

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session

December 1, 2010 – June 29, 2011

pages 1 - 1067

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
FIRST REGULAR SESSION
10th Legislative Day
Thursday, January 27, 2011

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

Prayer by Pastor Frank Gleason IV, Maranatha Assembly Church, Anson.

National Anthem by Samuel L. Wagner Middle School Band, Winterport.

Pledge of Allegiance.

Doctor of the day, Lewis Phillips, M.D., Scarborough.

The Journal of Tuesday, January 25, 2011 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 45)

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

January 25, 2011

Honorable Robert W. Nutting

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Nutting:

This is to inform you that I am today nominating Joseph Ponte of Franklin for appointment as Commissioner of the Department of Corrections.

Pursuant to Title 34-A, MRSA §1401, this nomination will require review by the Joint Standing Committee on Criminal Justice and Public Safety.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 46)

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

January 25, 2011

Honorable Robert W. Nutting

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Nutting:

This is to inform you that I am today nominating David B. Bernhardt of Vassalboro for appointment as Commissioner of the Department of Transportation.

Pursuant to Title 23, MRSA §4205, this nomination will require review by the Joint Standing Committee on Transportation.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 44)

**MAINE SENATE
125TH LEGISLATURE
OFFICE OF THE SECRETARY**

January 25, 2011

Honorable Robert W. Nutting

Speaker of the House

2 State House Station

Augusta, Maine 04333-0002

Dear Speaker Nutting:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 125th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Agriculture, Conservation and Forestry, the nomination of William H. Beardsley of Ellsworth for appointment as the Commissioner of the Department of Conservation.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Philip A. Congdon of Round Pond for appointment as the Commissioner of the Department of Economic and Community Development.

Upon the recommendation of the Committee on Marine Resources, the nomination of Norman H. Olsen of Cherryfield for appointment as the Commissioner of the Department of Marine Resources.

Sincerely,

S/Joseph G. Carleton, Jr.

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

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

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Prohibit the Sale of Russian Olive and Other Invasive Terrestrial Plants"

(H.P. 159) (L.D. 182)

Sponsored by Representative EVES of North Berwick.

Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: DUCHESNE of Hudson, McCABE of Skowhegan, O'BRIEN of Lincolnville.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Promote Fiscal Transparency in State Government"

(H.P. 158) (L.D. 181)

Sponsored by Representative O'CONNOR of Berwick.

Cosponsored by Representatives: BENNETT of Kennebunk, GIFFORD of Lincoln, HARVELL of Farmington, LIBBY of Waterboro, OLSEN of Phippsburg, PARKER of Veazie, PARRY of Arundel, SIROCKI of Scarborough.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Require a Medical Examiner To Determine whether an Autopsy Is Needed in the Case of the Death of a Prisoner in a Correctional Facility"

(H.P. 145) (L.D. 168)

Sponsored by Representative KUMIEGA of Deer Isle.

Cosponsored by Representatives: BRYANT of Windham, CHAPMAN of Brooksville, HINCK of Portland, STUCKEY of Portland, Senator: GERZOFKY of Cumberland.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Provide Full Funding for Advanced Placement Courses"

(H.P. 144) (L.D. 167)

Sponsored by Representative KUMIEGA of Deer Isle.

Cosponsored by Senator ALFOND of Cumberland and Representatives: CHAPMAN of Brooksville, LOVEJOY of Portland, MacDONALD of Boothbay, Senators: JACKSON of Aroostook, LANGLEY of Hancock, PATRICK of Oxford.

Bill "An Act To Exempt School Administrative District No. 24 and School Administrative District No. 32 from the Laws Requiring School Administrative Unit Consolidation" (EMERGENCY)

(H.P. 148) (L.D. 171)

Sponsored by Representative AYOTTE of Caswell.

Cosponsored by Senator JACKSON of Aroostook and Representatives: COTTA of China, DAVIS of Sangerville, EDGECOMB of Caribou, JOHNSON of Greenville, MacDONALD of Boothbay, RICHARDSON of Carmel, THERIAULT of Madawaska, Senator: LANGLEY of Hancock.

Bill "An Act To Promote the Financial Literacy of High School Students"

(H.P. 161) (L.D. 184)

Sponsored by Representative CHIPMAN of Portland.

