

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE  
FIRST REGULAR SESSION  
27th Legislative Day  
Tuesday, March 29, 2011

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

Prayer by Reverend Richard J. Messana, North Livermore Baptist Church, Livermore.

National Anthem by Reverend Richard J. Messana, Livermore.

Pledge of Allegiance.

Doctor of the day, Peter Shaw, M.D., Falmouth.

The Journal of Thursday, March 24, 2011 was read and approved.

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**SENATE PAPERS**

Bill "An Act To Improve Transparency in Maine Government"  
(S.P. 381) (L.D. 1260)

Committee on **STATE AND LOCAL GOVERNMENT**  
suggested and ordered printed.

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

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

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**COMMUNICATIONS**

The Following Communication: (H.C. 111)

**STATE OF MAINE  
125TH MAINE LEGISLATURE**

March 8, 2011

Richard L. Pattenau, Chancellor  
University of Maine System  
107 Maine Avenue  
Bangor, Maine 04401

Dear Chancellor Pattenau:

We are pleased to invite you to address a Joint Session of the 125th Maine Legislature on Wednesday, March 30, 2011 at 11:00 a.m. concerning the State of the University of Maine System and any other matters that you may care to bring to our attention.

On the same day, following your address, John Fitzsimmons, President of the Maine Community College System and William J. Brennan, President of the Maine Maritime Academy will also be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,

S/Kevin L. Raye

President of the Senate

S/Robert W. Nutting

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 112)

**MAINE'S PUBLIC UNIVERSITIES  
UNIVERSITY OF MAINE SYSTEM  
OFFICE OF THE CHANCELLOR  
16 CENTRAL STREET  
BANGOR, ME 04401-5106**

March 15, 2011

The Honorable Kevin L. Raye

President of the Senate

The Honorable Robert W. Nutting

Speaker of the House  
125th Maine Legislature  
State of Maine  
Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

Thank you for your invitation to address a Joint Session of the 125th Maine Legislature on Wednesday, March 30, 2011 at 11:00 a.m. concerning the State of the University of Maine System. I accept with pleasure and look forward to the opportunity to share with you my thoughts on the role and future of the University of Maine System.

These are challenging times. I deeply appreciate the support provided by the Legislature as we work together to build a brighter future for the people of Maine.

Sincerely,

S/Richard L. Pattenau

Chancellor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 113)

**STATE OF MAINE  
125TH MAINE LEGISLATURE**

March 8, 2011

John Fitzsimmons, President  
Maine Community College System  
131 State House Station  
Augusta, Maine 04333

Dear President Fitzsimmons:

We are pleased to invite you to address a Joint Session of the 125th Maine Legislature on Wednesday, March 30, 2011 at 11:00 a.m. concerning the State of the Maine Community College System and any other matters that you may care to bring to our attention. You will address the Joint Convention directly following the University of Maine System Chancellor.

On the same day, following your address, William J. Brennan, President of the Maine Maritime Academy, will be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,

S/Kevin L. Raye

President of the Senate

S/Robert W. Nutting

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 114)

**MAINE COMMUNITY COLLEGE SYSTEM  
OFFICE OF THE PRESIDENT  
323 STATE STREET  
AUGUSTA, MAINE 04330-7131**

March 10, 2011

The Honorable Kevin L. Raye

President of the Senate

125th Maine Legislature

3 State House Station

Augusta, Maine 04333

The Honorable Robert W. Nutting

Speaker of the House

125th Maine Legislature

2 State House Station

Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

Thank you for your letter of March 8, 2011, inviting me to address a Joint Session of the 125th Maine Legislature on Wednesday, March 30th. On behalf of Maine's Community College trustees, employees and students, it is with great pride that I accept your kind invitation. I look forward to sharing with you my thoughts on the state of the Maine Community College System.

Thank you again.

Sincerely yours,  
S/John Fitzsimmons  
President

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 115)

**STATE OF MAINE  
125TH MAINE LEGISLATURE**

March 8, 2011  
William J. Brennan, President  
Maine Maritime Academy  
Box C-03  
Castine, Maine 04420

Dear President Brennan:

We are pleased to invite you to address a Joint Session of the 125th Maine Legislature on Wednesday, March 30, 2011 at 11:00 a.m. concerning the State of the Maine Maritime Academy and any other matters that you may care to bring to our attention. You will address the Joint Convention directly following the Maine Community College System President.

On the same day, Richard Pattenaude, Chancellor of the University of Maine System and John Fitzsimmons, President of the Maine Community College System will be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,  
S/Kevin L. Raye  
President of the Senate  
S/Robert W. Nutting  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 116)

**MAINE MARITIME ACADEMY  
OFFICE OF THE PRESIDENT  
CASTINE, MAINE 04420**

March 17, 2011  
The Honorable Robert W. Nutting  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Nutting:

Thank you for your kind invitation to address the Joint Session of the 125th Maine Legislature on Wednesday, March 30th at 11:00 a.m. I am pleased to have the opportunity to report on the state of Maine Maritime Academy and address any questions or issues you may have.

I look forward to speaking with you later this month.

S/Dr. William J. Brennan  
President

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 119)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES**

**SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

March 25, 2011

The Honorable Heather J.R. Priest  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Priest:

Pursuant to my authority under House Rule 201.1 (I) (a), I have temporarily appointed Representative Dennis L. Keschl of Belgrade as a member of the Joint Standing Committee on Taxation for the duration of the absence of Representative G. Paul Waterhouse of Bridgton.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
S/Robert W. Nutting  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 120)

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

March 28, 2011

The Honorable Heather J.R. Priest  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Priest:

Pursuant to my authority under House Rule 201.1 (I) (a), I have reappointed Representative G. Paul Waterhouse of Bridgton as a member of the Joint Standing Committee on Taxation and am rescinding the temporary appointment of Representative Dennis L. Keschl of Belgrade.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
S/Robert W. Nutting  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 117)

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

March 29, 2011

The Honorable Robert W. Nutting  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Nutting:

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. 699

An Act To Conserve Energy in Certain Commercial Buildings

L.D. 789

An Act To Eliminate the Governor's Office of Energy Independence and Security

Health and Human Services  
 L.D. 303 An Act To Improve Hospital Transparency  
 L.D. 452 An Act To Provide MaineCare Reimbursement  
 for Pastoral Counselors  
 Inland Fisheries and Wildlife  
 L.D. 450 An Act To Auction Off Moose Permits to Maine  
 Guides  
 Insurance and Financial Services  
 L.D. 519 Resolve, Directing the Bureau of Insurance To  
 Study Legislators' Health Insurance Benefits  
 Compared to the Health Insurance Benefits of  
 Other Part-time and Seasonal Workers in the  
 State  
 Labor, Commerce, Research and Economic Development  
 L.D. 438 An Act To Provide Seed Money for the  
 Construction of Senior Housing in the Town of  
 Newport  
 L.D. 453 An Act To Facilitate the Establishment of a  
 Business in Maine by Providing Assistance  
 with Document Completion  
 Marine Resources  
 L.D. 319 An Act To Amend the Saltwater Recreational  
 Fishing Registry Regarding Unauthorized  
 Landing or Possession of Striped Bass  
 (EMERGENCY)  
 L.D. 418 An Act To Create a Saltwater Fishing License  
 for Owners of Docks, Piers and Wharves  
 (EMERGENCY)  
 Taxation  
 L.D. 489 An Act To Exempt Active Duty Armed Services  
 Income from the Income Tax  
 L.D. 500 An Act To Create an Income Tax Checkoff To  
 Benefit Libraries  
 Transportation  
 L.D. 632 Resolve, To Direct the Department of  
 Transportation To Rebuild Williams Road in the  
 Town of Newport  
 The sponsors and cosponsors have been notified of the  
 Committee's action.  
 Sincerely,  
 S/Heather J.R. Priest  
 Clerk of the House

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

**PETITIONS, BILLS AND RESOLVES REQUIRING  
 REFERENCE**

The following Bills, Resolves and Resolution 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:

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Bill "An Act To Establish an Integrated Statewide System To  
 Manage and Enforce Electronic Warrants"  
 (H.P. 961) (L.D. 1315)  
 Sponsored by Representative PLUMMER of Windham.  
 Cosponsored by Senator MASON of Androscoggin and  
 Representatives: BRYANT of Windham, HASKELL of Portland,  
 LAJOIE of Lewiston, MORISSETTE of Winslow, PEOPLES of  
 Westbrook, SANDERSON of Chelsea, WILLETTE of Mapleton,  
 Senator: GERZOFOSKY of Cumberland.  
 Bill "An Act Concerning Sex Offender Registry Information"  
 (H.P. 963) (L.D. 1317)  
 Sponsored by Representative PLUMMER of Windham.

