

MAINE STATE LEGISLATURE

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

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise to concur with my colleague from Livermore and to just add that the bill also, the amendment before us, would also ensure that the check-offs, the causes which currently benefit from those check-offs do in fact pay for the actual cost to administer the check-offs.

Currently, there is some inequity in how those costs are paid. Some of the check-offs pay relatively little. Some pay twice as much as it actually costs to administer the check-offs. So there is some very good sensible policies around paying as you go as well.

The current check-offs, which will be protected if we're able to approve the pending motion, include the Maine Veterans' Memorial Cemetery Maintenance Fund, the Maine Asthma and Lung Disease Research Fund. We're adding the Maine Public Library Fund, and there's the Companion Animal Sterilization Fund, the Maine Endangered and Nongame Wildlife Fund, also known as the chickadee check-off, the Maine Children's Trust, and the Bone Marrow Screening Fund, and last but not least the Maine Military Family Relief Fund. I think that sums it up.

But again, most of the committee feels very strongly that these are sensible reforms, very different from the bill we were originally presented with which would have eliminated the check-offs entirely and done away with our ability as a state and as taxpayers to contribute to good charities that help our state in many, many ways. So we're very pleased with the result and we hope you can support the pending motion. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative **WATERHOUSE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The previous speakers spelled it out pretty good. The issue I had and my fellow colleague that's on the Minority Report was the policy matter hasn't changed. We had a bill before us, Representative Burgess's bill, to put her concern on the check-offs. All these check-offs can make their case. They are good cases. They are good causes.

The one I got a lot of emails on was the welfare of the animals and from the animal shelters. We have an animal shelter in our district, the Harvest Hills Animal Shelter. I have all my animals from that shelter. We have fundraisers in Bridgton and the surrounding areas for that shelter. This winter and every winter we have what they call "Freezing for the Reason." Everybody jumps in the lake in January, collects money. We raised \$30,000 this winter. I have no problem with these various organizations.

The policy issue and the reason we killed Representative Burgess's bill in Taxation was, as a policy matter, we didn't think the Maine Revenue Service should be in the business of collecting this money for these organizations. If you want to contribute to these very well meaning organizations, write a check. So we took out, of deference to Representative Burgess, we didn't decide to use her bill as a vehicle to get rid of all the check-offs, we took out a committee bill. Now when we decided to do that, it was just about unanimous, both sides of the aisle said as a policy matter we shouldn't be using the Maine Revenue Service for this function. So we had a public hearing with the bill and things changed, but the policy issue was still there and most people, even on this report, agreed that, as a policy issue, Maine Revenue Service should not be doing this. So if you want to do what feels good to support these organizations, you can support the Majority Report. But if you think as a policy matter Maine

Revenue Service shouldn't be doing this, which the majority of the Taxation Committee at the time felt was the correct approach, then vote against the Majority Report. Thank you.

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

ROLL CALL NO. 291

YEA - Beaudoin, Beaulieu, Beavers, Beck, Beliveau, Berry, Blodgett, Boland, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clark T, Clarke, Cornell du Houx, Curtis, Cushing, Dill J, Dion, Driscoll, Duchesne, Eberle, Edgecomb, Eves, Fitts, Fitzpatrick, Flood, Fossel, Gilbert, Gillway, Goode, Graham, Harlow, Harmon, Harvell, Haskell, Hayes, Hinck, Hogan, Hunt, Innes Walsh, Kaenrath, Knapp, Knight, Kruger, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maloney, Martin, Mazurek, McCabe, Monaghan-Derrig, Morrison, Moulton, Nass, Nelson, O'Brien, Peoples, Peterson, Picchiotti, Pilon, Priest, Rankin, Richardson D, Richardson W, Rosen, Rotundo, Russell, Sanborn, Shaw, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Tuttle, Valentino, Volk, Wagner R, Wallace, Weaver, Webster, Welsh, Willette A, Willette M, Winsor, Mr. Speaker.