Cosponsored by Senator ALFOND of Cumberland and Representatives: CUSHING of Hampden, LOVEJOY of Portland, MAKER of Calais, McFADDEN of Dennysville, NELSON of Falmouth, RANKIN of Hiram, WAGNER of Lewiston, Senator: LANGLEY of Hancock.

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act Relating To Net Energy Billing for Solar Energy Users" (EMERGENCY)

(H.P. 160) (L.D. 183)

Sponsored by Representative EVES of North Berwick.

Cosponsored by Senator BARTLETT of Cumberland and Representatives: HINCK of Portland, LUCHINI of Ellsworth, WAGNER of Lewiston.

Bill "An Act To Bring a Green Data Center to Maine"

(H.P. 169) (L.D. 192)

Sponsored by Representative DILL of Cape Elizabeth.

Cosponsored by Senator WOODBURY of Cumberland and Representatives: BEAVERS of South Berwick, BERRY of Bowdoinham, CORNELL du HOUX of Brunswick, DUCHESNE of Hudson, KUMIEGA of Deer Isle.

Bill "An Act To Improve Response to Gas Safety Emergencies"

(H.P. 174) (L.D. 197)

Sponsored by Representative HINCK of Portland.

Cosponsored by Senator ALFOND of Cumberland and Representatives: BEAVERS of South Berwick, BERRY of Bowdoinham, CHIPMAN of Portland, FITTS of Pittsfield, GOODE of Bangor, LUCHINI of Ellsworth.

ENVIRONMENT AND NATURAL RESOURCES

Resolve, To Change Rules Concerning Landfill Gas and Odor Management from Routine Technical Rules to Major Substantive Rules (EMERGENCY)

(H.P. 157) (L.D. 180)

Sponsored by Representative AYOTTE of Caswell.

Cosponsored by Senator JACKSON of Aroostook and Representatives: DUCHESNE of Hudson, EDGECOMB of Caribou, LONG of Sherman, MARTIN of Eagle Lake, THERIAULT of Madawaska, WILLETTE of Mapleton, Senator: SHERMAN of Aroostook.

HEALTH AND HUMAN SERVICES

Bill "An Act To Require an Applicant for State Assistance To Show Proof of Legal Residence in the United States and Proof of Residency for at Least the Previous 90 Days in This State"

(H.P. 170) (L.D. 193)

Sponsored by Representative CEBRA of Naples.

Cosponsored by Representatives: FREDETTE of Newport, WEAVER of York and Representatives: CELLI of Brewer, CRAFTS of Lisbon, CURTIS of Madison, CUSHING of Hampden, DAVIS of Sangerville, O'CONNOR of Berwick, SARTY of Denmark, WILLETTE of Mapleton.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Enhance Hunting for Maine Residents over 70 Years of Age"

(H.P. 138) (L.D. 161)

Sponsored by Representative TIMBERLAKE of Turner.

Cosponsored by Senator HASTINGS of Oxford and Representatives: BLACK of Wilton, CRAFTS of Lisbon, CRAY of Palmyra, DAVIS of Sangerville, FOSTER of Augusta, FREDETTE of Newport, RICHARDSON of Warren, WOOD of Sabattus.

Bill "An Act To Auction Off Moose Permits to Hunting Lodges"

(H.P. 140) (L.D. 163)

Sponsored by Representative SHAW of Standish.

Cosponsored by Senator MARTIN of Kennebec and Representatives: CHASE of Wells, CLARK of Millinocket, COTTA of China, DUNPHY of Embden, FITTS of Pittsfield, HARVELL of Farmington, KNIGHT of Livermore Falls, THERIAULT of Madawaska.

Resolve, To Allow the Possession of an Unlimited Number of Game Birds

(H.P. 150) (L.D. 173)

Sponsored by Representative MacDONALD of Boothbay.

Bill "An Act To Create a Short-term All-terrain Vehicle Registration System" (EMERGENCY)

(H.P. 152) (L.D. 175)

Sponsored by Representative GILBERT of Jay.

Cosponsored by Senator PATRICK of Oxford and Representatives: BRIGGS of Mexico, CLARK of Millinocket, CRAFTS of Lisbon, DAVIS of Sangerville, SARTY of Denmark, SHAW of Standish, Senator: MARTIN of Kennebec.