Submitted by the Department of Public Safety pursuant to Joint  
 Rule 204.  
 Bill "An Act To Repeal the Law Regarding DNA Collection"  
 (H.P. 964) (L.D. 1318)  
 Sponsored by Representative PLUMMER of Windham.  
 Submitted by the Department of Public Safety pursuant to Joint  
 Rule 204.  
 Bill "An Act Relating to Locations where Concealed Weapons  
 May Be Carried"  
 (H.P. 988) (L.D. 1347)  
 Sponsored by Representative CEBRA of Naples.  
 Cosponsored by Representative WATERHOUSE of Bridgton,  
 Senator TRAHAN of Lincoln and Representatives: CLARK of  
 Millinocket, CRAFTS of Lisbon, DAVIS of Sangerville, HANLEY  
 of Gardiner, MARTIN of Eagle Lake, McKANE of Newcastle,  
 PLUMMER of Windham, SARTY of Denmark.

**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act To Expand Magnet Schools in Maine"  
 (H.P. 962) (L.D. 1316)  
 Sponsored by Representative LOVEJOY of Portland.  
 Bill "An Act To Extend the Probationary Period for Teachers"  
 (H.P. 968) (L.D. 1322)  
 Sponsored by Representative NELSON of Falmouth.  
 Cosponsored by Senator ALFOND of Cumberland and  
 Representatives: CASAVANT of Biddeford, CHAPMAN of  
 Brooksville, LONGSTAFF of Waterville, LOVEJOY of Portland,  
 MAKER of Calais, RICHARDSON of Carmel, WAGNER of  
 Lewiston, Senator: KATZ of Kennebec.  
 Bill "An Act To Allow School Administrative Units To Seek  
 Less Expensive Health Insurance Alternatives"  
 (H.P. 972) (L.D. 1326)  
 Sponsored by Representative SARTY of Denmark.  
 Cosponsored by Representative McKANE of Newcastle, Senator  
 WHITTEMORE of Somerset and Representatives: CHASE of  
 Wells, COTTA of China, CURTIS of Madison, JOHNSON of  
 Greenville, KESCHL of Belgrade, SANDERSON of Chelsea,  
 WEAVER of York, Senator: COURTNEY of York.  
 Bill "An Act To Align Maine Special Education Statutes with  
 Federal Requirements"  
 (H.P. 986) (L.D. 1345)  
 Sponsored by Representative JOHNSON of Greenville.  
 Cosponsored by Senator DIAMOND of Cumberland and  
 Representatives: CHASE of Wells, EDGECOMB of Caribou,  
 KESCHL of Belgrade, PETERSON of Rumford, STRANG  
 BURGESS of Cumberland, Senators: RECTOR of Knox,  
 SULLIVAN of York, THOMAS of Somerset.  
 Submitted by the Department of Education pursuant to Joint Rule  
 204.

**ENERGY, UTILITIES AND TECHNOLOGY**

Bill "An Act To Support Solar Energy Development in Maine"  
 (H.P. 969) (L.D. 1323)  
 Sponsored by Representative FLOOD of Winthrop.

**ENVIRONMENT AND NATURAL RESOURCES**

Bill "An Act To Increase the Recycling Rate in Maine"  
 (H.P. 966) (L.D. 1320)  
 Sponsored by Representative WELSH of Rockport.  
 Cosponsored by Senator SAVIELLO of Franklin and  
 Representatives: CAIN of Orono, CHAPMAN of Brooksville,

DUCHESNE of Hudson, GRAHAM of North Yarmouth, KNAPP of Gorham.

Bill "An Act To Create Consistency and Fairness in Maine's Bottle Bill"

(H.P. 970) (L.D. 1324)

Sponsored by Representative PRESCOTT of Topsham.

Cosponsored by Senator MARTIN of Kennebec and Representatives: CUSHING of Hampden, DOW of Waldoboro, FITTS of Pittsfield, HAYES of Buckfield, PILON of Saco, TILTON of Harrington, WEAVER of York, WINTLE of Garland.

Resolve, To Create a Working Group To Study the Subdivision Laws

(H.P. 974) (L.D. 1328)

Sponsored by Representative MORISSETTE of Winslow.

Cosponsored by Senator WHITTEMORE of Somerset and Representatives: BENNETT of Kennebunk, COTTA of China, FITTS of Pittsfield, HARVELL of Farmington, KESCHL of Belgrade, O'CONNOR of Berwick, PARRY of Arundel, SIROCKI of Scarborough.

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#### HEALTH AND HUMAN SERVICES

Bill "An Act To Increase Health Care Quality through the Promotion of Health Information Exchange and the Protection of Patient Privacy"

(H.P. 977) (L.D. 1331)

Sponsored by Representative FOSSEL of Alna.

Cosponsored by Representatives: MALABY of Hancock, O'CONNOR of Berwick, SANDERSON of Chelsea, SIROCKI of Scarborough.

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#### INLAND FISHERIES AND WILDLIFE

Resolve, To Study the Organization of the Fisheries Management Activities of the Department of Inland Fisheries and Wildlife and Make Recommendations To Improve Efficiency and Effectiveness

(H.P. 973) (L.D. 1327)

Sponsored by Representative FLEMINGS of Bar Harbor.

Cosponsored by Senator TRAHAN of Lincoln and Representatives: BERRY of Bowdoinham, BICKFORD of Auburn, BRYANT of Windham, CLARK of Millinocket.

Resolve, To Study the Condition of the Landlocked Salmon in Maine and Make Recommendations To Improve Their Health

(H.P. 975) (L.D. 1329)

Sponsored by Representative FLEMINGS of Bar Harbor.

Cosponsored by Senator TRAHAN of Lincoln and Representatives: BERRY of Bowdoinham, BICKFORD of Auburn, BRYANT of Windham, CLARK of Millinocket, SHAW of Standish.

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#### INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Modify Rating Practices for Individual and Small Group Health Plans and To Encourage Value-based Purchasing of Health Care Services"

(H.P. 979) (L.D. 1333)

Sponsored by Representative RICHARDSON of Warren.

Cosponsored by Representatives: BLACK of Wilton, DOW of Waldoboro, FITZPATRICK of Houlton, McKANE of Newcastle, PICCHIOTTI of Fairfield, Senator: WHITTEMORE of Somerset.

Bill "An Act To Implement the Requirements of the Federal Nonadmitted and Reinsurance Reform Act of 2010" (EMERGENCY)

(H.P. 993) (L.D. 1352)

Sponsored by Representative RICHARDSON of Warren.

Cosponsored by Senator: WHITTEMORE of Somerset.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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#### JUDICIARY

Bill "An Act To Amend the Maine Condominium Act"

(H.P. 978) (L.D. 1332)

Sponsored by Representative MOULTON of York.

Cosponsored by Senator COLLINS of York and Representatives: CHASE of Wells, DILL of Cape Elizabeth.