NAY - Ayotte, Bennett, Black, Burns DC, Cebra, Chase, Cotta, Crafts, Cray, Crockett, Damon, Davis, Dow, Dunphy, Espling, Foster, Fredette, Gifford, Hamper, Hanley, Johnson D, Johnson P, Keschl, Libby, Long, Malaby, McClellan, McFadden, McKane, Morissette, Newendyke, O'Connor, Olsen, Parker, Parry, Plummer, Prescott, Rioux, Sanderson, Sarty, Sirocki, Timberlake, Turner, Waterhouse, Wood.

ABSENT - Bickford, Celli, Flemings, Guerin, Herbig, Kent, Kumiega, Rochelo.

Yes, 97; No, 45; Absent, 8; Vacant, 1; Excused, 0.

97 having voted in the affirmative and 45 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-880) was READ by the Clerk and ADOPTED.**

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-880)** and sent for concurrence.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-887)** on Bill "An Act To Permit Video Gaming for Money Conducted by Nonprofit Organizations" (H.P. 1078) (L.D. 1469)

Signed:

Senator:

PATRICK of Oxford

Representatives:

CAREY of Lewiston

CHIPMAN of Portland

LONGSTAFF of Waterville

RUSSELL of Portland

VALENTINO of Saco

WILLETTE of Presque Isle

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-888)** on same Bill.

Signed:

Senators:

FARNHAM of Penobscot

PLOWMAN of Penobscot

Representatives:

BEAULIEU of Auburn

DAMON of Bangor

JOHNSON of Eddington

READ.

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

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Beaulieu.

Representative **BEAULIEU**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. On any given day when the Veterans and Legal Affairs Committee meets, there are representatives of various organizations present in the room. They generally attend in order to advocate for pending legislation or to seek the Legislature's assistance in meeting the demands of an ever aging veteran population. Two of the more commanding personalities are Arnold Leavitt and Donald Simoneau, extraordinary individuals who have dedicated a good portion of their lives looking after the interests of their fellow veterans. They remain committed to the growth and development of their organization and to their goals, none more important than contributing to their communities and supporting a variety of programs to benefit their neighbors, educational programs and athletic activities for local youth groups. Promoting pride in their organization, their community and providing outstanding programs for young people are legendary contributions made by these organizations and these gentlemen. Unfortunately, time and technology have taken their toll on these organizations. As their membership numbers have dwindled over time, so too have the essential resources available to these groups in order to sustain their charitable work. As in past sessions, the members of the VLA Committee struggled with this issue in hopes of providing a resolution for a dilemma which has only grown worse, the veterans and other nonprofit organizations in our state.

The Minority Report on LD 1469 is the product of hours of public hearings and discussions about how to alleviate these problems and to increase the viability of these important organizations. The Minority Report simply permits veterans' organizations licensed to conduct games of chance to operate electronic and mechanical ticket dispensers. Although they may look like slot machines, they are nothing of the sort. These machines dispense sealed tickets which can be read electronically by the machine in order to determine if it is a winning ticket. The element of chance is not determined by the machine but by the ticket itself. Profits from these machines, as well as from other fundraising activities, would provide operational expenses as well as financial support for the charitable work these organizations are best known for. Interestingly enough, these very organizations used similar machines until they were found or forced to abandon them by state regulations, sometime around the early 1980s. Hopefully, you will see the value of permitting them to do so once again with a green vote today. I appreciate your having taken the time to listen to me and thank you, Mr. Speaker.

Representative CAIN of Orono **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought to Pass as Amended Report**.

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

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Fitts.

Representative **FITTS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I think the good Representative from Auburn, Representative Beaulieu, framed the issue well. It is exactly why I brought this bill forward. But it's not just the veterans' organizations that are struggling; there are the fraternal organizations as well. A few years ago, the organizations that would benefit from this bill had one of their biggest revenue streams taken away from them when the state decided to crack down on what were then illegal video poker machines. Now that came at about the same time that the movement to bring casinos or racinos to the state was underway, so you add the lottery, the racinos, and all sorts of other pressures financially that have been placed upon these organizations, and what has resulted is a downward spiral. So I brought the bill forward in response to that issue, having served on what was then the Legal and Veterans Affairs Committee and hearing the issue over and over again as to how they were failing and that they didn't have revenue streams available that they had traditionally enjoyed, and that they were directly being competed against by lottery and the expansion of gambling in Maine through licensed casinos.

