

MAINE STATE LEGISLATURE

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

Volume III

Second Regular Session

April 7, 2006 - May 24, 2006

Appendix
House Legislative Sentiments
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Pages 1488-2248

CRESSEY of Cornish
HAMPER of Oxford

One Member of the same Committee reports in Report "C" **Ought Not to Pass** on same Bill.

Signed:
Representative:
SMITH of Van Buren

READ.

Representative SMITH of Van Buren moved that the House **ACCEPT** Report "A" **Ought to Pass as Amended.**

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

CONSENT CALENDAR

First Day

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

1477) (L.D. 2089) Bill "An Act To Require Registration by Residential Construction Contractors" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1006)**

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

CONSENT CALENDAR

Second Day

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

(S.P. 751) (L.D. 1954) Bill "An Act To Invest in the Future of Maine Citizens" (C. "A" S-586)

(S.P. 838) (L.D. 2096) Resolve, To Reduce State Valuation as a Result of the Closure of Georgia-Pacific Facilities (EMERGENCY) (C. "A" S-590)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED AS AMENDED** in concurrence.

BILLS IN THE SECOND READING

Senate as Amended

Bill "An Act To Ensure Proper Disposal of Debris and Protection of the Environment"

(S.P. 47) (L.D. 141)
(C. "C" S-573)

Bill "An Act To Improve Early Childhood Special Education" (EMERGENCY)

(S.P. 689) (L.D. 1772)
(C. "A" S-585)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Papers were **PASSED TO BE ENGROSSED AS AMENDED** in concurrence. **ORDERED SENT FORTHWITH.**

Bill "An Act To Strengthen the Collection of the Tax on Tobacco Products"

(H.P. 1485) (L.D. 2093)
(C. "A" H-1009)

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

On motion of Representative BIERMAN of Sorrento, was **SET ASIDE.**

The same Representative **PRESENTED** House Amendment "**B" (H-1022)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Sorrento, Representative Bierman.

Representative **BIERMAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. "An Act To Strengthen the Collection of the Tax on Tobacco Products" LD 2093 is a very good attempt to stop a group of individuals, referred to as "trunk slammers." This is a group of people who bring large quantities of tobacco products into the State and sell them at a very reduced rate and without tax. They do this often out of the trunk of their car, hence "trunk slammers." My amendment would allow for the importation of cigars for personal use by non-distributors and limit that amount to 125 cigars. Current law allows that you can bring as many cigars across State lines as you like right now. This proposed legislation limits the amount of all tobacco products coming into the State. I've had several discussions with all parties involved and we've all come to a conclusion that this amount works for everyone. I would encourage its passage. Thank you.

Subsequently, **House Amendment "B" (H-1022)** was **ADOPTED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1009)** and **House Amendment "B" (H-1022)** and sent for concurrence. **ORDERED SENT FORTHWITH.**

ENACTORS

Acts

An Act To Support the Efficient Implementation of Maine's Learning Results

(H.P. 989) (L.D. 1425)
(C. "A" H-913)

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

On motion of Representative DAVIS of Falmouth, was **SET ASIDE.**

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED.**

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

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

ROLL CALL NO. 502

YEA - Adams, Ash, Austin, Babbidge, Barstow, Beaudette, Blanchard, Blanchette, Bliss, Bowen, Brannigan, Brautigam, Brown R, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Carr, Churchill, Clark, Collins, Craven, Cressey, Crosby, Curley, Daigle, Davis G, Davis K, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Eberle, Eder, Emery, Faircloth, Farrington, Finch, Fischer, Fisher, Fitts, Flood, Gerzofsky, Glynn, Goldman, Greeley, Grose, Hanley B, Hanley S, Harlow, Hogan, Hotham, Hutton, Jackson, Jacobsen, Jodrey, Koffman, Lerman, Lundeen, Makas, Marean, Marley, Mazurek, McCormick, McKane, McKenney, McLeod, Merrill, Miller, Millett, Mills, Moody, Muse, Nass, Norton, Nutting, O'Brien, Patrick, Percy, Perry, Pilon, Pineau, Pingree, Piotti, Plummer, Rector, Richardson E,