

# 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  
53rd Legislative Day  
Tuesday, June 4, 2013

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

Prayer by Pastor Stephen Prescott, The Rock Church, Scarborough.

National Anthem by West Bath Elementary School 4th and 5th Grade Band and Chorus.

Pledge of Allegiance.

Doctor of the day, A. Jan Berlin, M.D., Portland.

The Journal of yesterday was read and approved.

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**SENATE PAPERS**  
**Non-Concurrent Matter**

Bill "An Act To Require Firearms Used in the Commission of Certain Acts To Be Civilly Forfeited to the State and Destroyed" (H.P. 497) (L.D. 724)

**PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-183)** in the House on May 16, 2013.

Came from the Senate **PASSED TO BE ENGROSSED IN NON-CONCURRENCE**.

On motion of Representative DION of Portland, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

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**Non-Concurrent Matter**

Bill "An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives" (H.P. 40) (L.D. 45)

Majority (12) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-141)** in the House on May 9, 2013.

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED IN NON-CONCURRENCE**.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

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**COMMUNICATIONS**

The Following Communication: (H.C. 192)

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

June 4, 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:"

Energy, Utilities and Technology

L.D. 964 An Act To Encourage Community-based Renewable Energy

L.D. 1061 An Act To Regulate Meteorological Data-gathering Towers in Maine  
L.D. 1507 An Act To Include Useful Thermal Energy as a Renewable Energy Source

Insurance and Financial Services

L.D. 1078 Resolve, To Establish the Task Force on the Creation of a State of Maine Partnership Bank (EMERGENCY)

Labor, Commerce, Research and Economic Development

L.D. 1506 An Act To Require Disclosures by 3rd-party Vendors Contracted To Perform Fund-raising

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

Sincerely,

S/Millicent M. MacFarland

Clerk of House

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

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The Following Communication: (S.C. 418)

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

June 3, 2013

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Please be advised the Senate today insisted to its previous action whereby it accepted the Majority Ought Not to Pass Report from the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Protect Local Input in Economic Development and Redevelopment Efforts" (H.P. 1057) (L.D. 1476), in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

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

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act To Provide Property Tax Relief by Expanding Gaming Opportunities" (EMERGENCY)

(H.P. 1127) (L.D. 1558)

Sponsored by Representative McCABE of Skowhegan.

Cosponsored by Representative: CASAVANT of Biddeford, Senators: DUTREMBLE of York, TUTTLE of York.

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

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent for concurrence.

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**Pursuant to the Constitution and Statutes**  
**Apportionment commission**

Representative DION for the **Apportionment commission** pursuant to the Constitution of Maine Article IV, Part First, Section 3; Article IV, Part Second, Section 2; and the Maine

Revised Statutes, Title 30-A, section 65 asks leave to report out the accompanying Bill "An Act To Reapportion the Districts of the State Senate, State House of Representatives and County Commissioners"

(H.P. 1126) (L.D. 1557)

Report was **READ**.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

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

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The following item was 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.

Expression of Legislative Sentiment in Memory of Major Gregory W. Sanborn, Deputy Chief Game Warden, of Sidney (SLS 108)

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

**TABLED** - March 26, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

**PENDING - ADOPTION.**

The **SPEAKER**: The Chair recognizes the Representative from Standish, Representative Shaw.

Representative **SHAW**: Thank you very much, Mr. Speaker. Mr. Speaker, Men and Women of the House. It is with great sadness that I rise today to talk about the passing of Major Greg Sanborn. I've been on the Inland Fisheries and Wildlife Committee, this is my fifth year and whenever matters of the Warden Service came, we would, most of the time, see the colonel and the major in the committee room. I can't think of any other person that we would ask questions of in the committee process that I would trust his answers more than Major Sanborn. He was a dedicated officer and outdoorsman and loved his family. It is with deep regret that we have the Legislative Sentiment for the major at this time. Thank you very much, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Mexico, Representative Briggs.

Representative **BRIGGS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to honor a great man, Major Greg Sanborn. The first time I met him was in the IF and W committee room as I was elected for my first term to the Maine Legislature. My first thought was "Wow, I never personally met a game warden before." He was the first. He stood tall and proud in his uniform. If I recall, he was the acting colonel at the time. Major Sanborn represented everything he and the Department stand for. He stood tall, proud and brave. I feel truly blessed and honored to have known such a great man. I extend my condolences to his wife and family and to the Department for such a great loss. May he rest in peace. Thank you, Mr. Speaker.

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

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-162)** on 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)

Signed:

Senator:

PATRICK of Oxford

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 Not to Pass** on same Bill.

Signed:

Senators:

CLEVELAND of Androscoggin

CUSHING of Penobscot

Representatives:

DUPREY of Hampden

LOCKMAN of Amherst

VOLK of Scarborough

WINCHENBACH of Waldoboro

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-162).**

**READ.**

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

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

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

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

**ROLL CALL NO. 186**

**YEA** - Beavers, Berry, Boland, Briggs, Brooks, Campbell J, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, 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, Powers, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Welsh, Werts, Mr. Speaker.

**NAY** - Ayotte, Beaulieu, Bennett, Black, Campbell R, Chase, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell,

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**REPORTS OF COMMITTEE**  
**Divided Reports**

Hayes, Jackson, Johnson D, Johnson P, Keschl, Kinney, Knight, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Beck, Bolduc, Carey, Clark, Libby A, Peterson, Priest, Shaw, Turner, Villa.

Yes, 84; No, 56; Absent, 11; Excused, 0.

84 having voted in the affirmative and 56 voted in the negative, with 11 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-162)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-162)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-139)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Secretary of State, Attorney General and Treasurer of State

(S.P. 441) (L.D. 1279)

Signed:

Senators:

LACHOWICZ of Kennebec  
COLLINS of York  
GERZOFISKY of Cumberland

Representatives:

CHENETTE of Saco  
COTTA of China  
MacDONALD of Old Orchard Beach  
NADEAU of Winslow  
NADEAU of Fort Kent  
PEASE of Morrill

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

Signed:

Representatives:

GRAHAM of North Yarmouth  
BOLAND of Sanford  
HAYES of Buckfield

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

**READ**.

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

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Quite honestly, this bill is looking for a solution to a problem that doesn't exist. There have been no problems raised on the current method of selection of the Constitutional Officers and there has been no outcry from the public to change the Constitution. The current process that we have in place keeps money and special interest

groups out of the process. It keeps corporations and unions from affecting the election of our Attorney General, our Secretary of State, and our Treasurer of our state. In my opinion, I think that this bill is not needed. Again, it's a solution looking for a problem and I ask that you support the motion on the floor.

Representative WILLETTE of Mapleton **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought Not to Pass** Report.

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

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 Saco, Representative Chenette.

Representative **CHENETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is a great bill. Eighty percent of the country is already doing this. Let's follow suit. I think it's time that our constituents are able to vote for their own Secretary of State, their own Treasurer and their own Attorney General. That's all this bill does. It sends it out to the people to let them make their own decision on a voting right. That's what this does. You can disagree with the concept of electing Constitutional Officers, but all this does is send it out to the people and let them decide. We do not have effective polling on this, so this idea that somehow it's a solution looking for a problem, we don't know in this chamber if that's the case. We don't know what our constituents want because that's our job up here, is to stimulate that political discussion about the challenges that we face, to see what our constituents are actually wanting. Maine is the only state in which the Legislature chooses all of our Constitutional Officers. Now, I'd also make a note that how did we choose our Constitutional Officers? Okay, so we had Constitutional Officers, different candidates for Secretary of State, for Treasurer, for Attorney General, go out and campaign on both sides of the aisle to basically hobnob our legislators, us, in order to get our votes internally up here. Now, how transparent is that? How is that not being influenced by special interests? I think of it as the same thing. Now, to be honest with you, I would much rather have this process be transparent and open and put it out to the people, and yes, guess what? PACs are still a problem. Yes, big special interest money is still a problem. But at least the public is involved in the process. They know the people in these certain positions. They know what's going on. I think that's worth it. For my Democratic colleagues, this is a "right to vote" bill. For my Republican colleagues on the other side, this is about governmental accountability and transparency. Both are critically important. So I would urge everybody to take a look at this from the perspective of allowing people a chance to vote for their own right to vote, period. The Secretary of State position, the Treasurer position, the Attorney General, these are important influencing officers. Why are we denying people the opportunity to decide whether they want to vote on it or not? That's all this does. I keep on hearing "Well, oh gosh, we don't want to be influenced by special interests or anything," but I feel like now it's so behind the scenes and it's just, to me, its disingenuous to the democratic process, and I think it's a slap to our voters if we don't pass this. So I would urge everybody against this and I would make note, it was a 10-2 report. Only two people on the committee. There is a reason why I am wearing purple today, folks. This is a bipartisan bill. There is a reason why I am a cosponsor on this with Senator Cushing, and there is a reason why it was a bipartisan report out of committee, 10-2. I would urge you to vote against the pending motion. Thank you, Mr. Speaker. I want to request a roll call.

The SPEAKER: A roll call is already in order. The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'm speechless, as the good Representative from Saco took most of my speech, but I sincerely agree with the good Representative from Saco. You know, this is an idea whose time has come in Maine. You know, we rely upon the people of the great State of Maine to look at issues of referendums, bond issues, electing senators and congressmen and the Chief Executive of this state, yet we don't think they are capable of making a choice on who the Attorney General should be when, again, most of the states in the country are already doing this. Maine is an outlier. If there is one thing that I've learned here in Augusta, it's, you know, Maine is an outlier. It seems like we are always a little bit off the beaten trail, and we're off the beaten trail on this. This is sort of a relic of a history of Maine. It's a history whose, maybe at a certain point in time, it was important that it be there. But I believe and I agree with the good Representative from Saco that this is an issue whose time has come. You know, in other states, when they talk about the AG, the Attorney General, someone once said to me "Do you know what AG stands for?" I said, "No." They said, "Well, it means Almost Governor" and that's because when they elect some of these people, on statewide races, it's an opportunity for some folks to step forward and to run a statewide race and to show what it is that they can do in the capacity in which they are elected. We don't allow that right here in Maine because it's really just decided amongst 186 people who sort of get in a room and talk about who should get this job and who shouldn't. And I agree with the good Representative from Saco, and I appreciate his good words on this because I believe he was appropriately accurate and correct on this, and I will be supporting him in his speech on this and will be opposing the motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from China, Representative Cotta.

Representative **COTTA**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the current motion. I would ask that you check your calendar and you will see the report has been read. I serve on the committee and I can't add anything after Representatives Fredette and Chenette have actually taken everything I wanted to say. But the only thing I would like to say clearly is let the people speak. This takes it to the people. I trust the people. These are the same people that voted for everybody that serves in this chamber, so you either trust them or you don't. Thank you.

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 rise to also agree with my good friend from Saco, but I think the thing that disturbs me the most about this is we just spent the last five months in committee. We cannot all be in committee, and we keep moving 2-10 reports, 3-10 reports, 2-11 reports. Why don't we just start voting in January and not even do the committee work if we are going to continue to move these reports? Thank you, Mr. Speaker.

