educational Collaborative To Implement a Program That Enables Career and Technical Education Students To Earn College Credits while Attending High School" (EMERGENCY)

(S.P. 506) (L.D. 1412)

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.

The **SPEAKER**: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. In reference to Roll Call vote 52, on LD 345, had I been present, I would have voted yes.

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

On motion of Representative GILBERT of Jay, the House adjourned at 1:13 p.m., until 10:00 a.m., Tuesday, April 30, 2013 pursuant to the Joint Order (S.P. 534) and in honor and lasting tribute to Glen Gilchrist of Livermore Falls and Timmy Thompson of Cape Elizabeth.