So as a result, the committee took this bill and worked very hard on it, and I think the Majority Report would reflect a better result and the potential for there actually to be a mechanism for these entities to move forward. One of the things that I have heard over and over again in result of the crackdown that occurred and the removal of the video poker machines that were previously being used was that there was no monitoring, no central control and therefore no way for the state to know whether they were being properly used. So the Majority Report actually allows for that central monitoring to happen. Now, by definition, the traditional video poker machines for all intents and purposes looked and acted just like a slot machine, so in the Majority Report that is exactly the way they are defined. They are treated like a slot machine because that's really what they act like.

Now when people want to talk about that this would be an expansion of gaming, right now there are about 1,000 slot machines that are unused that are licensed in this state. This bill affords 250 machines to those entities that could afford to make that investment. Now it is going to take an investment. These entities are going to have to come up with up to \$5,000 or more per machine in order to move this forward for them, but they are willing to use this as a vehicle to go forward. When I bring a bill forward and I go to the entities that you're trying to help and you ask them when the decision is coming from the committee "Which version of this actually works for you and which one doesn't?" the Majority Report actually works for them. There is very little interest in what the Minority Report does because most of these entities already have pull tab tickets as part of their normal licensed games of chance. So adding a variant to that doesn't really afford them another income stream. If you go or have ever been in an Elks Lodge or a VFW, you will see that often times they have basically a vending machine that you can buy these tickets in. To add a twist to that ticket that lights flash and bells ring is not the same thing and not the same entertainment value that comes from what was traditionally a video poker machine or whether you call it, a slot or whatever it

is, that has a higher level of incentive to play than just having a pull ticket that gets read for you rather than reading it yourself. So given that this bill, in the Majority Report, has the controls to protect the state, protect the public interests, has the vehicle that can afford these entities survival, I would like us to not accept the Minority Report and move into the Majority Report, which I think actually does accomplish something. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Willette.

Representative **WILLETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today in opposition to the Minority Ought to Pass Report. I am on the Majority Report and not to be redundant to repeat what the good Representatives before me have said, I agree with everything that Representative Fitts has said, and Representative Beaulieu did craft the argument for this bill quite eloquently. What I would like to do in my speech is just hit a little bit on the highlights of the Minority Report and then talk about one of the fraternal nonprofit organizations that I belong to. First and foremost, when I came at this bill as a veteran, that's what I had solely in mind was basically to do anything that I could do to help the veterans. They are playing an important role in our communities as far as the works that they do and the charitable givings that go on. I felt we needed to include the fraternal organizations and nonprofits, especially the one that I want to hit on, the Elks Club. Elks Clubs in Maine are the most charitable organizations out there. Second, I think nationwide, the Elks Club actually gives out more student scholarships and college money than the Federal Government, so that's just one thing that I wanted to hit on and I'll bring up a couple more instances as far as to localize it to the state.

In the Minority Report, the one thing that I want to drive home to you is that one of the arguments we heard during the work session and the public hearing was the fear that we're going to have all of these mini casinos popping up all across the state. That couldn't be any further from the truth. Casinos cannot be dubbed a casino if it's a private entity and a nonprofit organization. These slot machines, if we grant them, you will never even know they're in your community. If you're driving down the street and you drive past your Elks Club or your KC Hall or your VFW, there will not be a flashing sign on the side of the building saying we have slots because, if you're not a member, you cannot even look at that slot machine. Now if you have a friend that's a member and he wants to bring you in, he can bring you in and you can utilize that slot machine. But each organization has a different varying number on the amount of guests that you can bring in. In Presque Isle at the Elks Club you can only bring in one member at a time. So I want to dispel the notion that we are going to be allowing mini casinos all across the state. It couldn't be any further from the truth. Before any of these crop up in your municipalities, in the Majority Report, they must receive approval from the municipality, either by the people or the officers holding power in local government. On the fiscal note, if any of you have cared to look at the fiscal note, they crafted those numbers with only 100 slot machines in mind. In that fiscal note, municipalities do get 10 percent back to the community. So the one argument that I heard earlier was this could cost municipalities money if they chose to put this on a ballot. I think it would be a onetime cost that would be recouped by the 10 percent that the municipalities would get back, so I don't think that that's a valid argument in and of itself.