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'm kind of glad that this bill has gotten as far as it has. I actually introduced a very similar bill and became a mandatory cosponsor to this legislation. I don't know if it's this exact bill, but a similar bill to

this. It has always struck me as odd that these positions aren't elected, that it's essentially an inside job among us here that we pick who these people are going to be. I would challenge all of us here to go out and just randomly ask 10 people on the street "Who is the Attorney General?" and see what kind of response you get. I bet most people don't even know who the people are in these positions because they don't vote for them, and I think it's time that they have an opportunity to decide whether they want to vote for them in the future. I also want to respond to a point made by the good Representative from North Yarmouth about keeping money out of the process. But, we all know how this works. If somebody wants to be in one of these positions, they go out and they start raising money, and they donate it to the party. You know, a lot of money is involved in this anyway, the way that it works currently, and we are one of just a very few number of states that do not allow these positions to be elected and I think it's time to let the voters decide if we want to elect these folks or not. Thank you.

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

Representative **DAUGHTRY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the pending motion. Maine is an outlier and you know what? That is something that I am very proud of. When I was elected to this body, and I heard about the fact that we elect the Constitutional Officers, I was curious about how this process went around, and I read about it. I read about it extensively. At first, I did think that it was a little bit odd, but the more I read, the more I appreciated our system. The way that we currently elect our Constitutional Officers is by secret ballot, which means that these Constitutional Officers, once they are elected, have no idea who voted for them, which means that they are beholden to no one. I want to remind you about what all of these Constitutional Officers do. We have the Attorney General who is the legal backbone of this state, we have the Treasurer who is in control of the financial matters of this state, and we have the Secretary of State which oversees ballots. These are folks we want to be neutral and by not having someone that they know put so much into their campaign or knowing so, and so voting for them, it actually puts them in a position where they aren't quite sure, they just know that they won and they aren't beholden to anyone. So I understand the backing behind let's open this up to a general election and let's let the people speak, and I have full trust in the people of Maine to elect the best candidate. But I am very concerned about money getting into these elections, where we have an Attorney General spending tons of time going out campaigning, raising tons of money and having people behind them whom they know are major campaign supporters potentially impacting a court case. Or same thing with the Treasurer, when they are issuing a bond, maybe they issue a bond to a constituent that could benefit a construction company who helped this person run for office. So I just want to keep in mind, when you are voting on this measure, we need to find a system, and we have a system that keeps these Constitutional Officers in a position that keeps them neutral. They don't know who is supporting them, and I urge you to support the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Mr. Speaker. I rise in support of the pending motion to Accept the Minority Ought Not to Pass Report, and I would like to go on record as saying my choice of attire today had nothing to do with this bill. It was completely serendipitous. I am always one who approaches changing or proposing to change Maine's Constitution very, very

thoughtfully, and at this point, I am waiting for the people of Maine to speak to tell us that it's time to change our Constitution. At this point, I see no polling, no data. No one has approached me to say, "Oh please let us vote for the Attorney General and the other Constitutional Officers." So until that time comes, I will not support this attempt until I am motivated by the people to do otherwise. Thank you, Mr. Speaker.

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. I rise in opposition to this bill. As a proud member of the State and Local Committee, I very much agree with my partner over there from Saco. Also, I didn't dress appropriately today because I dress with whatever my wife tells me to put on, but I wouldn't have any heartburn one way or the other with this. But the point I have with this bill, this bill came out of a committee that worked very well together. We listened to each other. We talked to each other. State and Local, this year, voted very much nonpartisan, and if you look at this vote, it was 10-2. There wasn't any party lines drawn here and I think that you all are on committees, you know we do hard work, and that is the purpose of a committee, is to try to do the work of all the Legislature, so that when we get here we have a pretty good feel of what the direction is. We heard the testimony. It's the right time. It's the right time to give the people a choice. Thank you.

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

Representative **HARVELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Having sat on State and Local, I saw this bill twice. I was against it two times, and I am still against it and in support of the motion today. The reasons have nothing to do with whether the Committee Report is bipartisan or not. In fact, they are rooted in history. The first bill I believe that I voted on after getting elected was this bill, and we had a little partisan caucus before the support of this bill, we went outside and we were lining up this, among other votes, of where we were, and they were asking. They said, "Well, you know there is a Republican Senator that supported you. Are you in support of this?" I said, "No, I'm not in support of this." I said, "Why would I give the Attorney General and the Secretary of State and the Treasurer their own power base for god sakes?" I deplore the Seventeenth Amendment. This is along those same lines. So there was some discussion back and forth and I said, "I'll tell you what. If I can look every one of you guys in the eye and you can tell me that if we, the Republicans, were in power, we would be voting on this motion, I will vote for it." And the heads dropped and no one looked me in the eyes. I said, "Well, my vote is not going to change whether we are in power or not." We were in power the next year I came back, my vote still did not change and here's why. If you want to go down to the Law Library and you want to start reading about what this Legislature used to do prior to the Seventeenth Amendment when we elected Senators, we directed those Senators in Washington what to do. We used that language, and why, because they were hearing from the person that voted for them. How many people have gotten Christmas cards from the Secretary of State and the Attorney General? I am under no illusions that I am Mr. Popularity when I get this Christmas card. They want to be nice to the people that voted for them. When I wander the halls and see the Attorney General and the Secretary of State, I don't assume that they are hanging around because we're just such a great bunch of people to be with. In Pennsylvania, when they passed the Seventeenth Amendment, there had been an individual there for a long time that had been trying to get the

Legislature of Pennsylvania to choose him to be a Senator. He couldn't do it. When they passed the Seventeenth Amendment, he said, "You know what? I couldn't get them to choose me, but I will buy that seat." And buy that seat he did. When you start to open these up to elections too, you open them up to the same problems that we are fraught with in elections, and that is campaign contributions, and what that may or may not mean in decisions that they make. The people of this state thought that the citizens of the state had the most control over their elected officers and, at the time, over their Senators, because they had control over the members of this body and the body down the hallway. And if you take that away, right, you are actually taking away power from the citizens because if 10, 15, or 20 people in any one of our House races really want us gone, who amongst us thinks that we're not going to be gone, and if they want to change those officers, they can change this body. Then you also end up with a problem of if you have a further divided government because you may have Republicans and Democrats in opposition to each other within the officers themselves. So if you want to go ahead and do this, go ahead, but I'm telling you history says it's a bad idea. Thank you very much.

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'd like to offer another historical analogy as to why we ought to vote yes on the pending motion. Maine has judges that are appointed by the Chief Executive and confirmed by the other body. Many other states in the Union have elected judges and history and current news is rife with stories of the corruption and the favoring that can result when judges have to solicit funds from the public and special interests in the course of their electioneering. We removed these officers, both judges and our Secretary of State and our Attorney General and our Treasurer, from the political process because we count on their integrity and their professionalism to give us an honest answer. Yes, this is a political body and we do have a say in their choice, but it is a step removed. Frankly, I have never seen any evidence, at least as long as I've been here, which isn't very long, that they do act in a political manner. They are staffed by professionals. They are professionals in the way they go about their business and that is the way I think we must keep it for the foreseeable future. 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. I heard some very good arguments this morning about corruption among judges and I've watched and looked over the long, I guess it's a long history that I've been either reporting in this room or serving in this Legislature, and I can tell you that not only did I, at one point, think what idiot would want to serve here, and now I am one, but also watch the appointment of or selection of officers, Constitutional Officers, within this body or by this body. That all notwithstanding, I believe it's time for change. I will be voting against the motion. If you think about the responsibilities that the Constitutional Officers now have and I have been sitting here wondering exactly what it is that we should do in this particular debate. On my campaign, I have in the past – and believe me, I've campaigned a lot. I've only served here four terms, but I believe I've campaigned for the last 15 years. I have heard people say it is unfortunate that the folks that we are talking about this morning aren't elected, because I think that there would be better constraint. If you use the argument that by electing judges, then money comes into the state and they

become corrupt and all of that, then we can be saying the same things about ourselves or the Chief Executive or others who are elected. So I don't buy that argument. It is true and it was argued in the last election that too much money was coming into the state and attempting to regulate our elections and who we put into office. The people, to me, are the very last bastion of true democracy. What they say stands. It doesn't really matter, other than true corruption, who gets elected, and that's why we are here today. Again, think about the role that the Treasurer plays in finances. If there is a broken system, I would much rather have that broken system blamed upon the individual and/or blamed upon some misgivings of calculations in government, rather than to have it be blamed on partisan politics. If the Attorney General answers to those folks who elected him or her, then are we, at some point, going to be accountable for actions that the Attorney General took? Last, but certainly not least, if we have a Chief Executive, at some point in the future, that needs for whatever reason to be removed from office, who do you turn to? The Secretary of State is empowered to accept the letter and call for an investigation. I, frankly, at that point, would want that Secretary of State elected by the people and not appointed by one party or another, where politics certainly does enter into it and the blame that would fall would be blame on the party that happens to be in control at the time. I think it's time to change. I think it's time for us to send out to the folks who elect others like us, to give them the opportunity to say, "This is a candidate of my choosing, with whom I place my vote and who I believe has great integrity." It's time for us to turn to the people and say, "It's your choice." Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Mr. Speaker. Dear fine Members of this Legislature, LD 1279 is a bipartisan Majority Report out of committee. Working together, we came to this conclusion. Therefore, I stand behind the good work of good people who voted Ought to Pass as Amended. Please recognize the work involved and vote against the pending motion. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Buckfield, Representative Hayes.

Representative **HAYES**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise with a bit of a conflict because I didn't vote for many constitutional amendments in committee and I don't think I voted for this one, but I appear on that report so let me explain. Most of the constitutional amendments that are proposed will come to us and it has been my observation over the years that if nobody is invested in educating the voter on that particular proposal, the amendment will fail at the ballot box, and we've watched that happen. So the question I tend to ask is not necessarily the merits of the proposal, it's who is going to fund the effort to educate the people we're asking to make this decision, and if we don't have an answer for that, then I'm likely to vote against it. I've been researching this during this entire debate because I thought I voted with the current motion in committee, but I don't appear to have done that. So I probably had a senior moment and I stand at this point in time in support of the Ought Not to Pass for just that reason. I cannot identify anybody invested enough in this that they will spend their money to educate the people we're going to give this decision to make. So I am going to support, contrary to what the calendar may say, I am going to vote in support of the pending motion. Thank you.

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. The good Representative from Farmington once recited some information about a time machine, so I invite you all to get in the time machine and we'll go back, we'll go back to 2011 when this bill was before this body and did not pass. If we were to go back in that time machine, we would actually see that the Representative from China, Representative Cotta, the Representative from Sanford, Representative Boland, the Representative from Auburn, Representative Bolduc, the Representative from Biddeford, Representative Casavant, the Representative from North Yarmouth, Representative Graham, the Representative from Farmington, Representative Harvell, the Representative from York, Representative Moulton, and the Representative from Burlington, Representative Turner, all voted against this bill in committee and here we are today, in the future, voting on this bill yet again. This time in sort of a different posture and this time some people in a different position. I encourage folks to vote as many of us did last time and vote to support the pending motion. Thank you very much.

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

Representative **RUSSELL**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative **RUSSELL**: Thank you, Mr. Speaker. How will these elections be funded? Will candidates have the use of Clean Elections funds or will it be exclusively private funds financing the campaigns?

The SPEAKER: The Representative from Portland, Representative Russell, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Buckfield, Representative Hayes.