Bill "An Act To Provide Complimentary Any-Deer Permits to Persons 70 Years of Age and Older"

(H.P. 177) (L.D. 200)

Sponsored by Representative CURTIS of Madison.

Cosponsored by Senator THIBODEAU of Waldo and Representatives: CRAFTS of Lisbon, CRAY of Palmyra,

CUSHING of Hampden, SARTY of Denmark, TIMBERLAKE of Turner.

JUDICIARY

Bill "An Act To Require Divorce Actions To Go to Mediation"
(H.P. 142) (L.D. 165)

Sponsored by Representative PRESCOTT of Topsham.
Cosponsored by Senator TRAHAN of Lincoln and Representatives: BEAULIEU of Auburn, BECK of Waterville, CLARK of Millinocket, CLARKE of Bath, McKANE of Newcastle, NASS of Acton, Senators: MARTIN of Kennebec, SNOWE-MELLO of Androscoggin.

Bill "An Act To Extend the Maximum Time Period for Powers of Attorney for Minors and Incapacitated Persons"
(H.P. 147) (L.D. 170)

Sponsored by Representative NASS of Acton.
Cosponsored by Senator COURTNEY of York and Representatives: COTTA of China, PRESCOTT of Topsham, STEVENS of Bangor, WEAVER of York, WEBSTER of Freeport, Senators: CRAVEN of Androscoggin, ROSEN of Hancock.

Bill "An Act To Make Permanent the Direction of Fines Derived from Tribal Law Enforcement Activities to the Passamaquoddy Tribe and the Penobscot Nation"
(H.P. 171) (L.D. 194)

Sponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.

Cosponsored by Representatives: AYOTTE of Caswell, FITZPATRICK of Houlton, MITCHELL of the Penobscot Nation, PICCHIOTTI of Fairfield, TUTTLE of Sanford.

Bill "An Act To Modify Child Support Enforcement Procedures"
(H.P. 179) (L.D. 202)

Sponsored by Representative NASS of Acton.
Cosponsored by Senator ROSEN of Hancock and Representatives: BENNETT of Kennebunk, HARVELL of Farmington, STEVENS of Bangor, WEBSTER of Freeport, Senator: CRAVEN of Androscoggin.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Resolve, To Require the Department of Agriculture, Food and Rural Resources and the Department of Public Safety To Develop a Consolidated License for Convenience Stores
(H.P. 137) (L.D. 160)

Sponsored by Representative HUNT of Buxton.
Cosponsored by Representatives: EVES of North Berwick, LUCHINI of Ellsworth, McCABE of Skowhegan.

Bill "An Act To Exempt Seasonally Restricted Cottages from the Newly Adopted Maine Uniform Building and Energy Code"
(H.P. 143) (L.D. 166)

Sponsored by Representative CHASE of Wells.
Cosponsored by Senator COLLINS of York and Representatives: FLOOD of Winthrop, PRESCOTT of Topsham, ROTUNDO of Lewiston, Senator: ROSEN of Hancock.

Bill "An Act To Require Licensed Veterinarians To Honor Prescriptions from Other Licensed Veterinarians"
(H.P. 154) (L.D. 177)

Sponsored by Representative SHAW of Standish.
Cosponsored by Senator THIBODEAU of Waldo and Representatives: CLARK of Millinocket, CRAY of Palmyra, DILL of Old Town, WALSH INNES of Yarmouth, KENT of Woolwich, KNAPP of Gorham, McCABE of Skowhegan, STRANG BURGESS of Cumberland.

Bill "An Act To Repeal Laws Prohibiting Certain Businesses from Operating on Sunday" (EMERGENCY)
(H.P. 163) (L.D. 186)

Sponsored by Representative PILON of Saco.
Bill "An Act To Amend the Laws Regulating Dealers of Agricultural, Light Industrial and Forestry Equipment"
(H.P. 164) (L.D. 187)

Sponsored by Representative BICKFORD of Auburn.
Cosponsored by Senator BRANNIGAN of Cumberland and Representatives: BURNS of Whiting, CLARK of Millinocket, DION of Portland, EDGECOMB of Caribou, KNIGHT of Livermore Falls, LAJOIE of Lewiston, ROTUNDO of Lewiston, TUTTLE of Sanford.