Representative Fitts hit on this. The Minority Report offers no oversight. That was something that really turned me off. I believe that if we're going to allow this to occur in our state for the nonprofits and the fraternal organizations, they need to be held

under the same scrutiny that we presently hold Hollywood, now Casino, and Oxford which will soon be coming online here in the coming months. Let's see, the cascade, this is the one thing that really drove it home to me, just the distribution of slot revenues. Thirty percent of the net proceeds are collected and given to the Gambling Control Board to distribute in this manner; 10 percent to the board for administrative purposes; 8 percent to the General Fund; 2 percent to the Gambling Addiction Fund; and most importantly, 10 percent directly given to your municipalities. That number, to me, really hit it home. In Presque Isle, we have been laying off firefighters and police officers. I'm not saying that this would be the golden ticket to keep those positions filled, but in a day and age when we're asking more and more from our municipalities to take over from the state's share, I think anything that we can do to help ease the blow to our municipalities, I think we ought to do that.

To wrap this up, I really want to hit home to some of the charitable givings that a lot of these fraternal organizations do. I just want to hit on what I know. I am a member of the VFW, the American Legion and the Elks Lodge in Presque Isle. But charitable givings by the Maine Elks Lodge, in 2011 – there is a long list, I'm just going to hit some of the big ones – youth activities, \$123,000; handicap and needy programs in the state, \$324,000; vet services, if we even feel that our brothers at the VFW, they're having a hard time, we kick in \$223,000; senior citizen programs all around the state, almost \$210,000. So it's getting harder and harder every year as our enrollments decline, our population of memberships is getting older. The younger crowd, when they're coming back and either retiring out of military service or just ending their time in service, it's hard to get them attracted to what we have to offer. This is just one more tool in the tool box. We know this is not going to be the cure-all, end-all for all of our financial woes, but if we can add this to the tool box and it helps, then I'm all for it and I really hope that all of you will follow my light and vote red on the Minority Ought to Pass Report. Thank you, Mr. Speaker.

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

Representative **THERIAULT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will not go over. I thank the good Representative from Presque Isle, he gave you a lot of information here. But as a member of the American Legion, I fully support the Majority Report on this. Basically one of the things that happens with the Legion in Madawaska, it is one of the best contributors to activities in the community and one of them that I especially like that stands out is the supporting of the Angel Flight. Where we live and the distance for people to travel to Boston and other areas for cancer treatments, etcetera, it's a very, very nice thing to have.

One of the other things that we need to point out and I need to point out is people in my area can cross the border which is maybe two miles away and go to a casino right in Edmundston, New Brunswick. We would like to keep our people at home and help to contribute to those things that we need to have in our area. Thank you.

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

Representative **CAREY**: Thank you, Mr. Speaker. Mr. Speaker, I will be brief and focus simply on the process in our committee. As our good chair discussed, the members of our committee spent a lot of time trying to understand how we can support the veterans' organizations or the fraternal organizations that do so much in all of our communities. I ask you to oppose the pending motion.

The bill, as has been mentioned, was brought forward by a

number of these groups. The committee took all the language that was there and wanted to start from scratch and make sure that the language that we had, if we went forward, was strong and had a significant amount of regulation, and we have that. What we have done is taken the regulation that is required of the commercial facilities and the existing one in the state and the one that is going to be opening in Oxford County, briefly, have brought that to these nonprofit organizations in full amount. So this is a very strong level of regulation. I sat down personally with the director of the Gambling Control Board for over two hours to write the bill and to make sure it was able to be implemented and that it would be a strong law.

I want to highlight a couple of things that Representative Fitts referenced, the so-called gray machines that exist in some of these halls from the old law that when some gambling was legal on machines like this. If an organization would choose to go forward, they need to give up any of those in those posts, so we're going to be moving away from some ambiguity that exists in practice right now to a place that is more able to be overseen and more tightly regulated and appropriately regulated.

Finally, the language before you in the Minority Report, my experience in supporting the Majority Report is there are a number of members of our committee who couldn't get there and this, the Minority Report, was a good faith effort to try to meet some of the issue that was brought before us. From my perspective, I have not heard any of the representatives of the organizations who brought this concern to us, I have not heard any of them that have asked us to support this Minority Report, either in the committee or personally. So thank you for your time and I ask you to vote against the pending motion. Thank you, Mr. Speaker.