Representative **HAYES**: Thank you, Mr. Speaker. In response to the question from my colleague from Portland, there is no provision in the constitutional amendment to address the question that the Representative raises, so it is as yet unknown. There would be no language added to the Constitution that would allow these folks who participate. That would have to be done, I believe, in statute, if it was to be done at all.

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. I don't know if many of you noticed this and you could call me provincial if you wish, but the further we move away from direct democracy, the more distorted our political system becomes. Pretty straightforward. Like I said, call me provincial. You know, we have a town meeting in a town of 750 people, every citizen shows up at the meeting, becomes informed and casts their ballot. When we get to the State House, quite frankly, I call on anyone to challenge the notion that partisan politics has affected the work of the people here. When we get to the third level, which is further removed from the people in Washington, there is absolutely no dispute that the system is functionally broken. You know, the good Representative from Buckfield pointed out the cost of the election process of these Constitutional Officers. I ask the fellowship here, what is the cost of democracy? The question before us is whether we wish our Constitutional Officers to be elected, chosen, in a partisan fashion as they are now, there is no denying that fact, by representatives of the people or whether we want our Constitutional Officers chosen directly by the people, and as one who will consistently, unerringly speak in favor of democracy, I would urge that we reject the pending motion. Thank you, Mr. Speaker.



The SPEAKER: The Chair recognizes the Representative from Saco, Representative Chenette.

Representative **CHENETTE**: Thank you, Mr. Speaker. I don't apologize for rising a second time. I just want to clear up some of the misconceptions from the good Representative from Gardiner about polling. I would argue, how much polling have we done on some of the other bills that we've passed? There is 1,700 bills we had to tackle. How much polling did we do for each one of those? This bill, in and of itself, is a poll. We're essentially asking a simple question: Do you want to vote for Secretary of State, Treasurer and Attorney General? This idea about educating voters on a referendum regarding the Constitution, I would typically agree with the good Representative from Buckfield. But it's a simple question, folks. Do you want to vote or do you not? What more education do we need? From the good Representative from Skowhegan, we can change our mind through education, through knowing new information and we can evolve. As the President of the United States has evolved on certain issues, we've evolved in this chamber on certain issues. It is possible to change your view based on new information based on what is right over what is easy. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Minority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 187**

YEA - Beaulieu, Beavers, Berry, Boland, Briggs, Campbell J, Casavant, Chase, Cooper, Crafts, Cray, Daughtry, DeChant, Devin, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Harvell, Hayes, Herbig, Hubbell, Jorgensen, Knight, Kornfield, Kruger, Kusiak, Lajoie, Libby N, Long, Longstaff, Luchini, Malaby, Mason, Mastraccio, McCabe, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Nelson, Newendyke, Noon, Nutting, Peoples, Plante, Powers, Pringle, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Shaw, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Welsh, Werts, Winsor, Mr. Speaker.

NAY - Ayotte, Bennett, Black, Brooks, Cassidy, Chapman, Chenette, Chipman, Clark, Cotta, Crockett, Davis, Dickerson, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Gifford, Gillway, Guerin, Hamann, Harlow, Hickman, Jackson, Johnson D, Johnson P, Jones, Kaenrath, Kent, Keschl, Kinney, Kumiega, Lockman, MacDonald S, MacDonald W, Maker, Marean, Marks, McClellan, Morrison, Nadeau A, Nadeau C, Parry, Pease, Peavey Haskell, Pouliot, Rankin, Schneck, Short, Tyler, Verow, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Wood.

ABSENT - Beaudoin, Beck, Bolduc, Campbell R, Carey, Fredette, Hobbins, Libby A, Peterson, Priest, Stuckey, Turner, Villa.

Yes, 79; No, 59; Absent, 13; Excused, 0.

79 having voted in the affirmative and 59 voted in the negative, with 13 being absent, and accordingly the Minority **Ought Not to Pass Report was ACCEPTED** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-155)** on Bill "An Act To Reduce the Licensing Fee for Certain Tournament Games"

(S.P. 125) (L.D. 329)

Signed:

Senators:

TUTTLE of York

PATRICK of Oxford

Representatives:

LUCHINI of Ellsworth  
FOWLE of Vassalboro  
LONGSTAFF of Waterville  
RUSSELL of Portland  
SAUCIER of Presque Isle  
SCHNECK of Bangor

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

Signed:

Senator:

MASON of Androscoggin

Representatives:

BEAULIEU of Auburn  
GIFFORD of Lincoln  
JOHNSON of Eddington  
KINNEY of Limington

Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-155)** 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-155)**.

**READ.**

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

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 legislation reduces the license fees for tournament games that do not exceed 100 players and would result in reduction in other special revenue funds to the Department of Public Safety for \$31,747 in fiscal year 2013-14, and \$32,000 for 2014-15 and thereafter. These fees are used by the state law enforcement to oversee these tournament games, thereby reducing the funds that are available to conduct oversight inspections. Thank you, Mr. Speaker.

Representative WILLETTE of Mapleton **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 Ellsworth, Representative Luchini.

Representative **LUCHINI**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I just wanted to make a quick correction. The Ought to Pass as Amended Report, the fiscal note was reduced down to \$21,000 in fiscal 2013-14, and then \$28,000 going forward the next years. In spite of the cost, what this bill would do is help the nonprofit organizations like the Elks, the Eagles, the American Legions, VFWs that host these events and the type of charitable gambling opportunities have really diminished for these groups recently with the expanded gaming opportunities that have happened in Maine, allowing casinos here. So I think this gives a chance for those charitable organizations a chance to compete and the money stays local,

which I think is the big difference in why the majority supported this Ought to Pass as Amended Report.

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. 188**

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

NAY - Ayotte, Beaulieu, Bennett, Black, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Devin, Doak, Dunphy, Espling, Fitzpatrick, Gifford, Guerin, Harvell, Jackson, Johnson D, Johnson P, Jones, Keschl, Kinney, Knight, Kruger, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, McGowan, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Tyler, Verow, Volk, Wallace, Weaver, Willette, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Beck, Bolduc, Campbell R, Carey, Fredette, Hobbins, Libby A, Peterson, Priest, Stuckey, Turner, Villa.

Yes, 83; No, 55; Absent, 13; Excused, 0.

83 having voted in the affirmative and 55 voted in the negative, with 13 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-155) was READ** by the Clerk and **ADOPTED.**

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-155)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Expand Student Access to Certain Career Information and Opportunities"

(H.P. 1076) (L.D. 1502)

Signed:

Senators:

MILLETT of Cumberland  
JOHNSON of Lincoln

Representatives:

MacDONALD of Boothbay  
DAUGHTRY of Brunswick  
HUBBELL of Bar Harbor  
KORNFIELD of Bangor  
NELSON of Falmouth  
RANKIN of Hiram

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-312)** on same Bill.

Signed:

Senator:

LANGLEY of Hancock

Representatives:

JOHNSON of Greenville

MAKER of Calais

McCLELLAN of Raymond

POULIOT of Augusta

**READ.**

Representative MacDONALD of Boothbay 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 Greenville, Representative Johnson.

Representative **JOHNSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the current motion and I'd like to explain why I think this is important. The nature of today's military is a lot different than it was when I was a young man. In 1963, when I joined the U.S. Army, I came from a background of a great-grandfather who served in the Civil War, a grandfather that served in World War I, and a father who served in World War II. None of those for a career, but the public expectation, at that time, was that there was much greater opportunity and responsibility to serve in the Armed Forces. The bills before us today, this one and the one that would follow in sequence, LD 1502 and LD 1503, are both related, in my view, to the visibility and opportunity for respect and advancement of the Armed Forces in today's world. Back when I started, almost everyone had someone that served in the military in their family and as close associates. Today, less than 1 percent of our citizens will have the opportunity and the responsibility of protecting this nation and the freedoms that we all enjoy. This particular LD is an LD that would require that schools make space and opportunity available for testing of the abilities and interest of students, and it would just give them the opportunity to understand from a reliable test what the possibilities might be. So I think this is extremely important in today's culture, that our military have the opportunity to go in and have these tests administered on location in the school. So I would hope that everyone would follow my light and vote against the pending motion so that we can go on to the Minority Report. Thank you very much.

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. This is a simple bill that would allow or would actually require the adoption by local school committees of a policy that would allow for the Armed Services Vocational Aptitude Battery Test to be given to students, and it would also require that interested students are provided the opportunity to participate in this test. Now, first of all, this is a requirement in law that the state would be putting on local communities. We've shown an aversion to putting mandates on local public schools, but this would put a mandate on by requiring the adoption of such a policy. We had no testimony, furthermore, in support of this. No one came to our committee and said there

is a problem. In fact, the only testimony that we did have said that this test is one of a battery of tests and there have been many that have developed, been developed by other agencies and organizations. This is a career aptitude test that we're talking about here. It has nothing, per se, to do with the military. It is a test that was developed by the military, but it was developed to assess students aptitudes for certain kinds of careers, certain paths in life. It has nothing to do directly with the military. There are many other tests, as we heard in the testimony, that seek to help students make career path choices, and for us to require school systems to develop policies and make sure that students have access to this one would be putting our thumb on this whole decision-making process. It's a local decision made by local schools. It is available to local schools and students already. We don't need to be requiring it under law. I urge you to Accept the Majority Ought Not to Pass vote on this bill. Thank you, Mr. Speaker.

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

Representative **McCLELLAN**: Good morning, Mr. Speaker, Ladies and Gentlemen of the House. I also stand to defeat this motion. First off, I didn't serve in the military and it's a decision, as I get older, that I regret, and I can tell you every day when we stand here and we do the pledge and I see the folks that are saluting, I am in awe of those people and how they served this country. I think back, Mr. Speaker, it was either last year or the year before, that we had a bill on the Education Committee concerning mandating the Pledge of Allegiance in classrooms. I've said often my wife is a principal of a school and I was surprised. I just assumed schools did the Pledge of Allegiance. I'm also not big on mandates, as a lot of people say here, so I was a little troubled by that bill, I suppose. But on the day of the public hearing, as the room of about, I don't know, 50 to 100 seats filled up with veterans, including people in wheelchairs, I was just in awe of the people in front of me and I figured they deserved it, they had earned the right, so we did vote to, I think unanimously, to mandate the Pledge of Allegiance in the schools. As the good Representative just mentioned about this testing, it's actually a free service. Maybe it's a mandate, but it is free. It's not going to cost anything. I guess, I also wonder, and I didn't hear an answer in the debate, who else do we deny to go into our schools other than the military? For me, this bill shows respect to people that have done a job that I choose not to do at some point in my life. So I guess, Mr. Speaker, I hope that you and everybody else would join me to defeat this motion and to show the awesome military that we have, the one-percenters that we have, respect. Thank you, Mr. Speaker.

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

Representative **WEAVER**: Thank you, Mr. Speaker. You'll notice I don't stand up very often and speak. I am entering my fourth term now and I've learned pretty quickly that if you stand up and speak quickly, get it over in short time, that we move on, and if the rest of the body will try to do that, we may get out of here by August. So that's my lecture, that's my sermon. So many of our young men in Maine end up, when they get out of high school, they've never been out of the state and they will go to a place, like they will go and start a lawn service or something like that, and they never get an opportunity to leave the state. I'm a big believer that these young men need an opportunity to go somewhere else and the military is a good idea. They can have one hitch. They can come back after that four years, three years, whatever it may be, with a skill. They would have met people from around the states, all over the United States. They would deal with other races. We don't get to do that very much up here.