Bill "An Act To License Residential Builders and Register Specialty Contractors"
(H.P. 165) (L.D. 188)

Sponsored by Representative PILON of Saco.
Cosponsored by Senator JACKSON of Aroostook and Representatives: BERRY of Bowdoinham, DRISCOLL of Westbrook, GILBERT of Jay, HUNT of Buxton, MacDONALD of Boothbay, TUTTLE of Sanford.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Amend the Law Governing Employment, Discipline and Dismissal of Chief Deputy Sheriffs"
(H.P. 151) (L.D. 174)

Sponsored by Representative DION of Portland.
Bill "An Act To Achieve Cost Savings by Eliminating Deputy Commissioner Positions throughout State Government" (EMERGENCY)
(H.P. 166) (L.D. 189)

Sponsored by Representative COTTA of China.
Cosponsored by Senator SAVIELLO of Franklin and Representatives: FITTS of Pittsfield, KNIGHT of Livermore Falls, WEAVER of York.

TAXATION

Bill "An Act To Extend the Dental Care Access Credit for Dentists Who Practice in Underserved Areas of the State" (EMERGENCY)
(H.P. 141) (L.D. 164)

Sponsored by Representative KNIGHT of Livermore Falls.
Cosponsored by Senator LANGLEY of Hancock and Representatives: BRYANT of Windham, CHIPMAN of Portland, ESPLING of New Gloucester, HASKELL of Portland, PETERSON of Rumford, PILON of Saco, SIROCKI of Scarborough, Senator: SAVIELLO of Franklin.

Bill "An Act To Refund the Sales Tax Paid on Fuel Used in Commercial Fishing Vessels"
(H.P. 162) (L.D. 185)

Sponsored by Representative MacDONALD of Boothbay.
Cosponsored by Senator TRAHAN of Lincoln and Representatives: BELIVEAU of Kittery, KRUGER of Thomaston, KUMIEGA of Deer Isle, MAZUREK of Rockland, McKANE of Newcastle.

Bill "An Act To Define Lienholder Rights under the Maine Tree Growth Tax Law"
(H.P. 168) (L.D. 191)

Sponsored by Representative CUSHING of Hampden.
Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: BLACK of Wilton, CURTIS of Madison, FLOOD of Winthrop, GIFFORD of Lincoln, KNIGHT of Livermore Falls, TIMBERLAKE of Turner, Senator: TRAHAN of Lincoln.

Bill "An Act To Provide Relief from Estate Tax Valuation Requirements for Surviving Spouses"

(H.P. 172) (L.D. 195)

Sponsored by Representative CURTIS of Madison.
Cosponsored by Senator THIBODEAU of Waldo and Representatives: CHASE of Wells, CUSHING of Hampden, FLOOD of Winthrop, WINSOR of Norway.

TRANSPORTATION

Bill "An Act To Exempt Antique Autos from the Law Requiring Mufflers"

(H.P. 139) (L.D. 162)

Sponsored by Representative HARVELL of Farmington.
Cosponsored by Representative: CLARK of Millinocket.

Bill "An Act To Update Motor Vehicle Safety Inspection Laws"

(H.P. 175) (L.D. 198)

Sponsored by Representative CEBRA of Naples.
Cosponsored by Senator THOMAS of Somerset and Representatives: HOGAN of Old Orchard Beach, MAZUREK of Rockland, PARRY of Arundel, PEOPLES of Westbrook, ROSEN of Bucksport, THERIAULT of Madawaska, Senators: COLLINS of York, DIAMOND of Cumberland.

Bill "An Act To Modernize and Reduce the Cost of Driver Education"

(H.P. 178) (L.D. 201)

Sponsored by Representative HINCK of Portland.
Cosponsored by Senator ALFOND of Cumberland and Representatives: CEBRA of Naples, CRAY of Palmyra, KAENRATH of South Portland, MAZUREK of Rockland, ROSEN of Bucksport, WAGNER of Lewiston, Senators: THIBODEAU of Waldo, THOMAS of Somerset.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To Allow Veterans Who Work for Employers with More than 50 Employees To Take Veterans Day Off with Full Pay"

(H.P. 146) (L.D. 169)

Sponsored by Representative BEAVERS of South Berwick.
Cosponsored by Senator PATRICK of Oxford and Representatives: CELLI of Brewer, PILON of Saco.