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

Representative **CROCKETT**: Thank you, Mr. Speaker. Mr. Speaker, Distinguished Members of the House. The most feared words in America today are "I'm with the government and I'm here to help" and this bill is a prime example of that situation. I'm a member of VLA and I would have been on the Minority Report and I voted on it several times, but I guess we reconsidered it so many that I didn't make it on the final cut. So let's just recap the evolution of this bill. It came to us to help the gray machines, as the good Representative from Pittsfield had mentioned, and that's where we started from. We wanted to get these nonprofits back to where they were. Then it evolved. It now includes language that allows slot machines, even though we're told they're not going to have slot machines. It includes 250; the Majority Report includes the addition of 250 slot machines statewide. Now those 250 machines, there are certain criteria set out and the Majority Report did a good job of trying to establish that criteria, but it's still unclear how many organizations can actually get those machines and whether that's right now or whether that's two years from now, and I know there is an implementation of 2013 they have to apply by, but we don't know how many organizations can apply in the state. So, in other words, each organization can only apply for five machines. There's 250 total machines. That means 50 organizations in the state at max. Who chooses? Does Madawaska get it? Does Bethel get it? Does Kittery get it? Who chooses? Here's the problem, the board chooses. Well, it's going to become inherently unfair at some point. That's why it's more or less an unworkable bill, because one of the reasons we pushed anything was because Hollywood Slots came online as a casino. Oxford is coming online in another year. So we wanted to help these nonprofits that were affected negatively by the casinos. We wanted to get them back up. Then some people and I think Representative

Fitts's initial intent was to help the overall fundraising because these nonprofits that have relied on beano for all these years to raise money, beano is not a real popular game with people in my generation. That may come as a shock to some people, but the reality is there is just not an expanding market seeking out beano games around the State of Maine. So they are facing that and now they want slot machines to solve and fix that gap. It's not workable.

There's questions about the fiscal note. We have, all of the sudden, a dynamic fiscal note that a revenue producer has been generated. The problem with that is if it's members only, then how can they possibly calculate that without knowing all of the members? There is too many problems with the Majority Report. The Minority Report, granted it's trying to help because we're government and that's what we want to do, so in the spirit of compromise we went with this Minority Report and my name should appear on it. I apologize if I missed the reconsideration at that point it came out of committee, but I would support the pending motion. Thank you.

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

Representative **CAREY**: Thank you, Mr. Speaker. Mr. Speaker, I rise again simply to answer the question posed by the good Representative from Bethel about who chooses. The concern that he raises of putting the Gambling Control Board in a difficult place was in fact raised by the board, so I wanted to spend some time on the mechanism to make sure that the regulator is not put into a difficult position in making a judgment call. As the Representative from Bethel said, there needs to be, by 2013, if folks apply, there is up to 100 in that first round. The applications will begin in October of next year, the looking at the applications. If more than 100 have applied, there will be some kind of a lottery or randomized drawing just to determine of the valid applications what's the ordering. It cuts off at 100. The next year, if there's more, when more machines are let to be allowed to be licensed, then anybody who is on the list is able to go forward at that point. This is something that we went out of our way to make sure that there would not be, the Gambling Control Board, put in a difficult position of making the judgment call. So this is simply based on the law and there is a mechanism in there that allows them to choose. Thank you.

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

ROLL CALL NO. 292

YEA - Beaulieu, Bennett, Black, Burns DC, Cebra, Crafts, Cray, Crockett, Curtis, Damon, Davis, Dow, Dunphy, Eberle, Espling, Flood, Foster, Fredette, Gifford, Gillway, Hamper, Harmon, Hayes, Johnson D, Johnson P, Kaenrath, Knapp, Knight, Long, Malaby, McClellan, McKane, Moulton, Nass, Newendyke, O'Connor, Parker, Picchiotti, Plummer, Richardson W, Rioux, Sarty, Timberlake, Waterhouse, Winsor, Mr. Speaker.