And it would give them well rounded and a lot of information so they can make this decision of whether they want to come back to Maine, but if they don't, they can go somewhere else in the United States. But at least they will have seen something. We used to go to Bangor quite often and inspect that unit up there and some people from northern Maine came to the Kuala Inn and that was their vacation. They never left the state. So those young kids never get to meet people from other states, etcetera. If we can let these recruiters get in – and the next bill deals with recruiters getting into classes – if we can get them in there, they can sometimes become military and become veterans. I am a veteran. Most veterans don't talk about their careers, but when you get in the political arena, you have to talk about your careers because the military vote is so strong and you need that vote. Well, I finished a 23-year career in the military. I spent three tours in Vietnam, 524 combat missions, and when I wasn't in combat, I was every third week sitting nuclear alert with either a B-52 or 111 with targets in Russia. So I had the opportunity. I wouldn't trade for that 23 years, so I think we need to let our young men hear the conversations, hear the talk, hear the discussions. Give them an opportunity to serve their country. Thank you, Mr. Speaker.

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 in opposition to the pending motion. Frequently, in this chamber and in any number of other functions, we acknowledge those who serve our country in the military and thank them for their service. Plus, it seems ironic to me that we must act upon a bill that would ensure our youth is provided access to information about our military in our local schools, access for those who may have an interest in joining our military and serving their country. This bill does not require anyone to participate in that access. Having served in the military for more than 30 years, I find it offensive that any school would prohibit our youth from accessing information about our military. Plus, I urge you to vote Ought Not to Pass on the pending motion. Thank you.

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 one of those students that took the ASVAB test my senior year in high school. I did 20 years in the Navy. I got a great career, good job skills. It made me grow up a little bit. Probably my wife would probably disagree with that. But this bill, I oppose the motion right now. This is a great bill. More students need to take that ASVAB test – well, they don't call it the ASVAB test anymore – but they need to take that test. They need to see what the military is really all about. It would do a lot of people a lot of good going into the military, in my opinion. So I oppose this motion.

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Under suspension of the rules, members were allowed to remove their jackets.

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The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Mr. Speaker. I hadn't planned to speak on this bill, but I did sense in the debate today that there was this sense that to vote against this bill would be to vote against our military or our veterans, and I wanted to stand up and say, first of all, a thank you to Representative Weaver, to all of those who, in this body, have served in our military. I think

all of us are very supportive of those men and women who put their lives on the line for us. I just wanted to add one thing to the debate. I think that this is a bill in search of a problem. I work all across the state with career and technical schools and with high schools, and I can tell you for sure that the schools, all of the schools in Maine are very anxious to work with our military recruiters and they help provide space for them to take the ASVAB test, students take the ASVAB test, because they know this is an important opportunity for our young people, as the good Representative said, to travel and to see other places in the world and to gain wonderful credentials to bring back into the civilian world if they choose to. So my vote today will not be any reflection at all of my support for that option for our young people, but my professional knowledge that this is not a problem. I really believe that we don't need these bills today and that's why I will voting against them. Thank you.

The SPEAKER: The Chair recognizes the Representative from China, Representative Cotta.

Representative **COTTA**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the motion and here is why. I understand the veterans, their service, but what we're really talking about is availing the students the opportunity. Our military is highly technical, very well trained, and I'm not saying everybody should serve in the military. I did for over 30 years, but that's not what this is about. It's about the test. It's probably, I can't think of another organization which, when you take the aptitude test, has the experience and accuracy of that which is used by our military. If for no other reason, it will help you select a career path. It may not be the military. But you will be availed of the opportunities, the students, about what education is available, what benefits are available. So information is power and I think we have an obligation to avail our students access to see what is out there for them. Once again, I'm not advocating everybody serve in the military, but they should at least look at what is available. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Jackson.

Representative **JACKSON**: Thank you, Mr. Speaker. I also rise in opposition to this motion. It's the first I've spoken on the floor. Ladies and gentlemen, I, too, have made a career out of the military. In 1974, the United States Army deemed it necessary that I come out here and get into sales. I had no idea what they were talking about until I got out here. I became a United States Army recruiter. I was sent to the best schools, taught how to sell the Army and how to test. Upon returning in 1974 to the Oxford area, the Oxford Hills area, trying to gain access into those schools as to where I could actually sit down and talk to young students who were interested in the military, I ran into a tremendous amount of opposition from guidance counselors. Not so much from the principals or the superintendents, but from guidance counselors. On administering the ASVAB, which at that time was just coming in, we had to take and inconvenience the students by taking them out of the school, taking them to the recruiting station, administering the test and then take them back, and have them back in time so that they could grab the bus. Upon completion of my tour as a recruiter, I was brought into Poland as a guidance counselor. As a guidance counselor, I picked up where the recruiter left off. The ASVAB gave me this gentleman or this lady's aptitude scores. It was my responsibility, at that time, upon his or her agreement, to put them into a field in which they were best suited. With today's Army, today's Air Force, all of the military, it is necessary that they have that test. It is necessary that they be placed there due to the advancement in technology.

When I was at the university, or Johnson U, on a McNamara scholarship, I was dodging Representative Weaver's short rounds. Today, Representative Weaver, if he was in that F-111, could probably put one of those short rounds right in my pocket. That's the technology that has been gained. You've got the Beetle Bailey of the Army, when I ended it. Of course, I was there to welcome Representative Johnson. Those days are done. We need that test. It would be great to have it administered in our high schools so we do not have to inconvenience the student. It can be performed or given right in your guidance office or break room, whatever the case may be, and it is essential for us, today, my grandchildren, it is essential if they want to go into the service. It will place them where they can do the most good for their government and for themselves. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Rankin.

Representative **RANKIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I would not for one second want anyone here or elsewhere to think that our committee disrespected members of the service. My father was in World War I. My husband was in World War II. He won a bronze star. I had a brother who was in the Air Force, a brother in the Army, a brother-in-law in the Marines, and I could go on and on and on, and any of you here that are veterans, I have the greatest respect for you. I just think there is a deep misunderstanding here. This is a simple bill. Everything is taken care of and we don't need to bother with it anymore, but please, for goodness sake, do not think that any member of this committee is disrespectful of veterans. Thank you.

The SPEAKER: The Chair recognizes the Representative from Livermore Falls, Representative Knight.

Representative **KNIGHT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I don't rise very often either, but I rise in opposition to the pending motion. I will be succinct because I heard you indicate, Mr. Speaker, that we had several in the queue so I will keep my remarks very brief. But when my good friend, the Representative from York, commented on the importance of the military, the testing, the only thing he left out, I thought, was he referred to the men and I just wanted to add the women as well, because it's just as important for the young women of this country to be afforded this opportunity. I am very proud of the fact that both my son and my daughter spent much time in the military. In fact, my son is still serving in the Middle East where he is finishing up, I think, his 20th year in the military. Unlike most of us who have risen to speak in opposition to this motion, I did not serve in the military. I regret not having that opportunity. It just didn't happen to be available due to some medical circumstances, but I think everyone should have the opportunity and this test is an extremely important one to give every young person, male and female, the opportunity to look at what the future might bring for them. So I would just add the importance of the women. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Fowle.

Representative **FOWLE**: Thank you, Mr. Speaker. I wasn't planning to get up to speak to this either, but it's my understanding and my experience that this test is being administered. My son took it four years ago when he was in high school in China and it was a surprise when the recruiters started calling and saying how well he had done on this test and his offers that were up, along with the college coming in, and he decided to go to college. But at graduation, this time of year, that year, the year before and the three years prior, having gone to

the graduations out of China, I've been impressed with young people that have signed up to go off to the military. Two of his soccer buddies joined the military. Last year, when I was signing up for what committees I wanted to be on, two of these boys were just coming back from having served and I thought, what a different experience they have had because they made this choice, and how proud I was that they were part of my community and my son's friends, and off to the military they went. They had such a different experience than my son had with his choice. So I think this is being offered is what I'm saying. They are doing this in schools and to make it mandatory or statutory or whatever, I don't think is necessary. I think it is happening. It's happening in China, Maine. It's happening across the state. Young men are taking this and when you have young men, I mean I know three of his best friends that have gone off to West Point. Young men are signing up and they are doing the honorable thing and they are serving our country, and I want to recognize that, and I am pleased to be on the Veterans Committee. It was these two young men that made me put that down as one of my choices, so I will be supporting the motion that's on the floor.

The SPEAKER: The Chair recognizes the Representative from Norridgewock, Representative Dorney.

Representative **DORNEY**: Thank you, Mr. Speaker. I didn't expect to be speaking on this bill either, but I did some research and Maine actually has the highest per capita participation in the National Guard in the country, and we're actually number 16th in the country as far as the number of people per capita who are in the military. This bill is supposed to expand student access. I think we're already doing a very good job. I really do not think that this is necessary. I will be supporting the measure. 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. Together, with many of you, I also served in the military, although it did not become my career. In the absence of any information that schools are regularly or systematically excluding recruiters or the use of military aptitude testing, there is no need for us to intervene legislatively. We have consistently taken a position throughout this session in support of local control on a broad variety of issues, and this is fundamentally a matter of local control. I support the motion.

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

Representative **DOAK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am a retired military officer and I am also a retired high school principal, and I think it's very important that our students have choices, and the ASVAB is a choice. It's a good test. I know when I was in Pennsylvania the state required it because it gave the students choices, none necessarily the military but in civilian life, and it's a free test. Thank you, Mr. Speaker.

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 apologize for rising twice and I did want to say that during the public hearing, we pressed the Department on who had complained about this and they had contacted the recruiting people and had gotten information that there had been some difficulties. The recruiting commander is hesitant to get into the middle of a political fight. They don't want to do that, but they do have a job to do. I have recently received a copy of information that came from a

command sergeant major of a recruiting battalion, and he says that across the state most high schools are very cooperative, but there are areas of the state where that is not the case. They follow the rules of No Child Left Behind very closely, which kind of stipulates do you have the opportunity to come in to talk to students once a year, but he would say the schools listed below of the state allow us minimal access. That is we are allowed into the school once, the school announces our visit a few days prior to the date and we were told if students would like to speak with a recruiter, to sign up on a sheet. When the recruiter arrives, if any student has signed the roster, we get to meet with the student. If there are no students signed up by the time we arrive, the school considers that our one visit and we are done for the year. So there are some difficulties in the state and basically this bill just allows that school boards would establish a policy that would allow this ASVAB test to be given to students who express an interest to take the test. Thank you very much.