Bill "An Act To Exempt Nonprofit Organizations from the Laws Governing Serving Alcohol near a Church"

(H.P. 149) (L.D. 172)

Sponsored by Representative MacDONALD of Boothbay.
Cosponsored by Senator TRAHAN of Lincoln and Representatives: BRIGGS of Mexico, MAZUREK of Rockland, SANBORN of Gorham.

Bill "An Act Relating to Distribution of Revenues from Future Casinos"

(H.P. 155) (L.D. 178)

Sponsored by Representative HOGAN of Old Orchard Beach.
Cosponsored by Representatives: DION of Portland, MAZUREK of Rockland.

Bill "An Act To Prohibit the Issuance of a 2nd Absentee Ballot under Certain Circumstances"

(H.P. 156) (L.D. 179)

Sponsored by Speaker NUTTING of Oakland.
Cosponsored by President RAYE of Washington and Representatives: BEAULIEU of Auburn, COTTA of China, CURTIS of Madison, CUSHING of Hampden, DOW of Waldoboro, GUERIN of Glenburn, RICHARDSON of Warren, Senator: PLOWMAN of Penobscot.

Bill "An Act Regarding Unenrolled Candidates under the Maine Clean Election Act"

(H.P. 173) (L.D. 196)

Sponsored by Representative COTTA of China.
Cosponsored by Senator THIBODEAU of Waldo and Representatives: BRIGGS of Mexico, CHASE of Wells, GRAHAM of North Yarmouth, HAMPER of Oxford, HARMON of Palermo, OLSEN of Phippsburg, SANDERSON of Chelsea, SARTY of Denmark.

Bill "An Act To Strengthen Maine's Election Laws by Requiring Photograph Identification for the Purpose of Voting"

(H.P. 176) (L.D. 199)

Sponsored by Representative CEBRA of Naples.
Cosponsored by Representative COTTA of China, Senator SNOWE-MELLO of Androscoggin and Representatives: AYOTTE of Caswell, BENNETT of Kennebunk, BICKFORD of Auburn, BLACK of Wilton, BURNS of Whiting, BURNS of Alfred, CELLI of Brewer, CHASE of Wells, CLARK of Easton, CRAFTS of Lisbon, CRAY of Palmyra, CURTIS of Madison, CUSHING of Hampden, DAMON of Bangor, DAVIS of Sangerville, DUNPHY of Embden, EDGECOMB of Caribou, ESPLING of New Gloucester, FITTS of Pittsfield, FITZPATRICK of Houlton, FLOOD of Winthrop, FOSSEL of Alna, FOSTER of Augusta, GIFFORD of Lincoln, GILLWAY of Searsport, GUERIN of Glenburn, HAMPER of Oxford, HARMON of Palermo, HARVELL of Farmington, JOHNSON of Eddington, JOHNSON of Greenville, KESCHL of Belgrade, KNAPP of Gorham, KNIGHT of Livermore Falls, LIBBY of Waterboro, LONG of Sherman, MAKER of Calais, MALABY of Hancock, McCLELLAN of Raymond, McFADDEN of Dennysville, MORISSETTE of Winslow, NASS of Acton, NEWENDYKE of Litchfield, Speaker NUTTING of Oakland, O'CONNOR of Berwick, OLSEN of Phippsburg, PARKER of Veazie, PARRY of Arundel, PICCHIOTTI of Fairfield, PLUMMER of Windham, PRESCOTT of Topsham, RICHARDSON of Carmel, RICHARDSON of Warren, RIOUX of Winterport, ROSEN of Bucksport, SANDERSON of Chelsea, SARTY of Denmark, SIROCKI of Scarborough, SOCTOMAH of the Passamaquoddy Tribe, STRANG BURGESS of Cumberland, TILTON of Harrington, TIMBERLAKE of Turner, VOLK of Scarborough, WATERHOUSE of Bridgton, WEAVER of York, WILLETTE of Mapleton, WILLETTE of Presque Isle, WINSOR of Norway, WOOD of Sabattus, Senators: COLLINS of York, COURTNEY of York, FARNHAM of Penobscot, HASTINGS of Oxford, KATZ of Kennebec, MARTIN of Kennebec, MASON of Androscoggin, PLOWMAN of Penobscot, President RAYE of Washington, THOMAS of Somerset, TRAHAN of Lincoln, WHITTEMORE of Somerset.

Bill "An Act To Assist Municipal Clerks by Providing Adequate Time To Register Voters"

(H.P. 180) (L.D. 203)

Sponsored by Representative KNIGHT of Livermore Falls.
Cosponsored by Representative DAVIS of Sangerville, Senator THOMAS of Somerset, Senator COURTNEY of York and Representatives: BICKFORD of Auburn, BURNS of Whiting, COTTA of China, Senators: FARNHAM of Penobscot, TRAHAN of Lincoln.

Pursuant to Statute

Department of Agriculture, Food and Rural Resources
Representative EDGECOMB for the **Department of Agriculture, Food and Rural Resources** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 2-C: Voluntary Municipal Farm Support Program, a

Major Substantive Rule of the Department of Agriculture, Food and Rural Resources (EMERGENCY)

(H.P. 167) (L.D. 190)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

ORDERS

On motion of Representative HAMPER of Oxford, the following House Order: (H.O. 9)

ORDERED, that Representative Richard M. Cebra of Naples be excused January 12 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Kathleen D. Chase of Wells be excused January 18 and 20 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Timothy E. Driscoll of Westbrook be excused January 20 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Aaron F. Libby of Waterboro be excused January 18 and 20 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative W. Bruce MacDonald of Boothbay be excused January 11 and 12 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Donald E. Pilon of Saco be excused January 11 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Kerri L. Prescott of Topsham be excused January 12 for health reasons.

READ and **PASSED**.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following items:

Recognizing:

Peter Gwilym, of Freeport, a student at Cheverus High School in Portland, who was named the 2011 Fitzpatrick Trophy recipient for his excellence in high school football. The award is given to the top senior high school football player in Maine based on voting by the state's coaches and the media. Peter is the first student from Cheverus High School to receive this prestigious trophy. We congratulate him on his receiving this well-deserved honor;

(SLS 72)

On **OBJECTION** of Representative WEBSTER of Freeport, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

Recognizing:

Craig Sickels, of Durham, longtime Freeport High School athletic director, who is one of 7 administrators around the country to earn a citation from the National Federation of State High School Associations at the National Interscholastic Athletic Administrators Association's national conference. Mr. Sickels is the second-longest-serving administrator in the Western Maine Conference and has been an athletic administrator for 27 years; he has been at Freeport since 1994. He is the president of the Maine Interscholastic Athletic Administrators Association and was its Athletic Administrator of the Year in 2009. We congratulate Mr. Sickels on his receiving this well-deserved honor;

(HLS 58)

Presented by Representative WEBSTER of Freeport. Cosponsored by Senator GERZOFKY of Cumberland, Representative HAYES of Buckfield, Representative HARVELL of Farmington, Representative ESPLING of New Gloucester, Senator PATRICK of Oxford, Senator SNOWE-MELLO of Androscoggin.

On **OBJECTION** of Representative WEBSTER of Freeport, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

Recognizing:

Elliot Schwartz, of Freeport, on the occasion of his 75th Birthday. Mr. Schwartz, who taught at Bowdoin College from 1964 to 2007, is a renowned composer whose works have been played and recorded throughout the world. He is active in many facets of the musical life of Maine. His most recent work, "Diamond Jubilee," is performed tonight, January 25, 2011, by the Portland Symphony Orchestra, a week after his birthday. We send Mr. Schwartz our congratulations on the performance of this work and the celebration of his life, and we send him our best wishes;

(HLS 59)

Presented by Representative WEBSTER of Freeport. Cosponsored by Senator GERZOFKY of Cumberland, Representative PRIEST of Brunswick, Representative KENT of Woolwich, Representative CORNELL du HOUX of Brunswick.

On **OBJECTION** of Representative WEBSTER of Freeport, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

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

SENATE PAPERS

The following Joint Order: (S.P. 53)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 1, 2011, at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

Bill "An Act Regarding Sales and Use Tax Audit Procedures
and Enforcement"

(S.P. 62) (L.D. 176)

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

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

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

On motion of Representative DAVIS of Sangerville, the
House adjourned at 10:43 a.m., until 10:00 a.m., Tuesday,
February 1, 2011 pursuant to the Joint Order (S.P. 53).