Bill "An Act To Amend the Laws Governing the Handling of Medical Examiner Cases"

(H.P. 990) (L.D. 1349)

Sponsored by Representative NASS of Acton.

Cosponsored by Senator HASTINGS of Oxford.

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

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#### LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Standardize the Definition of 'Independent Contractor'"

(H.P. 960) (L.D. 1314)

Sponsored by Representative TILTON of Harrington.

Cosponsored by Senator THOMAS of Somerset, Senator PLOWMAN of Penobscot and Representatives: CRAY of Palmyra, FITTS of Pittsfield, GIFFORD of Lincoln, McFADDEN of Dennysville, PARRY of Arundel.

Bill "An Act To Amend the Washington County Development Authority"

(H.P. 983) (L.D. 1342)

Sponsored by Representative TILTON of Harrington.

Cosponsored by President RAYE of Washington and Representatives: BURNS of Whiting, MAKER of Calais, McFADDEN of Dennysville, PARKER of Veazie.

Bill "An Act To Enhance Access to the Workplace for Minors"

(H.P. 987) (L.D. 1346)

Sponsored by Representative BURNS of Whiting.

Cosponsored by Senator MASON of Androscoggin and Representatives: BICKFORD of Auburn, DAVIS of Sangerville, ESPLING of New Gloucester, KNAPP of Gorham, SANDERSON of Chelsea, TILTON of Harrington.

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#### STATE AND LOCAL GOVERNMENT

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow for the Appointment of County Sheriffs, Judges and Registers of Probate

(H.P. 967) (L.D. 1321)

Sponsored by Representative STRANG BURGESS of Cumberland.

Cosponsored by Senator WOODBURY of Cumberland and Representative: GRAHAM of North Yarmouth.

Bill "An Act To Limit Interest Assessed against Municipalities"

(H.P. 984) (L.D. 1343)

Sponsored by Representative GILLWAY of Searsport.

Cosponsored by Senator COLLINS of York and Representatives: BURNS of Alfred, CHASE of Wells, GRAHAM of North Yarmouth, HARMON of Palermo, JOHNSON of Greenville, PARRY of Arundel, RIOUX of Winterport, WILLETTE of Mapleton.

**TAXATION**

Bill "An Act To Amend the Tax Laws"

(H.P. 971) (L.D. 1325)

Sponsored by Representative KNIGHT of Livermore Falls.  
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Bill "An Act To Provide Rent Relief to Low-income Maine Residents"

(H.P. 982) (L.D. 1341)

Sponsored by Representative CHIPMAN of Portland.  
Cosponsored by Representatives: BERRY of Bowdoinham, BRYANT of Windham, CAIN of Orono, CUSHING of Hampden, FLEMINGS of Bar Harbor, HARMON of Palermo, KNIGHT of Livermore Falls.

Bill "An Act To Provide Income Tax Relief"

(H.P. 991) (L.D. 1350)

Sponsored by Representative STUCKEY of Portland.  
Cosponsored by Senator ALFOND of Cumberland and Representatives: BERRY of Bowdoinham, BRYANT of Windham, FLEMINGS of Bar Harbor, GOODE of Bangor, McCABE of Skowhegan, Senators: JACKSON of Aroostook, PATRICK of Oxford.

Bill "An Act To Improve and Simplify the Application for Benefits under the Circuitbreaker Program"

(H.P. 992) (L.D. 1351)

Sponsored by Representative STUCKEY of Portland.  
Cosponsored by Senator ALFOND of Cumberland and Representatives: BERRY of Bowdoinham, BRYANT of Windham, FLEMINGS of Bar Harbor, GOODE of Bangor, MAZUREK of Rockland, Senator: PATRICK of Oxford.

**TRANSPORTATION**

Bill "An Act To Prohibit the Unwarranted Collection of Identifying Data of Motor Vehicles"

(H.P. 965) (L.D. 1319)

Sponsored by Representative SHAW of Standish.  
Cosponsored by Representatives: CHIPMAN of Portland, FITTS of Pittsfield, PLUMMER of Windham, Senators: ALFOND of Cumberland, TRAHAN of Lincoln.

Resolve, To Expand Commuter and Passenger Rail Transportation in Maine

(H.P. 976) (L.D. 1330)

Sponsored by Representative CHIPMAN of Portland.  
Cosponsored by Senator CRAVEN of Androscoggin and Representatives: CAIN of Orono, CEBRA of Naples, CUSHING of Hampden, MAZUREK of Rockland, PEOPLES of Westbrook, SHAW of Standish, WILLETTE of Mapleton, Senator: DIAMOND of Cumberland.

Resolve, To Suspend Fuel Tax Rate Adjustments for the 2012-2013 Biennium (EMERGENCY)

(H.P. 981) (L.D. 1340)

Sponsored by Representative CEBRA of Naples.  
Cosponsored by Senator COLLINS of York.  
Submitted by the Department of Transportation pursuant to Joint Rule 204.

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013" (EMERGENCY)

(H.P. 989) (L.D. 1348)

Sponsored by Representative CEBRA of Naples.  
(GOVERNOR'S BILL)

Cosponsored by Senator COLLINS of York and Representative: MAZUREK of Rockland, Senator: DIAMOND of Cumberland.

Bill "An Act To Fund Commuter and Passenger Rail Transportation in Maine"

(H.P. 985) (L.D. 1344)

Sponsored by Representative CHIPMAN of Portland.  
Cosponsored by Senator PATRICK of Oxford and Representatives: CROCKETT of Bethel, SHAW of Standish.

Committee on **TRANSPORTATION** suggested.

On motion of Representative CEBRA of Naples, the Bill was **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**, ordered printed and sent for concurrence.

**VETERANS AND LEGAL AFFAIRS**

Bill "An Act To Amend the Process for Appeals of Liquor Licensing Decisions"

(H.P. 980) (L.D. 1339)

Sponsored by Representative CHIPMAN of Portland.  
Cosponsored by Representative: CROCKETT of Bethel.

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

**ORDERS**

On motion of Representative MARTIN of Eagle Lake, the following Joint Resolution: (H.P. 994), (Cosponsored by Representatives: AYOTTE of Caswell, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BELIVEAU of Kittery, BENNETT of Kennebunk, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BLODGETT of Augusta, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BRYANT of Windham, BURNS of Whiting, BURNS of Alfred, CAIN of Orono, CAREY of Lewiston, CASAVANT of Biddeford, CEBRA of Naples, CELLI of Brewer, CHAPMAN of Brooksville, CHASE of Wells, CHIPMAN of Portland, CLARK of Millinocket, CLARK of Easton, CLARKE of Bath, CORNELL du HOUX of Brunswick, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison, CUSHING of Hampden, DAMON of Bangor, DAVIS of Sangerville, DILL of Cape Elizabeth, DILL of Old Town, DION of Portland, DOW of Waldoboro, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUNPHY of Embden, EBERLE of South Portland, EDGECOMB of Caribou, ESPLING of New Gloucester, EVES of North Berwick, FITTS of Pittsfield, FITZPATRICK of Houlton, FLEMINGS of Bar Harbor, FLOOD of Winthrop, FOSSEL of Alna, FOSTER of Augusta, FREDETTE of Newport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GUERIN of Glenburn, HAMPER of Oxford, HANLEY of Gardiner, HARLOW of Portland, HARMON of Palermo, HARVELL of Farmington, HASKELL of Portland, HAYES of Buckfield, HERBIG of Belfast, HINCK of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, INNES of Yarmouth, JOHNSON of Eddington, JOHNSON of Greenville, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KNAPP of Gorham, KNIGHT of Livermore Falls, KRUGER of Thomaston, KUMIEGA of Deer Isle, LAJOIE of Lewiston, LIBBY of Waterboro, LONG of Sherman, LONGSTAFF of Waterville, LOVEJOY of Portland, LUCHINI of Ellsworth, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MALONEY of Augusta, MAZUREK

of Rockland, McCABE of Skowhegan, McCLELLAN of Raymond, McFADDEN of Dennysville, McKANE of Newcastle, MITCHELL of the Penobscot Nation, MORISSETTE of Winslow, MORRISON of South Portland, MOULTON of York, NASS of Acton, NELSON of Falmouth, NEWENDYKE of Litchfield, Speaker NUTTING of Oakland, O'BRIEN of Lincolnville, O'CONNOR of Berwick, OLSEN of Phippsburg, PARKER of Veazie, PARRY of Arundel, PEOPLES of Westbrook, PETERSON of Rumford, PICCHIOTTI of Fairfield, PILON of Saco, PLUMMER of Windham, PRESCOTT of Topsham, PRIEST of Brunswick, RANKIN of Hiram, RICHARDSON of Carmel, RICHARDSON of Warren, RIOUX of Winterport, ROCHELO of Biddeford, ROSEN of Bucksport, ROTUNDO of Lewiston, RUSSELL of Portland, SANBORN of Gorham, SANDERSON of Chelsea, SARTY of Denmark, SHAW of Standish, SIROCKI of Scarborough, SOCTOMAH of the Passamaquoddy Tribe, STEVENS of Bangor, STRANG BURGESS of Cumberland, STUCKEY of Portland, THERIAULT of Madawaska, TILTON of Harrington, TIMBERLAKE of Turner, TREAT of Hallowell, TURNER of Burlington, TUTTLE of Sanford, VALENTINO of Saco, VOLK of Scarborough, WAGNER of Lewiston, WATERHOUSE of Bridgton, WEAVER of York, WEBSTER of Freeport, WELSH of Rockport, WILLETTE of Mapleton, WILLETTE of Presque Isle, WINSOR of Norway, WINTLE of Garland, WOOD of Sabattus, Senators: ALFOND of Cumberland, BARTLETT of Cumberland, BLISS of Cumberland, BRANNIGAN of Cumberland, COLLINS of York, COURTNEY of York, CRAVEN of Androscoggin, DIAMOND of Cumberland, FARNHAM of Penobscot, GERZOFKY of Cumberland, GOODALL of Sagadahoc, HASTINGS of Oxford, HILL of York, HOBBS of York, JACKSON of Aroostook, KATZ of Kennebec, LANGLEY of Hancock, MARTIN of Kennebec, MASON of Androscoggin, McCORMICK of Kennebec, PATRICK of Oxford, PLOWMAN of Penobscot, President RAYE of Washington, RECTOR of Knox, ROSEN of Hancock, SAVIELLO of Franklin, SCHNEIDER of Penobscot, SHERMAN of Aroostook, SNOWE-MELLO of Androscoggin, SULLIVAN of York, THIBODEAU of Waldo, THOMAS of Somerset, TRAHAN of Lincoln, WHITTEMORE of Somerset, WOODBURY of Cumberland)

**JOINT RESOLUTION IN HONOR OF MAINE GAME WARDEN DARYL R. GORDON, WHO DIED IN THE LINE OF DUTY**

WHEREAS, Maine Game Warden Daryl R. Gordon, of Eagle Lake, was tragically killed in a plane crash in a remote area near Clear Lake in Piscataquis County sometime during the night of March 24, 2011, while serving in the line of duty; and

WHEREAS, Daryl R. Gordon is the 15th member of the Maine Warden Service who died in the line of duty; and

WHEREAS, Daryl R. Gordon served with distinction with the Maine Warden Service for 25 years, spending 18 years as a district warden, and his final 7 years as a warden pilot flying out of the George E. Townsend Seaplane Base in Eagle Lake; and

WHEREAS, Daryl R. Gordon was born in Hartland, graduated from Hartland Academy and served with honor in the United States Marine Corps, serving in Vietnam and receiving the Purple Heart for wounds sustained in combat; and

WHEREAS, Daryl R. Gordon also earned numerous commendations while in the United States Marine Corps, including the Marine Corps Combat Action Ribbon, the National Defense Service Medal, the Vietnam Service Medal, the Republic of Vietnam Cross of Gallantry and the Vietnam Campaign Medal. He was honorably discharged with the rank of corporal in 1970; and

WHEREAS, Daryl R. Gordon joined the Department of Inland Fisheries and Wildlife as a game warden in 1986 at the age of

35, working out of the Calais, Lincoln, Skowhegan and Bingham districts; and

WHEREAS, Daryl R. Gordon saved many lives and people have had loved ones returned to them through his aerial searches and rescue efforts; and

WHEREAS, the sudden and shocking death of Game Warden Daryl R. Gordon has saddened not only those whose lives he touched, but the entire State of Maine; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature, now assembled in the First Regular Session, take this opportunity to honor the memory and service of Game Warden Daryl R. Gordon and to recognize his steadfast and dedicated commitment to the State of Maine and the Nation, exemplifying the core values of the Maine Warden Service: Honor, Loyalty, Compassion and Trust; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be delivered to the family of Game Warden Daryl R. Gordon and to the Maine Warden Service.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. I present this resolution for a devoted member of the Inland Fisheries and Wildlife family, for his family, friends and fellow wardens. Daryl Gordon leaves behind a history of service for his country and for the State of Maine.

Yesterday's obituary lists some of the awards which are listed here today as well, which include the Purple Heart for his service in Vietnam. It includes his service to the Warden Service, especially as warden and as a pilot warden for the Department of Inland Fisheries and Wildlife. His work as a warden and warden pilot in finding lost hunters, children and others throughout his career are known by many throughout this state.

Approximately eight years ago, Daryl and his wife Rita moved to Eagle Lake to accept the job of warden pilot position at the George Townsend Seaplane Base in Eagle Lake. Prior to that, as you already know, he had served in Calais, Lincoln, Skowhegan and Bingham districts as a game warden.

He used to say this job as warden pilot was the best job he ever had. He loved his job, the people he worked with and he always would say he loved to fly – and that is why he wasn't retiring. He and Rita were active members of the Mountain View Bible Church in Eagle Lake and very active in the community.

The irony of this accident, to me, is that Clear Lake was his lake where he loved to get away to hunt and fish and every spare moment that he could find, you would find him at Clear Lake, not that far away from Eagle Lake. So today, to his wife Rita and to his sons Daryl of Canaan and James of St. Albans, and for his family, we offer really our prayers and our sincere sympathy. We certainly will miss him, especially in my home town.

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At this point, the Members of the House stood and joined in a moment of silence in honor of Maine Game Warden Pilot Daryl R. Gordon, of Eagle Lake.

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

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

On motion of Representative HARVELL of Farmington, the following Joint Resolution: (H.P. 995) (Cosponsored by Senator TRAHAN of Lincoln and Representatives: CLARK of Millinocket, CRAFTS of Lisbon, DAVIS of Sangerville, ESPLING of New Gloucester, GUERIN of Glenburn, SHAW of Standish, WOOD of Sabattus, Senator: MARTIN of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

**JOINT RESOLUTION MEMORIALIZING THE UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES FISH AND WILDLIFE SERVICE TO EXPEDITE THE INCIDENTAL TAKE PERMIT FOR COYOTES**

WE, your Memorialists, the Members of the One Hundred and Twenty-fifth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Department of the Interior, United States Fish and Wildlife Service as follows:

WHEREAS, the State of Maine has long been famous for its magnificent wilderness and natural beauty and its plentiful game, fish and birds and, with these natural riches, Maine is a haven for vacationers, campers, hunters, anglers, outdoor sports enthusiasts and recreationists; and

WHEREAS, Maine has a long and important tradition of deer hunting for food and sport stretching back thousands of years; and

WHEREAS, the deer population in areas of Maine has been severely threatened and diminished and one known reason is the growth in the number of coyotes, which had not been in Maine for thousands of years and returned in the 1960s and 1970s; and

WHEREAS, Maine's game management strategy has always been focused on preserving the healthy population of game and keeping a balance of prey and predator and a professionally structured coyote snaring program was created by statute to assist in the recovery of the deer population; and

WHEREAS, the program, which appeared to be making a contribution to the lowering of deer winter mortality, was suspended when Maine's Attorney General advised that any incidental taking by snares of Canada lynx, a species listed on the federal threatened species list, might open the State to legal liability; and

WHEREAS, to reimplement the program, Maine's Department of Inland Fisheries and Wildlife must apply to the United States Department of the Interior, United States Fish and Wildlife Service for an incidental take permit and show proof that conservation activity in Maine in protecting our deer outweighs any potential harm to the Canada lynx population, which has rebounded; and

WHEREAS, Maine is not interested in destroying one species in order to save another and it is thought that the Canada lynx population is thriving in Maine as it is in Canada, where there is a bounty on lynx, and the incidental snaring of lynx in Maine would not threaten the population of lynx in Maine or Canada; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States Department of the Interior, United States Fish and Wildlife Service expedite the incidental take permit for our State and allow us to manage our wildlife properly and successfully; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the United States Department of the Interior, United States Fish and Wildlife Service and to each Member of the Maine Congressional Delegation.

**READ and ADOPTED.**

Sent for concurrence.

**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Require the Archives Advisory Board To Recommend Candidates for State Archivist"

(H.P. 446) (L.D. 588)

Signed:

Senators:

THOMAS of Somerset  
COLLINS of York  
SULLIVAN of York

Representatives:

COTTA of China  
BOLAND of Sanford  
BOLDUC of Auburn  
CASAVANT of Biddeford  
CELLI of Brewer  
GRAHAM of North Yarmouth  
KAENRATH of South Portland  
MOULTON of York  
TURNER of Burlington

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

Signed:

Representative:

HARVELL of Farmington

**READ.**

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act Pertaining to Railroad Crossing Fees"

(H.P. 291) (L.D. 365)

Signed:

Senators:

COLLINS of York  
DIAMOND of Cumberland  
THOMAS of Somerset

Representatives:

CEBRA of Naples  
GILLWAY of Searsport  
MAZUREK of Rockland  
PARRY of Arundel  
PEOPLES of Westbrook  
RIOUX of Winterport  
ROSEN of Bucksport  
WILLETTE of Mapleton

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-43)** on same Bill.

Signed:

Representatives:  
HOGAN of Old Orchard Beach  
THERIAULT of Madawaska

**READ.**

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

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Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit Certain Changes to a Direct Initiative of Legislation for a Period of Time after It Is Approved by the Voters (H.P. 83) (L.D. 97)

Signed:  
Senators:  
FARNHAM of Penobscot  
PATRICK of Oxford  
PLOWMAN of Penobscot

Representatives:  
BEAULIEU of Auburn  
CAREY of Lewiston  
CHIPMAN of Portland  
CROCKETT of Bethel  
DAMON of Bangor  
JOHNSON of Eddington  
LONGSTAFF of Waterville  
VALENTINO of Saco  
WILLETTE of Presque Isle

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-42)** on same RESOLUTION.

Signed:  
Representative:  
RUSSELL of Portland

**READ.**

Representative BEAULIEU of Auburn moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative RUSSELL of Portland moved that the Bill be **TABLED** until later in today's session pending the motion of Representative BEAULIEU of Auburn to **ACCEPT** the Majority **Ought Not to Pass** Report.

Subsequently, Representative RUSSELL of Portland **WITHDREW** her motion to **TABLE** until later in today's session pending the motion of Representative BEAULIEU of Auburn to **ACCEPT** the Majority **Ought Not to Pass** Report.

The same Representative **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 Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. My apologies. I thought my colleague was going to be here to speak today. This bill actually is an interesting one. It provides an opportunity for citizens who have come to the Legislature with a citizen's initiative to make sure that when they do that, that the Legislature in fact takes its time and listens to it and actually enacts the bill in the spirit of what it is intending to do. The reason I am

speaking today is that members came to our committee when they spoke very passionately about how they had brought one particular citizen's initiative to our Legislature, and then only to turn around and find out that we were changing it and we were sending it back. It did not reflect the interests that they had and the interests of the people. This is a real opportunity for Maine legislators to stand up and to make sure that people are heard.

Now as you know, I stand very strongly and very squarely on the side of the people and their right to petition the government. So when the very people who petitioned their government came to our committee and they suggested that they didn't feel like after all the work that they had done to collect all the signatures, to pass the legislation, to watch the Legislature change dramatically their bill, the people's bill, that they wanted to make sure that they had a right to be able to make sure that the Legislature stood true to what the people asked for. In this particular instance, it was the marijuana bill. You know, as a legislator, I was in this awkward position because it came to the floor of the House in a posture where you either had to vote for the expansion of marijuana or you had to vote against it, knowing that it wasn't necessarily going to take effect. I didn't realize how many people were really opposed to what we did. People that stood on street corners and collected signatures, people that came to the State House to have their voices heard. So when they come to our committee, many of them don't even share my philosophical views. On the contrary, many of them are squarely on opposite sides of where I come down. But when they say that we didn't listen to them, I have a hard time with that because I've stood on street corners collecting signatures for something I believed in. And, in fact, this body passed that citizen's initiative outright. What was fascinating about it was there was an opportunity for the Legislature and the people to come together and to support something that was good for all of Maine. There are so many times when the people are so far ahead of the politicians on issues that that's what this citizen's initiative process is for.

Now a lot of people will tell you, well, we don't want to give up our rights as legislators. Well, having been through the citizen's initiative process, I can speak to you with a little bit of credibility on what your rights currently are. The fact of the matter is, as a body, as a Legislature, we have the right to pass a citizen's initiative when it comes to our body. We have that right. Then, later on, if we choose to, we can change it. In fact, the very people who came to testify agreed, yes, the Legislature has this right and we're happy that the Legislature has that right. All they are asking for in this bill, all they are asking for is that if they bring a bill to us and then it has passed by the people of Maine, that if we make major changes in the first five years, major changes, that we send it back to the people. Yes, there are some questions about what defines major change. You know, what exactly is the will of the voter? We fundamentally changed the structure of the marijuana bill. We believed as a body that it was a better product. But when I have people who actually actively stood on behalf of that bill, stood out in the middle of winter collecting signatures, watching their pen go cold because they could not make the ink to keep going because it was so cold, when they come and they say you didn't actually do what we asked you to do and now we have no recourse, we have no way to hold you accountable. This minor change, yes it requires a constitutional amendment, and I am well aware of the fact that it requires a two-thirds vote and I'm the only one standing here, but sometimes you've got to stand up on the will of the people. If the people sat there from 10 am until 7 pm waiting for their three minutes to get to speak on this issue, after collecting and collecting and collecting signatures on an issue that, let's face it,

Ladies and Gentlemen, the vast majority of Maine people are so far ahead of us on, I think we have the obligation to think twice when they ask us to stand up and support their right to petition their government. If you support the people's right to petition their government and you are willing to give up a little bit of your power, not enough that it is going to tip the balance, because we are well authorized in our power, give a little bit more power to the people to have their say. I ask you to follow my light and to vote with me because you're not voting with a liberal from Munjoy Hill in Portland. You are voting with people from across the political spectrum, so far on the other side of my other fence that there are very few other issues that we agree on. If I can stand on this side of the fence with them and look back and say, you know what, we do have vested power, we have a lot of it, and say, you know what, it's really okay that the people have a little bit more power, but I hope that maybe you'll consider doing that as well. Thank you very much and have a great day.

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

Representative **CROCKETT**: Thank you, Mr. Speaker. Mr. Speaker, distinguished Members of the body and the rest of us. I promise to make my remarks brief in contrast. Just to kind of let you in on what the committee went through for reasoning and why the report is so lopsided, this bill, if you pass it, is actually a competing measure because this year you have a couple of—well, last year we had Oxford casino that passed and this year you have two other casinos or two potential gaming institutions that are on the ballot, so if you pass this then you are essentially saying they can't go forward. So it's a competing measure, we really can't do it. The committee wrestled with this because all of us here would like to give due deference to the citizen's initiative. We believe that's the right thing to do. If people are going to take that proactive approach, you want to give as much deference as possible but, unfortunately, some things you can't do. If we were to pass this, this would inevitably be shot down. So it's one of those things that is good in briefing and it makes you feel good, but we can't do it. I wish it were otherwise, but I would follow the lights of the Majority Report and I thank you for your time.

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

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

The SPEAKER: The Representative may pose her question.

Representative **HARLOW**: I was just wondering if someone could answer how eight years was arrived at, how that figure came to be. Thank you.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. The eight years was in the original bill. That was modified down to five years and that was, as I am the only one on the Minority Report, that was certainly the decision. But the Majority Report obviously is to Ought Not to Pass and I can't speak to the good Representative who is the sponsor, but I can say that we needed to find some way in between nearly a decade versus no time at all. So I picked five years and I can't speak for Representative Celli.

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. 13

YEA - Ayotte, Beaulieu, Beavers, Beck, Beliveau, Bennett, Berry, Bickford, Black, Blodgett, Bolduc, Briggs, Bryant, Burns DC, Cain, Carey, Casavant, Cebra, Chase, Chipman, Clark H, Clark T, Clarke, Cornell du Houx, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dill J, Dion, Dow, Driscoll, Duchesne, Dunphy, Edgcomb, Espling, Fitts, Fitzpatrick, Flemings, Flood, Fossel, Foster, Fredette, Gifford, Gilbert, Gillway, Graham, Guerin, Hamper, Hanley, Harlow, Harmon, Harvell, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Johnson D, Johnson P, Kaenrath, Kent, Keschl, Knapp, Knight, Kruger, Kumiega, Lajoie, Libby, Long, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Malaby, Maloney, Martin, Mazurek, McCabe, McClellan, McFadden, McKane, Morissette, Morrison, Moulton, Nass, Nelson, Newendyke, O'Brien, O'Connor, Olsen, Parker, Parry, Peoples, Peterson, Picchiotti, Pilon, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Rioux, Rochelo, Rosen, Rotundo, Sanborn, Sanderson, Sarty, Shaw, Sirocki, Stevens, Strang Burgess, Theriault, Tilton, Timberlake, Treat, Turner, Tuttle, Valentino, Volk, Wagner R, Waterhouse, Weaver, Webster, Welsh, Willette A, Willette M, Winsor, Wintle, Wood, Mr. Speaker.

NAY - Boland, Chapman, Goode, Russell, Stuckey.

ABSENT - Beaudoin, Burns DR, Celli, Dill C, Eberle, Eves.

Yes, 140; No, 5; Absent, 6; Excused, 0.

140 having voted in the affirmative and 5 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

### CONSENT CALENDAR

#### First Day

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

(S.P. 21) (L.D. 6) Bill "An Act To Provide a Sales Tax Exemption for Bags Provided by Redemption Centers for Returnable Containers" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-11)**

(S.P. 46) (L.D. 104) Bill "An Act Regarding Audits of State Agency Expenditures To Recover Overpayments and Lost Discounts" (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-12)**

(H.P. 330) (L.D. 412) Resolve, Regarding Legislative Review of Portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY) Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass**

(H.P. 58) (L.D. 70) Bill "An Act To Include Independent Practice Dental Hygienists in MaineCare" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-49)**

(H.P. 87) (L.D. 105) Resolve, Regarding Legislative Review of Chapter 13: Municipal Service Fee, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-50)**

(H.P. 154) (L.D. 177) Bill "An Act To Require Licensed Veterinarians To Honor Prescriptions from Other Licensed Veterinarians" Committee on **LABOR, COMMERCE,**

**RESEARCH AND ECONOMIC DEVELOPMENT** reporting  
**Ought to Pass as Amended by Committee Amendment "A"**  
**(H-46)**

(H.P. 179) (L.D. 202) Bill "An Act To Modify Child Support Enforcement Procedures" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A"** **(H-45)**

(H.P. 317) (L.D. 391) Bill "An Act Concerning Models for Teacher and Principal Evaluations" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A"** **(H-52)**

(H.P. 336) (L.D. 443) Bill "An Act To Require Prompt MaineCare Decisions on Care for Children with Life-threatening Conditions" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A"** **(H-51)**

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

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**CONSENT CALENDAR**  
**Second Day**

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

(S.P. 203) (L.D. 622) Bill "An Act To Permit the Display of the National Emergency Service Medal on Registration Plates of Recipients"

(H.P. 108) (L.D. 126) Bill "An Act To Allow a Person with One Arm To Possess Certain Kinds of Prohibited Knives" (C. "A" H-40)

(H.P. 125) (L.D. 142) Bill "An Act To Improve Party Status Requirements" (C. "A" H-41)

(H.P. 184) (L.D. 231) Bill "An Act To Ensure the Integrity of Laws Governing Clean Elections by Amending Provisions Regarding Equipment Repurchase" (C. "A" H-39)

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

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

Bill "An Act To Provide Seniors with Access to State Forms" (H.P. 110) (L.D. 128) (C. "A" H-36)

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.

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Bill "An Act To Require Oral Disclosure of the Cost of Certain Public Telephone Calls"

(H.P. 41) (L.D. 48) (C. "A" H-38)

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

On motion of Representative FITTS of Pittsfield, was **SET ASIDE**.

On further motion of the same Representative, the Bill and all accompanying papers were **COMMITTED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and sent for concurrence.

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**ENACTORS**

**Emergency Measure**

An Act Regarding Repeated Animal Trespass

(H.P. 75) (L.D. 89) (C. "A" H-17)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 141 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Emergency Measure**

An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2011

(S.P. 168) (L.D. 576) (C. "A" S-9)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 132 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Acts**

An Act To Allow Marriage and Family Therapists To Provide Related Services in Public Schools

(H.P. 38) (L.D. 45) (C. "A" H-19)

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

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**Resolves**

Resolve, To Dedicate the Haystack Mountain Summit Trail to the Memory of Dustin J. Libby

(H.P. 78) (L.D. 92) (C. "A" H-18)

Resolve, To Establish a Stakeholder Group To Review the Maine State Grant Program

(S.P. 59) (L.D. 209) (C. "A" S-10)

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

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, March 24, 2011, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass** - Committee on

**ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Allow the Burning of Certain Agricultural Products in Outdoor Wood Boilers"

(H.P. 377) (L.D. 484)

TABLED - March 17, 2011 (Till Later Today) by Representative CURTIS of Madison.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Expression of Legislative Sentiment Recognizing Robert H. Michaud, of Jay, Associate Law Librarian at the State Law and Legislative Reference Library

(HLS 194)

TABLED - March 23, 2011 (Till Later Today) by Representative GILBERT of Jay.

PENDING - **PASSAGE**.

The SPEAKER: The Chair recognizes the Representative from Jay, Representative Gilbert.

Representative **GILBERT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today to ask you to join me in honoring the 28 years of service to this Legislature and to the people of Maine by Robert H. Michaud, of Jay, senior associate law librarian in the Law and Legislative Reference Library.

Over the years most of us have benefited from Bob's work, whether by response to particular queries about law or through our use of any of the numerous legislative histories and other resources that he compiled and maintained.

Those of us who dealt with him personally know him to have been the consummate professional and an incredible well of knowledge about this institution, its history and the legislation that has passed before it.

This coming Friday Bob embarks on a well-earned retirement. We will miss the many talents that he has applied on our behalf. We wish Bob and his lovely wife, Claire, who is with us today, and the rest of his family all the best in their new endeavors. We thank him from the bottom of our hearts for all that he has done for the Maine State Legislature.

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

Representative **TREAT**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I wanted to say a few words on behalf of Bob Michaud and his service to the State of Maine. I don't know how many people in this body have been down to the Law Library yet outside of orientation. I know many of our members are new to the Legislature. I really encourage you to go down there and it's too bad that Bob won't be there to help you out. I can't say how many times I have gone down to the Law Library to research the legislative history on a bill, to find out what the laws were in some other state, you name it, and you know I'm a lawyer, I've been trained in legal research and all of that but that is an infeasible research. And Bob Michaud is someone that I have worked with for many, many years. Before I was in the Legislature I was over here lobbying on legislation, as a citizen legislator it's part of my job, very, very helpful to not only legislators but to members of the public. I don't know how many constituents that I have had that have had really complex issues that they needed help on, that I went down to that library and got help from Bob Michaud to help them walk their way through the complications of the statute books. It's a true citizen library and a citizen legislature and Bob Michaud has been a huge part of that. I'm really going to miss him and I hope that he and Claire have

great plans for the future, and I wish them very, very well and from all of us here in the House.

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

Representative **TUTTLE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I too would congratulate Bob for his 25 years of service to the state. I have used Bob's expertise in many areas of reference and law I would say for the last 20 plus years. So I congratulate Bob and Claire and the family. Bob, you have done a wonderful job, a job well done.

The SPEAKER: The Chair recognizes the Representative from Garland, Representative Wintle.

Representative **WINTLE**: Thank you, Mr. Speaker, also this august body. I just wanted to add my voice in concurrence. Thank you very much, Bob. He helped me immeasurably with the laws I had to write.

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 also wanted to just rise and thank Bob Michaud. When I was first here in the House and I had questions about how I could figure out the intricacies of the questions that were being asked me, my seatmate at the time, who is now retired, Marilyn Canavan, said go to the Law Library. It's so easy to go to the internet, but going down to the library and finding Bob Michaud was just a great find for me and I would encourage others to do the same in going to the library. He's been able to supply me with more information than I ever thought was available on any given subject that I asked him about, and has always been precise about making sure that he understands the question that I'm asking. So his professionalism and welcomed help has just always been wonderful and I would like to thank him.

The SPEAKER: The Chair would like to add his congratulations to Bob and thank him for the years of service to the state, and wish him a healthy and happy retirement.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

Bill "An Act To Allow a Tax-free Employee Illness Account"

(H.P. 926) (L.D. 1235)

(Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested)

TABLED - March 22, 2011 (Till Later Today) by Representative PRESCOTT of Topsham.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-34)** - Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Allow the Use of Crossbows during the Archery Season"

(H.P. 119) (L.D. 137)

TABLED - March 23, 2011 (Till Later Today) by Representative CURTIS of Madison.

PENDING - Motion of Representative DAVIS of Sangerville to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report. (Roll Call Ordered)

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. Deer, deer, deer. Where have the deer gone? You know, even though it's a crossbow season, it's going to be for a specific area and they claim there's a lot of deer, Maine bowhunters are opposed to this bill. The department came in and spoke neither for nor against, but they did say if there are too many doe that are going to be taken, they are going to have to regulate it. We are in the process now of putting together a package for the deer herd of the State of Maine. When is enough going to be enough? Do you want to take the last deer we have left standing just to please somebody? Yes, it's just for a specific area like I said, but we have to stand up for what we believe. Do we believe in biology? Do we believe what the department wants to do and other groups, or do you just want to go out and take down the last deer?

There is nobody who likes to hunt any more than I do. Out of 30 days, I probably spend 29 and a half days, not at night but during the day, and I don't use dogs. I can tell you right now sometimes we have to draw the line. Crossbow, to me, is no different than using a rifle. A really advanced trigger system, it has a scope just like a rifle. You haven't got to pull it like a bow, it's already drawn. The farmers are afraid of the arrows laying on the field. But give the department and other people a little bit of time to try to put together a package that deals with our deer herd. Yes, it's for more or less southern Maine. Northern Maine, if you do any hunting, you know you can't take a doe if you want to. Last season, between my son and I, we walked and walked and walked and never saw a track. Deer are getting far in-between, so give the deer herd a little bit of chance to survive. The winters haven't been with us. We as a predator hunter have to take in all of our opportunities. Roadside kill has taken its number, but let's leave a few deer standing for our grandkids. Then our grandkids can say they went deer hunting one day. Mr. Speaker, I hope you turn down the motion in front of us and move the Minority Ought to Pass. Thank you, Mr. Speaker.

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

Representative **WOOD**: Thank you, Mr. Speaker. I am also a hunter. I have been hunting since I was 10 years old, and in the southern part of the state there is a numerous number of deer. IF & W also testified on another bill that the use of a crossbow in the expanding archery zones would not, well actually it would help take more deer. The expanded archery zones, they say there are too many deer and they want to reduce the number of deer in the expanded archery zones. So using a crossbow, and there were only 430 crossbow licenses given out last year. Also, the expanded archery zones did not fall into the big deer management program that IF&W is working on, which I totally support, and I would not support this bill if we allowed crossbows to be used in the whole state during archery season. But this is for the expanded archery zones, not the rest of the state. That is all. Thank you.

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

Representative **SHAW**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I would ask that you support the current motion. One thing that I haven't heard, it does have a sunset on it. The bill will expire in two years. It would be more like a pilot program. The expanded archery zone is generally along the coast in southern Maine, Scarborough and areas where you cannot use traditional hunting methods such as rifles. Most of the expanded archery zone you can only use bow

and arrow and, in some cases, shotguns but generally not rifles. There is quite a healthy deer herd in that area and this would help alleviate having an overabundance, in those areas, of deer. We all heard about the deer management plan. There are very few deer in northern Maine, far eastern Maine and in western Maine, but in the expanded archery area there are a lot of deer and you cannot use traditional methods to hunt those. So I would suggest supporting the current motion. 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 never thought I was going to have to come down here and explain physics, and to the good Representative from Millinocket, I want to say that a crossbow is not in any way, shape or form like a rifle. If you believe it was, then why, when rifles came about in warfare, did they drop their crossbows and take them? They did it because a projectile from a bow or a crossbow, as soon as it leaves said weapon, guess what? Gravity begins to affect it. Modern bows move at about 400 feet a second and crossbows are at best about 50 feet a second more, and no matter how far you want to shoot them, gravity is going to have its say after about 45 to 50 yards. The new bows that we have out there all have the same kind of technology. It is pulleys. It is higher fiberglasses and carbons. This is how they've been able to achieve this speed. Secondly, and most importantly, what Representative Shaw said, is that this is only in the expanded zones. There are 10 expanded zones in the state. If too many deer get taken in, in an expanded zone, the expanded zone closes and hence they would not be able to use a crossbow in it. So I ask you to follow my light and support the motion.

The SPEAKER: The Chair recognizes the Representative from Penobscot Nation, Representative Mitchell.

Representative **MITCHELL**: Thank you, Mr. Speaker. I rise to support the Majority Ought Not to Pass Report on this and the reason I do that is because I've seen the devastation that the wood harvesting practices, coyote predation, and in some cases bear predation, has caused on our deer population in this state, and, granted, the southern region of this state happens to have a few more deer than we do in the northern region. That is because they do an awful lot of feeding down there and they are not hunted as intensely as they are in the north. Nor is there the kind of cutting practices in the woods that take place in southern Maine as there is in northern Maine. So I would recommend to this body to support the Ought Not to Pass on this and allow this study to move forward and to let us really see what is going on. I know, I have hunted for 48 years in the same area, and for the past, I'd say, eight years, I've walked through the woods, much as the good Representative from Millinocket has with his son, with my son, and for hours and not seen a track. When I first started hunting in that area when I was a child with my uncle and my grandfather, the deer there were so plentiful that you would almost fall over them. But because of forest harvesting practices and the non-consequential efforts, or I should say reprimands, to those harvesters and woodcutters that have destroyed the habitat, we've lost a great deal of our deer herd in this state. Thank you, Mr. Speaker.

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

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

The SPEAKER: The Representative may pose his question.

Representative **TUTTLE**: Mr. Speaker, I was wondering if the Sportsman's Alliance of Maine testified in favor of the bill or against.

The SPEAKER: The Representative from Sanford, Representative Tuttle has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Sangerville, Representative Davis.

Representative **DAVIS**: Thank you, Mr. Speaker. I don't believe they testified.

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 do support the motion on the floor. You have to remember that the expanded zone, we have it for that very reason, there are too many deer that are overpopulated in these areas and you have them running out in front of cars causing accidents, creating a lot of expense. I think that this is a way of maybe taking a few more of the deer to manage that population, so I urge you to follow my light and support this motion.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. At the hearing it was extremely limited to the people who testified neither for nor against, or for or whatever. The sponsor presented the bill. The people opposed it was the Maine Bowhunters Association, Maine Bowhunters, Archery Bowhunters. Maine Farm Bureau spoke against the bill. The Department of Inland Fisheries and Wildlife spoke neither for nor against but did say that if the deer herd got in dire straights they would have to regulate the doe permits or whatever how they're ever going to do it.

My bone of contention is nobody likes to hunt any more than I do. Nobody likes any more opportunity than I do. But sometimes you have to pull in your horns and take a different stand to try to make sure that that species is going to be here tomorrow. Let me remind you of a time many years ago when I was working in a mill called Great Northern Paper. My good friend came to me and said "I just got nailed by the game warden for having too many smelts." I said, "How much is too many?" Well back then you had two quarts you could take legally. He had a pack basket. You know it reminds me a little bit of deer. How many more are you going to take before there is none left? Now we're worried about our smelts. We have nobody to blame but ourselves. Yes, crossbow drops when you pull the trigger. My .30-30 drops compared to my son's .308 when he pulls the trigger. At the end of the day you're going to take a deer one way or the other. Let's stand up for the deer herd once and for all and say enough is enough and get them a chance to survive through the winters, through the harsh people driving the roads or whatever it may be, let's give the deer a chance. Thank you.

Representative **CUSHING** of Hampden **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: A roll call having been previously 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. 14**

YEA - Bennett, Bickford, Black, Briggs, Burns DC, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Cushing, Damon, Davis, Dunphy, Edgecomb, Fitts, Fitzpatrick, Fredette, Gifford, Gillway, Hamper, Harmon, Harvell, Johnson D, Keschl, Knapp, Libby, Long, Maker, Martin, McClellan, Morissette, Newendyke, O'Brien, O'Connor, Parker, Parry, Peterson, Plummer, Richardson W, Rioux, Sanderson, Shaw, Sirocki, Timberlake, Turner, Volk, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wood, Mr. Speaker.

NAY - Ayotte, Beaulieu, Beavers, Beck, Beliveau, Berry, Blodgett, Boland, Bolduc, Bryant, Cain, Carey, Casavant, Cebra, Chapman, Chipman, Clark H, Clarke, Cornell du Houx, Curtis, Dill C, Dill J, Dion, Dow, Driscoll, Duchesne, Espling, Eves, Flemings, Flood, Fossil, Foster, Gilbert, Goode, Graham, Guerin, Hanley, Harlow, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Johnson P, Kaenrath, Kent, Knight, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Malaby, Maloney, Mazurek, McCabe, McFadden, McKane, Morrison, Moulton, Nass, Nelson, Olsen, Peoples, Picchiotti, Pilon, Prescott, Priest, Rankin, Richardson D, Rochelo, Rosen, Rotundo, Russell, Sanborn, Sarty, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh, Wintle.

ABSENT - Beaudoin, Burns DR, Celli, Eberle.

Yes, 55; No, 92; Absent, 4; Excused, 0.

55 having voted in the affirmative and 92 voted in the negative, with 4 being absent, and accordingly the Minority **Ought to Pass as Amended Report was NOT ACCEPTED.**

Subsequently, the Majority **Ought Not to Pass Report was ACCEPTED** and sent for concurrence.

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HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-35)** - Committee on **TAXATION** on 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)

TABLED - March 23, 2011 (Till Later Today) by Representative KNIGHT of Livermore Falls.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

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

The Bill was **READ ONCE.** **Committee Amendment "A" (H-35)** was **READ** by the Clerk.

Representative KNIGHT of Livermore Falls **PRESENTED House Amendment "A" (H-44) to Committee Amendment "A" (H-35)**, which was **READ** by the Clerk.

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. This amendment is a mere technicality. The bill, an excellent bill, passed unanimously through the committee as An Act To Extend the Dental Care Access to Underserved Areas, but when the bill was printed a wrong date was used and our very able analyst picked it up after the bill was filed, so this is merely to correct that and put the proper date in the bill language. Thank you, Mr. Speaker.

Subsequently, **House Amendment "A" (H-44) to Committee Amendment "A" (H-35)** was **ADOPTED.**

**Committee Amendment "A" (H-35) as Amended by House Amendment "A" (H-44)** thereto was **ADOPTED.**

The Bill was assigned for **SECOND READING** Wednesday, March 30, 2011.

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**SENATE PAPERS**

Resolve, To Encourage Reciprocity between Maine and New Hampshire in the Reporting of Rabies Vaccinations by Veterinarians

(S.P. 406) (L.D. 1309)

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

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

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Bill "An Act To Strengthen Computer Privacy"

(S.P. 405) (L.D. 1308)

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

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

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Bill "An Act To Specify That Providers of Voice Over Internet Protocol Services and Internet Protocol Enabled Services Do Not Constitute Telephone Utilities"

(S.P. 408) (L.D. 1311)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

**REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

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Bill "An Act To Require the Department of Health and Human Services To License Families To Provide Care for Children in Foster Care"

(S.P. 411) (L.D. 1334)

Bill "An Act To Ensure Patient Privacy and Control with Regard to Health Information Exchanges"

(S.P. 414) (L.D. 1337)

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

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

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Bill "An Act To Amend the Maine Consumer Credit Code To Conform with Federal Law"

(S.P. 415) (L.D. 1338)

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

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

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Bill "An Act To Require That Notaries Public Keep Records of Notarial Acts"

(S.P. 409) (L.D. 1312)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

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Bill "An Act To Provide an Internship Employment Tax Credit"

(S.P. 413) (L.D. 1336)

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

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

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Bill "An Act To Amend the Motor Vehicle Laws"

(S.P. 410) (L.D. 1313)

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

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

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

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The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Tuttle, who wishes to address the House on the record.

Representative **TUTTLE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I would be remiss if I didn't recognize our Democratic leader Emily Cain on her birthday today, April 29th. I believe it's her 21st birthday, Mr. Speaker.

The SPEAKER: The Chair would inquire if the Representative from Sanford is going to lead the singing?

Representative **TUTTLE**: I will. I bear with you because when I usually sing people go away. My mother always told me that, but if you could please join us and sing.

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On motion of Representative MARTIN of Eagle Lake, the House adjourned at 11:45 a.m., until 10:00 a.m., Wednesday, March 30, 2011 in honor and lasting tribute to Maine Game Warden Pilot Daryl R. Gordon, of Eagle Lake.