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

Representative **MacDONALD**: Thank you, Mr. Speaker. I just apologize for rising again, but I want to point out that the bill does require, not allow, but rather requires school boards to indoctrinate policy that would allow the ASVAB test to be administered in the schools. My recollection of the testimony, which there was no testimony other than the Department in front of our committee, was this would not be about military recruitment. This was about that this is a test, among others, that assesses student aptitudes on various career choices. If you look at the ASVAB, it's got all sorts of sections on the usual kinds of things. Shop, electronics, mechanics, all sorts of understanding of general career choices. It could be used as a tool for just general career choice, not for military recruitment, and I don't think it's designed for military recruitment in the schools. It's just part of a career assessment opportunity. Schools are using this test now as a set of part of battery, a battery test, that are used for career assessment in the schools and maybe some schools where it is not allowed, but it is a local choice. This bill that you have before us would require schools to develop a policy that would make the ASVAB available to students. I urge you to leave this matter to local control, to the educators in our states and not require additional legislation on our part to override local control on this matter. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I was told yesterday I should speak up, so I am going to attempt to do that. Briefly, as a member of the United States Coast Guard for 15 years, I was a recruiter for three out of a regional office and I have personal experience of how helpful this tool, this Armed Services Vocational Aptitude Battery test is in helping a young person assess themselves as they complete high school or consider junior college and university, and they then go on to do it, based in part on the guidance this test had provided them. But I also think it's good policy to inform people of what it takes and what might be available for young people by way of career in the military, or generally, that they may not have thought of, and this test, I have seen it stimulate people to do that type of thinking. So I would urge this body to consider not supporting this motion, but to look at this as a very good way of standardizing career choice presentations in all of our schools and in colleges, and this is also good for national security, generally, and I am sure there is a whole host of other good reasons. But anyway, those are my thoughts on it. 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. This past weekend, while it was a beautiful weekend outside, I actually spent my weekend inside as a member of the Maine Air National Guard, and so I spend my weekends serving our state and our country in uniform and I'm very proud of that. I also have a father who was in the United States Air Force, a brother that was in the Army, another brother that was in the Marines, another brother who was in the Air Force, and a sister-in-law that was in the Navy, so we pretty much have got it covered. What you learn in the military is the value of morals and discipline, the values of integrity, honor, and I think providing an opportunity for children to have access to those opportunities is not only appropriate, but here in Maine we actually have more people per capita serving in the military than any other state in the country. It's a tradition that we are very proud of here in Maine. We have vet hospitals throughout Maine, many of them new, that provide services to our folks that serve and then come back to Maine to retire or to work, raise a family, and so I find it troubling that we as a state who have not only benefited from people that have served in the military but also in recognition of those that have served and died for our country and for our state, those that made the ultimate sacrifice. And again, it is something that we have an honor and a proud tradition of here in this state, and so I find this troubling and I would ask you to please, please consider supporting this because I do believe it's a step in the right direction, I do believe it's something that provides information and opportunities for our children, and thank you very much.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I can't remember how I went about taking the ASVAB for the first time. I know I was a junior in high school in Connecticut, and I don't know if it was mandatory, but I did take that test and I did very well on it. I wasn't very educationally minded. College was an option, but I just really was just an average student. But what doing the ASVAB did was give me options. I had a great score in it. I was good in aptitude, good in analysis. So when I graduated high school, it was something that was in my arsenal that I could use. I wasn't sure if I wanted to go to college and since I have zero military family, I don't have anybody in my family at all who have ever been in the military, nor none of them ever went to college either, you tend to do what your parents or your family tend to do. If you've got a military background, you tend to go to the military. If you've got a college background, you go to college. There are people like me that really just didn't know really where to go. So when I joined the Navy in 1985, they took the ASVAB score that I had done and told me I qualified for a certain job, and I guess I'm kind of rambling now but the ASVAB was the foundation. Taking that my junior year and putting that arsenal in my repertoire enabled me to meet my wife who was also Navy, have the family that I have now and to go back to the ASVAB was the foundation for that. I think as we debate this – I don't know, I get emotional talking about it. May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **DUPREY**: I guess the question, Mr. Speaker, is if this is a mandate, from what I read about the mandate preamble, I've been here a long time, is you have to find at least 90 percent of the cost of a mandate for it to be considered a mandate. If you don't fund at least 90, it is considered a mandate. If an ASVAB is absolutely free to the school, why would this be considered a mandate?

The SPEAKER: The Representative from Hampden, Representative Duprey, has posed a question through the Chair to anyone who may care to respond. 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 really because I became aware on a bill I actually sponsored this year that people who take career interest tests, students who take career interest aptitude tests have the experience, generally, of doing better in college, of finding their way more easily and staying in school and completing their education more quickly. For that reason, it would seem to me that if you have an interest aptitude test of this nature earlier in the game, in high school, then they could perhaps look to better results as they finish high school also. 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. 189**

YEA - Beavers, Berry, Brooks, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickson, Dill, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hobbins, Hubbell, Jones, Jorgensen, Kent, Kornfield, Kruger, Kumiega, Kusiak, Libby N, Longstaff, Luchini, MacDonald W, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Stuckey, Theriault, Tipping-Spitz, Treat, Welsh, Werts, Mr. Speaker.

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

ABSENT - Beaudoin, Beck, Bolduc, Campbell R, Carey, Libby A, Peterson, Turner, Villa.

Yes, 74; No, 68; Absent, 9; Excused, 0.

74 having voted in the affirmative and 68 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass Report was ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Ensure Student Access to Postsecondary Military Options"

(H.P. 1077) (L.D. 1503)

Signed:

Senators:

MILLETT of Cumberland  
JOHNSON of Lincoln

Representatives:

MacDONALD of Boothbay  
HUBBELL of Bar Harbor  
KORNFIELD of Bangor

NELSON of Falmouth  
RANKIN of Hiram

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-311)** on same Bill.

Signed:

Senator:

LANGLEY of Hancock

Representatives:

DAUGHTRY of Brunswick

JOHNSON of Greenville

MAKER of Calais

McCLELLAN of Raymond

POULIOT of Augusta

**READ.**

Representative MacDONALD of Boothbay 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 Greenville, Representative Johnson.

Representative **JOHNSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. From my standpoint, this is more egregious than the last one. I would read from the command sergeant major of the recruitment battalion. Several other issues that hinder us at individual high schools are the fact that we are not to be allowed in uniform, meaning that we conduct our visit in civilian attire or schools will send their master list of junior and senior students out the home address with instructions that if you would like your son or daughter removed from this list prior to being sent to recruiters, please reply in fact. In the end, when it comes time to send the list out, even if the school has not received a reply from the parents, they still remove their name. This is prevalent in a couple of big high schools.

So I said I entered the service in 1963. That was a particularly difficult time for our nation. It was one of the most divisive wars that we have experienced. At the end of that almost 10-year period, the Army was in shambles from lack of resources and lack of support of the American people. I can remember many of my contemporaries being encouraged not to wear their uniform in the United States and being derided when they did. When this current generation, this war that has gone on for almost 10 years now, organizations such as the American Legion and VFW have made a commitment that our soldiers, airmen, Navy, Marines would not be faced with that, and the American people have responded with the backing of the military, not because they support the wars, because I, as many people, did not support the current wars but we supported the military and we would not allow the United States to have the same attitude that they had back in the generation that I've referenced. So the idea that a public school in the State of Maine would disallow the wearing of a uniform at any time of one of our Armed Services is abhorrent to me. Thank you very much.

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. Again, this bill, other than the Department and the sponsor, on behalf of the Chief

Executive, there was no testimony other than that to indicate that there was a problem in the schools. So we did have some testimony from the commissioner that there may be some schools in the state that discourage it, do not allow recruiters to appear in uniform; however, under federal law, military recruiters have access to secondary school students at the time of these career planning sessions in public school. This bill has nothing to do with whether or not military recruiters can have access. It is only about whether or not they can wear a uniform. The bill would require that local districts develop a policy that would allow military recruiters to appear in uniform. Again, it's a state legislative initiative that would override local control but would have no impact on the actual fact that military recruiters have, under federal law and will continue to have, complete access to secondary school students as they look through their postsecondary school career choices. So because it's, I think, unnecessary and duplicative, I hope that you will join me in supporting the Ought Not to Pass motion that is on the floor. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Maker.

Representative **MAKER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. That was a sad day for me, that day when we voted on this bill. We should be holding our veterans up with due respect and our soldiers that are fighting for us. I remember the time and because I am that old, I remember the time of Vietnam when soldiers were spit on. To not show pride in men and women who are serving us should be a crime. Access is not a problem, but to tell someone that is a proud soldier that he's not allowed to come in the school without his uniform is despicable to me. I just can't understand it. We stand at Bangor airport and welcome the soldiers home, but we do not want them in our schools in uniform. There is something wrong with that message. Thank you, Mr. Speaker.

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. We stand here every morning and pledge allegiance to that flag, we listen to the national anthem, and yet any school that does not want one of our military to put their life on the line for us in this school ought to be ashamed of themself.

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 strongly disagree with this motion here. It's a slap in the face to the members of the military that are not allowed to come into our high school in their uniform. They lay their life on the line so that we have freedom of speech, freedom of religion and we need to support our military. We need to allow them to show their uniforms proudly.

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

Representative **DOAK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I find this offensive. I went in the Army in 1961 and my colleague here, he went in at '63, and he indicated he knew people that were encouraged not to wear their uniform. When I came back from Vietnam, I was assigned to ROTC duty at Alfred University in New York, 1969. We were told we could not wear our uniforms. I find that offensive and I think it's a sad day when men and women of this country cannot walk in a public school and they have to take the uniform off, that is a sad day. Thank you, Mr. Speaker.



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. I am also against this vote of Ought Not to Pass. I am on the Education Committee and I'm in schools a lot, and I stand here and I think "How many other things do we allow to go on in our schools that many of us find offensive?" And this is the one that we're going to stand up against? This is the one we're going to block. One of the bills we dealt with last year was on bullying and now there is a bullying thing and it's got a zero tolerance, and I would suggest this maybe is something that deserves a zero tolerance as well. I'm sorry. If people can stand here and say, "Well, I support the military," they're not listening to this conversation today, I'm sure, because they are busy supporting us and defending us. All they are going to know, Mr. Speaker, is the end result, what happens today. They're not going to know the words "Well, I support the military, but I voted against this." All they are going to know is how this turns out today. I also think for our kids, what a great opportunity this is. The military can be a great opportunity. I wish I had someone mentor me into that. It didn't happen and I regret it. It can be a great opportunity and a way out for a lot of kids. Why wouldn't we want to give them that option? So again, I will say, support our military and vote against this motion. Thank you, Mr. Speaker.

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 in opposition to the pending motion and I am disturbed by the action on the last bill. While I was offended by a need to act upon legislation to require schools who do not allow access to information about our military to our students, I can only say that not only am I offended but I am ashamed that we have to act upon legislation to require schools to allow our military to meet our youth in their uniforms. I urge you to vote Ought Not to Pass on the pending motion. Thank you.

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. I rise in support of the pending motion and with great respect for all that have spoken here today about this issue because there are strong and reasoned arguments and principles at work on both sides. As the chair of the Workforce Committee and as a teacher for 20 years, I can tell you that we should all take great pride in the fact that was stated earlier by my counterpart on the other side of the aisle, the good Representative from Newport, that Maine has more military members per capita than any other states. That is a tremendous accomplishment and we should all take pride in that and we should take pride in our young people who do serve in the military and make that their career choice. And in the recruiters as well, who work in our schools and help our young people to make that career choice where it is appropriate to them. The question of uniforms, not uniforms, local control, needs to be considered. Maine's Constitution, by the foresight and wisdom of our framers, has a strong tradition of home rule. It is the fundamental principle that this body is further from the people than the local elected officials, who are elected to make the local decisions, and so we need to be careful when it appears that we are already doing very well in this area about enacting a solution that may be in search of a problem. Maine already leads in this area. So we are in a good place and we should be proud of that, and I certainly am and I hope you are too. Let's be careful about mandates. Let's be careful about diminishing local control. And,

Mr. Speaker, in conclusion, I just want to state again that I have great respect for both sides and I think everyone here is looking forward to the next generation of young people to serve in the military, and we can vote for this in good conscience on the other side. I do, again, want to state as well that there appears to have been no support for this other than a couple of folks representing the Executive and perhaps this really is, in sum, a solution in search of a problem. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Norridgewock, Representative Dorney.

Representative **DORNEY**: Thank you, Mr. Speaker. I didn't expect to be talking on this bill either, but I rise to support the current motion. I think, for me, it's not whether or not people are in uniform, but it has to do with recruiters in uniform. I think any time someone wears a uniform, sometimes that can signify power. Like, for instance, if a police officer has a uniform or a security officer at a hospital, for instance, it gives you a different relationship. We're not talking about not having recruiters in schools. Those are allowed and we're doing a very good job encouraging kids to go into the military, but I just worry that if you have someone in uniform, that that may give additional power when kids are supposed to be making this decision with what they want to do with their lives. Thank you.

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

Representative **VEROW**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in support of the Ought to Pass on this. I am reminded that my predecessor here, Michael Celli, who many of you have asked me about, Michael served two terms here in the House and when he was in Brewer, he was the mayor and one of the initiatives that he had in the City of Brewer was to institute an Air Force ROTC program there. I have to say that he approached the school committee on that and it wasn't an easy sell, but he was able to get that instituted in the City of Brewer, and that required a uniformed recruiter to come in and work with the younger students in the ROTC. I have to say that at the parade last week, the Memorial Day parade, attending that parade, I was very proud to see the Brewer High School ROTC, the Air Force ROTC, with their advisor in uniform marching in that parade, along with the ROTC of the City of Bangor and the ROTC of the school of Hermon. I think that speaks well for recruitment efforts and that was certainly something that would encourage our young people to, perhaps, look at military as a possible career. Also, I wanted to say something about my daughter who was five years in the U.S. Navy. Again, she was recruited for that out of school. She served there, she became a lieutenant and she was invited back to speak to the class about military service as a career, and I helped her write the speech for that event. That was very encouraging to see the school accept her and listen to her talk about a military career. So, Mr. Speaker, thank you.

The SPEAKER: The Chair recognizes the Representative from Buckfield, Representative Hayes.

Representative **HAYES**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. We in this room represent every public postsecondary school in the State of Maine. Do I represent a school that will not currently allow members of our military access to students? Is there anybody in the room who can tell me that or any of us? I don't understand. This kind of feels like, I don't know where this is a problem, but if it's a problem in my district, I want the Chief Executive to know that I am happy to work with him and his staff to change the mindset without necessarily having to codify this. I don't understand the extent to which it is a problem, and I'm wishing someone could identify for me those schools that have in fact not



allowed members of our military to come and speak with students, as they do other career professionals, and those schools that won't allow someone to wear their uniform when they are having those conversations. If there is someone who could do that, I would find it very helpful. Thank you.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I want to thank you for letting me speak because this is very, very important and I think it needs to be characterized appropriately. Sitting on State and Local Government last year, the good Representative from Mexico brought an amazingly great bill, it was the second bill we heard, and it was to establish Vietnam Veterans Day. I want to tell you that everyone around that horseshoe was in tears, including my Senate Chair. It was so moving. It was amazingly moving. We had Vietnam veterans talking about how difficult it had been. We finally were going to say, we believe in you, we honor you and we respect you. Then this year, the good Representative from Orrington, Representative Campbell, brought a bill that was passed unanimously through committee to establish Korean War Veterans Day. My point being is we all honor the people who have served our country. I don't know about you, but I marched in Memorial Day parade with people from all parts of the service and we honor them every day. And I serve bean supper once a month with the American Legion because I honor the people who have served our country. So echoing the good Representative from Buckfield's question, and I would ask it through the Chair, what schools in this state have not honored people in the military? What schools in this state have restricted members of the military from wearing their uniforms? Thank you.

The SPEAKER: The Representative from North Yarmouth, Representative Graham, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Dexter, Representative Wallace.

Representative **WALLACE**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. Back in 1967, I was one of those Vietnam veterans that came home and told not to wear a uniform. I wore it anyways. I got on a plane and a young lady, she requested a seat change. She didn't want to sit next to a veteran. To see anyone in this state or country who can do that, I'm ashamed of them. If there is one school, even one in this state, who can't accept a veteran, I'm ashamed of them. I know when I came home the people of the United States were ashamed of their soldiers. Colleges didn't allow veterans into their colleges and it can happen again. In fact, it can happen in a high school. Situations change. Do not let this bill pass the way it is. I am told it's a local option. It is not. We serve you. Respect it. Allow the soldiers into the schools in uniform and do it now. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Kornfield.

Representative **KORNFIELD**: Thank you, Mr. Speaker. I taught for 30 years at Bangor High School. We had ROTC. We had recruiters in the school. We offered the ASVAB test. So I want to explain why I think this bill Ought Not to Pass. I think that it Ought Not to Pass because we had no evidence of a single school, whatsoever, that didn't allow recruiters in in uniform. In fact, we didn't have any evidence in the last bill that I didn't stand up on that any school was not offering the ASVAB. So we worked from no evidence whatsoever. There was nobody that came to testify that a recruiter couldn't come in uniform. There was no one that came to testify that an ASVAB couldn't be given in a certain school. So that's why we voted Ought Not to Pass on

this bill and the last bill and that is why I am going to vote Ought Not to Pass. I don't know if there is any school that doesn't allow a recruiter in uniform not to come in. Thank you.

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. I've been sitting here for a little bit and biting my tongue pretty hard. I wasn't going to speak. But it's something that is really bothering me and maybe I shouldn't have spoken, but are you aware that we are in war right now? We sit here. We are calm, having a conversation, debating something, but we're in war right now. There are men and women dying as we speak for us to be able to do this. It troubles me that we're even having this discussion. I don't know if there is a school that says that a veteran or current military member cannot come and wear their uniform, and I hope there isn't, but what is wrong using the same argument that has been used, when passing a statute, passing a law, enacting this and saying that if there is one, you're not going to do it and if you are thinking about it, you're not going to do it because it's wrong. These are the men and women that are fighting for us. I know something about war. There are others in here that do. It's not pretty. That uniform represents a lot more than recruiting efforts. It represents hundreds of years of various branches fighting to defend what we are sitting here doing today. I oppose this motion. I ask that you please oppose it too. Support the military. Don't say that you do and then support this motion. Oppose the motion. Vote red. Thank you.

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

Representative **GOODE**: Mr. Speaker, could I just request that members make sure they are addressing comments through you?

The SPEAKER: The Chair would remind all members to direct comments through the Chair. The Chair recognizes the Representative from Oxford, Representative Jackson.

Representative **JACKSON**: Thank you, Mr. Speaker. I, again, rise in opposition to this bill. Members of this esteemed establishment, I look at us today as I did when I came here in January. I was given a piece of paper that says, "This is the attire you are required to wear when you are on or in the House: A tie. A sports coat." I am fulfilling that duty and that obligation as set forth by this Legislature or the rules. Keep in mind that man or that woman that is in uniform is doing so because he is required. That is his dress. That is his or her sports coat. Slacks, whatever the case may be. So, Mr. Speaker, I thank you for allowing me to speak again, and ladies and gentlemen, keep this in mind.

The SPEAKER: The Chair recognizes the Representative from Livermore Falls, Representative Knight.

Representative **KNIGHT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong opposition to the motion on the floor. My good friend from Oxford who just spoke took some of the words that I was going to use. I wanted to speak specifically about uniform and a comment was made by the good Representative from Norridgewock that uniform can adversely impact, if I understood what she was saying correctly, it could influence the young student. In every profession, there is a uniform and I was going to speak to the uniform that we all wear here. I would tell you that I am much, much more comfortable wearing a sweatshirt and dungarees, but I spent 44 years in the banking business and I really honestly suspect if you came into my office and I was attired in dungarees and a sweatshirt, you probably would not have given me too much attention. You especially would not have given your money

to invest. The military men and women is accorded a particular dress, his or her uniform, and to restrict somebody from wearing what they have been wearing as part of their daily living, I think, is wrong. We need to ensure student access to military options and when this person comes into the high school, he or she should be dressed in the uniform of their profession and if that is a little bit different than what we wear in this body, so be it. I would also suggest that a physician dresses in a particular way in the operating room and we would not want him or her to be dressed any differently. We want them to be covered in the appropriate attire. That is just the way it is and I strongly encourage everybody in this room to support the military and hit the red button, 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. Did I tell you the tale of two brothers? Back in the 1950s, when Russia and the United States were doing cold and sometimes warm relations with each other, Korea had warmed and then gotten cold, and Vietnam was in harried and there were problems with Cuba and all of that, these two brothers decided to join the Army National Guard. Not because we didn't want to go to the war or not, because we wanted any kind of display, we just simply wanted to be part of the military and we were only 17 years old. When I finished high school, I stayed for 14 years and I was communications chief in the 262nd Engineer Battalion Headquarters Company, Bangor, Maine. Fortunately, we never got called up. My brother switched over to the Army Reserve. I went into the newspaper business after 14 years and he stayed in the Army and he moved all over the place. He became a recruiter and then his job changed and became someone who worked on retention, keeping people who are in. He had such duty stations as Hawaii. He travelled to Guam and was up in Alaska. He stayed until he got the rank of E9 and those of you who aren't military need to know that that's the highest noncom you can be. He was a sergeant major in Hawaii. When he lost that particular slot, he was transferred to Staten Island. My mother went to visit him. Staten Island, or New York, of course, and it was September, Labor Day, 2001. Several days later, I worried about my mother because there were airplanes flying into the towers in New York, I called and tried to find my brother, and when I finally did find him, he was speaking to me in a hushed voice and said, "I don't know how you got this phone number, but you can't talk to me right now." When I inquired why, he was in the basement of a building near the towers picking up body bags and headed for the scene. Now, I tell you that story because if I didn't, my brother would shoot me today, probably, but I tell you that story because he and I talk a lot about something else that I talk here about, home rule. He is a believer in wearing the uniform. He is a strong military man. You can't become a sergeant major without being a strong military man. But he also believes that the schools in his hometown of Kenduskeag have the right to make up their own minds and we shouldn't be forcing this on them. He goes to the schools, on occasion. He is also, by the way, a mail delivery person now. I can't imagine what this guy makes in salary a year, a lot more than I do when I gave up the military. At any rate, he believes that those schools that he visits and delivers mail to and picks up kids, his own kids grew up in those schools, that they make up their decisions as to when the recruiters – and he was one for many years – go to those schools, they can go either way they want. They can go dressed in uniform or they can go in civilian clothes, and that's his belief. We didn't do it to be decorated and he doesn't have a whole lot of things that he wears on his uniform, when he wears them on

Memorial Day, but he does have the pride of being a military man. I have seen him work with high school kids and younger, and he truly believes that this country needs to be defended, and he truly believes in the veterans, I can tell. I say to you today, I am going to support the motion on the floor and that is because, again, I want to leave it up to the local schools to make their decision. Thank you, Mr. Speaker.

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

Representative **McCLELLAN**: Thank you, Mr. Speaker, and I actually rise to answer the question that was posed awhile earlier about the list of schools that are prohibiting this. We might have mentioned this in the past bill, but when we had our public hearing, many of us asked that question, "Where is this happening?" and the Commissioner Bowen of Education said that he would go and find that out. At the workshop afterwards, he came back to us and he basically explained that there was a list but the military, because they have to work with these schools, they were very concerned they didn't want to get in the political process, they didn't want to aggravate situations that maybe weren't good as it is. So I guess, in terms of confidentiality, we weren't supplied with the list. So we were told there was a list, we couldn't have it. I think some people in the room accepted that and, obviously, some people in the room didn't accept that. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Maker.

Representative **MAKER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have to disagree with my fellow Representative. We did get a list of high schools listed. Regarding the ASVABs, we did get a list of high schools. I guess my whole thing is I'm sure that list could be provided by the Commissioner. The main reason this was put in is a matter of trust and the trust is that certain members of our committee did not trust the Commissioner or the Chief Executive in saying this was not a political issue they could come and testify on. I believe that. They are not supposed to be partisan one way or the other and I trust that that is the reason why we didn't have them here. So again, I stand up for all our military, and I believe if we are going to stop the military from coming in our schools, is it going to be police, is it going to be firemen after that because we don't want the good and bad to be shown to our students? That's absolutely wrong. Thank you, Mr. Speaker.

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

Representative **CROCKETT**: Thank you, Mr. Speaker. When my father came back in '68 through Logan, he was spit on, but that's in stark contrast to when I came back from Afghanistan in a dusty, nasty uniform that I was ashamed of because I hadn't had a chance to get a fresh one, and I came through Atlanta and there was standing ovations. These people were 110 percent behind you, regardless of what you looked like because they believed in the principle of what you were standing for. They believed in the same things we are debating today, the fact that we have the right to debate. So they were proud of our uniform. Now, if there is a single school that takes public money that doesn't allow a recruiter to wear a uniform, is that the same school that is not going to allow a police officer to wear a uniform? Is that the next step? I understand home rule and I get it, but that principle only exists because men and women stand on a wall somewhere and defend freedom, that's how we got here, and I'm not going to make any soldiers, any of my soldiers who have ever died, when they got buried in their uniform, their families were proud. You are not going to slander a uniform like that. I'm sorry to be emotional. I didn't even intend on speaking.

But there are some things that if there is no problem, then there is no problem passing this legislation. If there is a problem, we need to address it now. So I would defeat the pending motion and move Ought to Pass. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Waldoboro, Representative Winchenbach.

Representative **WINCHENBACH**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I did not plan to speak, but this has touched me personally. My daughter-in-law is 25 years old. She joined the National Guard in April. She left my son home with three little boys. It was her choice, a family choice to join the National Guard. My three grandsons, I want them to be proud. I have a six-year-old grandson in the kindergarten and he is proud of his mom and he awaits her return in October. I want my school district to be proud that my daughter-in-law serves in the National Guard, and it would be deplorable if she couldn't come home and wear her uniform serving her country, so I oppose this motion. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Lisbon, Representative Crafts.

Representative **CRAFTS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have to say, listening to the debate of the last two bills, that I am very disheartened. It seems to me that if there is not any schools that they know that's doing this or not doing this, either way, what's wrong with passing these last two bills to make sure, to honor our military? It really seems to me that I've listened to some testimony here today. It seems like people are talking out both sides of their mouth. It's very disappointing. I hope that our constituents have an opportunity to hear this debate today, because they need to. Thank you.

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

Representative **HARVELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I agree with the good Representative from Bethel when he tells two stories, the story of those that came home from Vietnam and the story of those that came home after this war. I can remember as a young man serving in the Netherlands and I never was so embarrassed as when I would go to a store and someone who was the age of my grandfather or my father would open that door for me. I was a 20-year-old kid that had been taught to respect his elders and I couldn't understand why, but they remembered what we had done for them. My wife just gave the commencement at the Farmington VFW. Her father literally saw the 101st Airborne come out of the sky in Veghel to liberate that town and her mother watched these troops, and if you think they were ashamed, the generation that saw that, of the American uniform, you are sadly mistaken. They never forgot it.

And I disagree with the good Representative that represents Madison. The Harvell-Bishop VFW in Madison, Maine, is named after my great uncle who gave his life on December 30, 1944, in Bastogne, Belgium, in the Battle of the Bulge, and I find it offensive that if he were alive today that she would be saying he should not be able to walk into a school. He never got the right. He never got the right to have children, he never got the right to live what we live here today because he died to give us this right, and I ask you to press red today and think of his blood and the blood of thousands of others, no millions, that gave us the right to be here today.

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. I, too, have a relative, my grandfather, one of my favorite mentors growing up, who

served in World War II in the Battle of the Bulge and was a war hero and who would very much want us today not to enact a bill to solve a problem that does not exist or that we don't have evidence of existing. Clearly, the debate that is happening here today can happen and certainly should happen in local venues around the state, if there are schools where uniformed recruiters are not currently allowed. But we've heard today that there may be a list of schools that don't allow a certain test that is relative to the previous vote that we've taken, but we have not heard evidence that there is a school in the state where this currently is a problem. Now, Mr. Speaker, we have been sent here today by our constituents to solve problems and there are many problems to solve, not the least of which is an economy that is near the last in the country in terms of personal income growth, if not dead last, an economy where tens of thousands of our fellow Mainers are out of work, a budget that we need to pass and other legislation that was not introduced on the very last day the committees were able to meet to solve a problem that appears not to exist, to enact an unfunded mandate that did not have support from the public in committee. And so, Mr. Speaker, Men and Women of the House, I hope that we can move on, move forward and solve problems that we know exist, the committees did hear of support for and that, in general, do not constitute unfunded mandates. Thank you, Mr. Speaker.

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 apologize for rising a second time on this issue. In response to the question about whether or not there have been problems in our schools relating to this issue, I have heard of those problems. But forget that. If in fact there are no problems and I can agree with the good Representative from Augusta, Representative Wilson, what is the problem, what is the difficulty to enact a bill that would prevent it from happening in the future? In regards to whether or not this takes precedent over an economic problem we may have or not, I believe this is a fundamental issue. People should be proud and recognize our military for what it is, and they shouldn't be ashamed to have our youth in our schools view military folks in their uniform and have access to those folks. So I'm disturbed by this whole discussion and I hope you vote red on this particular issue, so that we can move forward and work on the other problems that are big too. But I would like to see a vote, Ought Not to Pass, and I urge you to vote red. 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 will be brief. The first thing I learned when I came here was that we had a duty to distinguish between a good idea and those that solve actual problems. We were faced with in our committees a number of bills that seemed like a good idea, but on reflection, we realized that it was a problem that didn't need to be solved. That is the cardinal rule for legislating and I think that we have an obligation to our constituents to abide by that. I fear that this debate has become a test of patriotism, of our appreciation for our Armed Forces. It is not, those on this side of the aisle and elsewhere who have spoken in favor of the pending motion share our deep appreciation for those of you who have served, for all who have served, we all depend on their bravery and loyalty, but this is not the question. The question is, is this a problem that needs to be solved, a problem that exists now, not sometime in the future but a problem now. Thank you.

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

Representative **MacDONALD**: Thank you, Mr. Speaker. My first time rising on the floor and generally I don't speak, I listen, but I've heard a lot this morning about home rule and I think home rule is a term that, as I sit here in the House, is kind of a misnomer, since our State Legislature takes away much of our home rule with every bill that we pass. Real home rule would not take our hard-earned money to fund government that is so removed from the people. The ultimate home rule is based on the freedoms that our military has fought for us. The idea of a frivolous bill or bills that are crafted with no known issue or to solve a non-problem hit us every day here. I mean, we vote for edible landscaping to bills that honor our seniors. The irony is to oppose a bill that mandates our military be allowed to where their uniforms anywhere in our state. So I urge everybody to please oppose the motion on the floor and support the people who have chosen to wear these uniforms and the dignity that they deserve. Thank you, Mr. Speaker.

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 don't question the patriotism of anyone in this room and how they express it, but today in our schools with our troubled children, I don't see anything negative about someone in the military appearing in uniform. I think it translates thoughts of discipline, sacrifice, hard work, commitment, even neat attire. So it seems to me that it is not an influence to be concerned about, unless folks who are worried that it is so influential that their children will, you know, run right out and get recruited, and even in that, parents and others have an option to talk with them if they don't think it's a good idea for them. But seeing someone in uniform always speaks, at least to me, of discipline, courage, sacrifice, willingness to extend themselves for something they believe in. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Lisbon, Representative Crafts.

Representative **CRAFTS**: Thank you, Mr. Speaker. I am not going to apologize for rising again because I can't, but I would like to say I heard that we're up here to legislate and fix problems and not to try to fix things that are not problems. Well, the way I see it, the direction of this country and how far left it seems to be going, that maybe we ought to do some preventive medicine today and pass this bill. I encourage you to vote red.

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. 190**

**YEA** - Beavers, Berry, Brooks, Chapman, Chipman, Cooper, Dickerson, Dion, Dorney, Farnsworth, Frey, Gideon, Goode, Grant, Hamann, Harlow, Herbig, Hubbell, Jones, Kent, Kornfield, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Mastraccio, McCabe, Morrison, Nadeau C, Nelson, Noon, Plante, Priest, Rankin, Rochelo, Rotundo, Rykerson, Sanborn, Saxton, Schneck, Treat, Welsh.

**NAY** - Ayotte, Beaulieu, Bennett, Black, Boland, Briggs, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chase, Chenette, Clark, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dill, Doak, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Gattine, Gifford, Gilbert, Gillway, Graham, Guerin, Harvell, Hayes, Hickman, Hobbins, Jackson, Johnson D, Johnson P, Jorgensen, Kaenrath, Keschl, Kinney, Knight, Kruger, Kumiega, Lockman, Long, MacDonald S, Maker, Malaby, Marean, Marks, Mason, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Nadeau A,

Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Pouliot, Powers, Pringle, Reed, Russell, Sanderson, Saucier, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Tyler, Verow, Volk, Wallace, Weaver, Werts, Willette, Wilson, Winchenbach, Winsor, Wood.

**ABSENT** - Beaudoin, Beck, Bolduc, Libby A, Peterson, Stuckey, Turner, Villa, Mr. Speaker.

Yes, 44; No, 98; Absent, 9; Excused, 0.

44 having voted in the affirmative and 98 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

The **SPEAKER**: The Chair recognizes the Representative from Livermore Falls, Representative Knight.

Representative **KNIGHT**: Mr. Speaker, I wonder how you voted.

The **SPEAKER**: The Speaker abstained from voting pursuant to the rules.

Representative MacDONALD of Boothbay moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **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 Boothbay, Representative MacDonald.

Representative **MacDONALD**: Thank you, Mr. Speaker. I assume it's in order for me to address the debate on the bill that we've just had.

The **SPEAKER**: The motion on the floor right now is Acceptance of the Minority Ought to Pass as Amended by Committee Amendment "A" Report.

Representative **MacDONALD**: Thank you. I will stand down.

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

**ROLL CALL NO. 191**

**YEA** - Ayotte, Beaulieu, Bennett, Black, Boland, Briggs, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chase, Chenette, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dill, Doak, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Gattine, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harvell, Hayes, Herbig, Hickman, Hobbins, Jackson, Johnson D, Johnson P, Jorgensen, Kaenrath, Keschl, Kinney, Knight, Kruger, Kumiega, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Pouliot, Powers, Pringle, Rankin, Reed, Rotundo, Russell, Sanborn, Sanderson, Saucier, Saxton, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Tyler, Verow, Volk, Wallace, Weaver, Werts, Willette, Wilson, Winchenbach, Winsor, Wood.

**NAY** - Beavers, Berry, Brooks, Chapman, Chipman, Dickerson, Dion, Dorney, Farnsworth, Frey, Gideon, Harlow, Hubbell, Jones, Kent, Kornfield, Kusiak, Lajoie, Libby N, McCabe, Noon, Plante, Priest, Rochelo, Rykerson, Schneck, Stuckey, Welsh.

**ABSENT** - Beaudoin, Beck, Bolduc, Libby A, Peterson, Turner, Villa, Mr. Speaker.

Yes, 115; No, 28; Absent, 8; Excused, 0.

115 having voted in the affirmative and 28 voted in the negative, with 8 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-311)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-311)** and sent for concurrence.

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The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Bill "An Act To Reapportion the Districts of the State Senate, State House of Representatives and County Commissioners"

(H.P. 1126) (L.D. 1557)

Which was **TABLED** by Representative BERRY of Bowdoinham pending **ACCEPTANCE** of the Committee Report.

Subsequently, the Committee Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, June 5, 2013.

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#### REPORTS OF COMMITTEE

##### Divided Reports

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-304)** on Bill "An Act To Amend the Maine Metallic Mineral Mining Act To Protect Water Quality"

(H.P. 929) (L.D. 1302)

Signed:

Senators:

BOYLE of Cumberland  
GRATWICK of Penobscot

Representatives:

WELSH of Rockport  
CHIPMAN of Portland  
COOPER of Yarmouth  
GRANT of Gardiner  
HARLOW of Portland  
McGOWAN of York

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-305)** on same Bill.

Signed:

Senator:

SAVIELLO of Franklin

Representatives:

AYOTTE of Caswell  
CAMPBELL of Orrington  
LONG of Sherman

**READ.**

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

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Protect Local Communities When a Mining Project Is Terminated"

(H.P. 948) (L.D. 1324)

Signed:

Senators:

BOYLE of Cumberland  
GRATWICK of Penobscot  
SAVIELLO of Franklin

Representatives:

WELSH of Rockport  
AYOTTE of Caswell  
CAMPBELL of Orrington  
COOPER of Yarmouth  
GRANT of Gardiner  
LONG of Sherman  
REED of Carmel

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-303)** on same Bill.

Signed:

Representatives:

CHIPMAN of Portland  
HARLOW of Portland  
McGOWAN of York

**READ.**

Representative WELSH of Rockport moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-314)** on Bill "An Act To Restore Consumer Rate Review for Health Insurance Plans in the Individual and Small Group Markets"

(H.P. 186) (L.D. 225)

Signed:

Senators:

GRATWICK of Penobscot  
WOODBURY of Cumberland

Representatives:

TREAT of Hallowell  
BECK of Waterville  
COOPER of Yarmouth  
MORRISON of South Portland  
PRINGLE of Windham

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

Signed:

Senator:

WHITTEMORE of Somerset

Representatives:

DOAK of Columbia Falls  
FITZPATRICK of Houlton

McCLELLAN of Raymond  
WALLACE of Dexter

**READ.**

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

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

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Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act To Protect Working Mothers Who Breast-feed"

(H.P. 528) (L.D. 777)

Signed:

Senators:

VALENTINO of York  
BURNS of Washington  
TUTTLE of York

Representatives:

PRIEST of Brunswick  
DeCHANT of Bath  
MONAGHAN-DERRIG of Cape Elizabeth  
MOONEN of Portland  
MORIARTY of Cumberland  
VILLA of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-295)** on same Bill.

Signed:

Representatives:

BEAULIEU of Auburn  
CROCKETT of Bethel  
GUERIN of Glenburn  
PEAVEY HASKELL of Milford

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

**READ.**

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

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

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Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Further Protect Pregnant Women under the Maine Human Rights Act"

(H.P. 581) (L.D. 830)

Signed:

Senators:

VALENTINO of York  
BURNS of Washington  
TUTTLE of York

Representatives:

PRIEST of Brunswick  
CROCKETT of Bethel  
GUERIN of Glenburn  
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-294)** on same Bill.

Signed:

Representatives:

BEAULIEU of Auburn  
DeCHANT of Bath  
MONAGHAN-DERRIG of Cape Elizabeth  
MOONEN of Portland

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.

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Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Establish Minimum Fuel Economy Standards for State Vehicles"

(H.P. 766) (L.D. 1073)

Signed:

Senators:

LACHOWICZ of Kennebec  
COLLINS of York  
GERZOFISKY of Cumberland

Representatives:

BOLAND of Sanford  
CHENETTE of Saco  
COTTA of China  
HAYES of Buckfield  
MacDONALD of Old Orchard Beach  
NADEAU of Winslow  
NADEAU of Fort Kent  
PEASE of Morrill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-310)** on same Bill.

Signed:

Representatives:

GRAHAM of North Yarmouth  
BOLDUC of Auburn

**READ.**

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

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

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Nine Members of the Committee on **STATE AND LOCAL GOVERNMENT** report in Report "A" **Ought Not to Pass** on Bill "An Act To Establish as a Public Record the Performance Evaluation of a Municipal Employee"

(H.P. 719) (L.D. 1021)

Signed:  
Senators:  
LACHOWICZ of Kennebec  
COLLINS of York

Representatives:  
CHENETTE of Saco  
COTTA of China  
HAYES of Buckfield  
MacDONALD of Old Orchard Beach  
NADEAU of Winslow  
NADEAU of Fort Kent  
PEASE of Morrill

One Member of the same Committee reports in Report "B"  
**Ought to Pass as Amended by Committee Amendment "A"**  
(H-322) on same Bill.

Signed:  
Representative:  
GRAHAM of North Yarmouth

One Member of the same Committee reports in Report "C"  
**Ought to Pass as Amended by Committee Amendment "B"**  
(H-323) on same Bill.

Signed:  
Representative:  
BOLAND of Sanford

**READ.**

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

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Rykerson.

Representative **RYKERSON**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise in opposition to the motion. This is a sunshine bill to allow the public to access the performance reviews of municipal employees. It could only apply to independent reviews of town managers and heads of municipal departments. There is, of course, a very delicate balance between the right of the public to know and the right of privacy. In fact, Supreme Court Chief Justice Brandeis felt the need to write two companion articles, "The Right to Privacy" and "The Duty of Publicity," and from that article came the term "sunshine is the best disinfectant." In this specific instance, I feel that the public has the right to know. This did come from a specific incident last year in Kittery where an independent consultant was paid thousands of dollars for review of the police chief and the public was not able to access this report. The town was outraged. Hundreds attended a very dynamic public meeting and I had to ask our citizens to leave their pitchforks at the door. But this could happen anywhere and this is a universal issue. These employees' salaries are paid for by the public and therefore they have a right to know what they are paying for. Most other states in the country have much more access to municipal employee records. Although, as Mainers, we highly value our privacy, we also need to know what is happening in the public realm. Please note this bill does not apply to teachers. I ask you to vote against Ought Not to Pass and I respectfully request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought Not to Pass.**

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of Report "A" Ought

Not to Pass. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 192**

YEA - Ayotte, Beaulieu, Bennett, Berry, Black, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Davis, DeChant, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Hayes, Herbig, Hickman, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, 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, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Verow, Volk, Wallace, Weaver, Welsh, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Beavers, Boland, Chapman, Daughtry, Devin, Dickerson, Evangelos, Harlow, Hobbins, Libby N, McGowan, Rykerson, Werts.

ABSENT - Beaudoin, Beck, Bolduc, Gideon, Harvell, Libby A, Peterson, Stuckey, Turner, Tyler, Villa.

Yes, 127; No, 13; Absent, 11; Excused, 0.

127 having voted in the affirmative and 13 voted in the negative, with 11 being absent, and accordingly Report "A" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

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

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**CONSENT CALENDAR**

**First Day**

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

(S.P. 26) (L.D. 59) Bill "An Act Relating to the Unlawful Cutting of Trees" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-175)**

(S.P. 66) (L.D. 177) Bill "An Act To Expand Moose Hunting Opportunities" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-167)**

(S.P. 148) (L.D. 368) Bill "An Act To Ensure the Continuation of Dairy Farming" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-170)**

(S.P. 174) (L.D. 442) Resolve, To Ensure the Continued Accessibility and Affordability of a High School Equivalency Exam for Maine Residents (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-172)**

(S.P. 256) (L.D. 707) Bill "An Act To Provide Assistance to Maine's Dairy Farms" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-168)**

(S.P. 346) (L.D. 1001) Bill "An Act To Improve Laws Governing Financial Disclosure by Legislators and Certain Public Employees and Public Access to Information Disclosed"

Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-166)**

(S.P. 423) (L.D. 1225) Bill "An Act To Strengthen Maine's Wildlife Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-173)**

(S.P. 485) (L.D. 1378) Resolve, Authorizing the Sale of the Guy P. Gannett House in Augusta to a Nonprofit Organization for Use as a Museum Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-174)**

(H.P. 338) (L.D. 488) Bill "An Act To Improve Access to Home-based and Community-based Care in the MaineCare Program" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-325)**

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

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

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

Bill "An Act To Ensure the Safety of Compounded Drugs"

(H.P. 934) (L.D. 1315)

(C. "A" H-299)

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

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

**COMMUNICATIONS**

The Following Communication: (H.C. 193)

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

May 31, 2013

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

With reference to the Senate's action whereby it insisted and asked for a Committee of Conference on the disagreeing action between the two branches of the Legislature on the Bill "An Act To Reduce Obesity among Schoolchildren" (S.P. 397) (L.D. 1160).

I have appointed as conferees on the part of the Senate the following:

Senator Rebecca Millett of Cumberland

Senator Christopher Johnson of Lincoln

Senator Thomas Saviello of Franklin

Sincerely,

S/Justin L. Alfond

President of the Senate

**READ and ORDERED PLACED ON FILE.**

**CONSENT CALENDAR  
First Day**

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

(S.P. 504) (L.D. 1410) Bill "An Act To Update the Fair Credit Reporting Act Consistent with Federal Law" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(S.P. 289) (L.D. 864) Bill "An Act Regarding Service of Small Claims Notices" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-178)**

(S.P. 349) (L.D. 1024) Bill "An Act To Enhance Enforcement of the Mandatory Reporting of Abuse and Neglect" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-177)**

(S.P. 543) (L.D. 1469) Bill "An Act To Ensure Ethical Standards for Court Reporters" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-176)**

(S.P. 581) (L.D. 1534) Bill "An Act To Allow a Motor Vehicle Excise Tax Credit for a Vehicle No Longer in Use" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-180)**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence.

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

On motion of Representative NUTTING of Oakland, the House adjourned at 12:11 p.m., until 9:00 a.m., Wednesday, June 5, 2013 in honor and lasting tribute to John Howard Ahlin, of Machias and Major Gregory W. Sanborn, of Sidney.