NAY - Ayotte, Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Boland, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chase, Chipman, Clark H, Clark T, Clarke, Cornell du Houx, Cotta, Cushing, Dill J, Dion, Driscoll, Duchesne, Edgecomb, Eves, Fitts, Fitzpatrick, Fossil, Gilbert, Goode, Graham, Hanley, Harlow, Harvell, Haskell, Hinck, Hogan, Hunt, Innes Walsh, Keschl, Kruger, Lajoie, Libby, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maloney, Martin, Mazurek, McCabe, McFadden, Monaghan-Derrig, Morissette, Morrison, Nelson, O'Brien, Olsen, Parry, Peoples, Peterson, Pilon, Prescott, Priest, Rankin, Richardson D, Rosen, Rotundo, Russell, Sanborn,

Sanderson, Shaw, Sirocki, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Turner, Tuttle, Valentino, Volk, Wagner R, Wallace, Weaver, Webster, Welsh, Willette A, Willette M, Wood.

ABSENT - Bickford, Celli, Flemings, Guerin, Herbig, Kent, Kumiega, Rochelo.

Yes, 46; No, 96; Absent, 8; Vacant, 1; Excused, 0.

46 having voted in the affirmative and 96 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

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

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

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

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

ROLL CALL NO. 293

YEA - Ayotte, Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Boland, Bolduc, Briggs, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clark T, Clarke, Corneil du Houx, Cotta, Dill J, Dion, Driscoll, Duchesne, Edgcomb, Eves, Fitts, Fitzpatrick, Flood, Gilbert, Goode, Graham, Hampe, Hanley, Harvell, Haskell, Hinck, Hunt, Innes Walsh, Johnson P, Keschl, Kruger, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maker, Maloney, Martin, Mazurek, McCabe, McFadden, Monaghan-Derrig, Morrison, Moulton, Nass, Nelson, Newendyke, O'Brien, Olsen, Parry, Peoples, Peterson, Pilon, Plummer, Prescott, Priest, Rankin, Richardson D, Rioux, Rosen, Rotundo, Russell, Sanborn, Sanderson, Shaw, Sirocki, Stevens, Strang Burgess, Stuckey, Theriault, Tilton, Treat, Turner, Tuttle, Valentino, Volk, Weaver, Webster, Willette A, Willette M, Winsor, Wood.

NAY - Beaulieu, Bennett, Black, Burns DC, Cebra, Chase, Crafts, Cray, Crockett, Curtis, Cushing, Damon, Davis, Dow, Dunphy, Eberle, Espling, Fossel, Foster, Fredette, Gifford, Gillway, Harlow, Harmon, Hayes, Hogan, Johnson D, Kaenrath, Knapp, Knight, Libby, Long, Malaby, McClellan, McKane, Morissette, O'Connor, Parker, Picchiotti, Richardson W, Sarty, Timberlake, Wagner R, Wallace, Waterhouse, Welsh, Mr. Speaker.

ABSENT - Bickford, Celli, Flemings, Guerin, Herbig, Kent, Kumiega, Rochelo.

Yes, 95; No, 47; Absent, 8; Vacant, 1; Excused, 0.

95 having voted in the affirmative and 47 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-887)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-887)** and sent for concurrence.

Eight Members of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-876)** on Bill "An Act To Establish the Department of Agriculture, Conservation and Forestry" (EMERGENCY)

Signed:

Senators:

SHERMAN of Aroostook
THIBODEAU of Waldo

Representatives:

EDGEComb of Caribou
BLACK of Wilton
CRAY of Palmyra
FOSTER of Augusta
GIFFORD of Lincoln
TIMBERLAKE of Turner

Three Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:

Senator:

SCHNEIDER of Penobscot

Representatives:

KENT of Woolwich
O'BRIEN of Lincolnville

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-877)** on same Bill.

Signed:

Representatives:

DILL of Old Town
McCABE of Skowhegan

READ.

Representative EDGEComb of Caribou 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.

Eight Members of the Committee on **JUDICIARY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-882)** on Bill "An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning a Public Records Exception for Proposed Legislation, Reports and Working Papers of the Governor"

(H.P. 1331) (L.D. 1805)

Signed:

Senator:

HASTINGS of Oxford

Representatives:

NASS of Acton
BEAULIEU of Auburn
FOSEL of Alna
MOULTON of York
PRIEST of Brunswick
SARTY of Denmark
WATERHOUSE of Bridgton

Four Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed: