

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**Second Regular Session**

beginning January 8, 2014

beginning page H-1301

Yes, 91; No, 46; Absent, 14; Excused, 0.

91 having voted in the affirmative and 46 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-668)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-668)** and sent for concurrence.

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**CONSENT CALENDAR**

**First Day**

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

(S.P. 651) (L.D. 1657) Bill "An Act To Ensure Equity in Teacher Retirement Costs for Private Academies" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-416)**

(S.P. 694) (L.D. 1755) Bill "An Act To Amend the Mandatory Shoreland Zoning Laws To Exclude Subsurface Waste Water Disposal Systems from the Definition of 'Structure'" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-417)**

(H.P. 1178) (L.D. 1606) Resolve, Directing the Bureau of General Services To Sell Certain Property To Assist Homeless Veterans by Establishing a Homeless Veterans Shelter Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-678)**

(H.P. 1188) (L.D. 1616) Bill "An Act Regarding Appointments of Certain Positions in the Department of Corrections" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-677)**

(H.P. 1219) (L.D. 1695) Bill "An Act To Allow Fishing Closer to the Fishway on Webber Pond in Vassalboro" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-673)**

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

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

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

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

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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 yesterday, 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 (8) **Ought to Pass as Amended by Committee Amendment "B" (H-644)** - Minority (5) **Ought Not to Pass** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Establish the Maine Length of Service Award Program"

(H.P. 819) (L.D. 1154)

TABLED - March 5, 2014 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-644)** 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 "B" (H-644)** and sent for concurrence.

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Bill "An Act To Allow Maine's Harness Racing Industry To Compete with Casino Gaming"

(H.P. 780) (L.D. 1111)

TABLED - March 6, 2014 (Till Later Today) by Representative LUCHINI of Ellsworth.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-628)**.

Subsequently, Representative MAREAN of Hollis **PRESENTED House Amendment "B" (H-671) to Committee Amendment "A" (H-628)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Hollis, Representative Marean.

Representative MAREAN: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'd just like to give you a brief overview of the amendment. It was placed on your desk yesterday. We agreed to bring something forward that was more positive for the State of Maine and positive for the industry. The amendment, the bill provides for a minimum \$50 million licensing fee and the new casino must have a commercial racetrack license in order to operate a casino and it must not be any closer than the existing Scarborough Downs facility to any other casino. The submission of the application will require a \$250,000 fee of which none is refundable. The application fee will be used by the Gambling Control Board to cover the cost of administering the licensing process and the investigations, and to fund a study conducted by the Department of Administration and Financial Services for the purpose of determining what the actual value is to the State of Maine of this license. So it could be considerably more than \$50 million. In order to fully maximize the value of the license, it's going to require a local referendum that will be authorized before any construction is made again. And I bring your attention to the fact that promises made and not kept by Oxford, that in this bill the promises made will be kept because the bill requires that a new facility must be completed and operational before the casino can be opened and that they are required to have a commercial racetrack licensing. The failure for a commercial track to operate will annul the casino license and they must close. The casino, the cascades have changed considerably in the amended form, that 1 percent of the gross revenue right off the top goes into the General Fund for the Gambling Control Board, and from the bottom part, 39 percent of

the slots, 16 percent of the table games and of that 69 percent goes to the General Fund which is estimated to be in excess of \$15 million a year. Once the casino is operational, the fund that is currently in place to encourage racing in Maine, which goes to the two commercial tracks, will be eliminated from the existing Penn National cascade and go directly to the General Fund, about \$2 million. It also will change some tax structures on the Oxford Casino and \$2 million will go directly to their net revenue source. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Sirocki.

Representative **SIROCKI**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today in support of the pending motion. With such strong feelings on both sides of this proposal, it is important that the good people of Scarborough have the opportunity to weigh in. It is also important to note that Scarborough Downs may be located in Scarborough, my town, but its financial impact has helped many communities since 1950. For instance, in West Newfield, where I grew up, the local training track and stables are well known. There are horsemen, farriers, accountants, staff, farmers, and jockeys, all making their livings in Maine and hundreds of jobs are directly affected by this piece of legislation. Their future and those of many other new jobs are in effect held in our hands. Remember that LD 1111 is not only an expansion of gaming; it is an expansion that also includes a first class hotel, restaurant, retail store, and entertainment. Please follow my light and allow the good citizens of Scarborough the opportunity to make the final decision.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have concerns in regards to this series of bills that have come before us, in regards to gaming which seems to lack a coherent, strategic approach from a statewide perspective on how we should properly address any potential expansion of gaming in the State of Maine. And I think we attempted to do that with the Commission and the work that they did, which ultimately resulted in really the lack of a product that this body could technically vote on, I think, in a proper way, so that we could properly balance the interest of the Passamaquoddy's, the Penobscots, the Micmacs and the interest of Scarborough Downs. I think that that would have been a proper and the right thing to do for the people of the State of Maine in terms of moving forward. With that being said, that's just not the posture of the situation that we're in today because we don't have such a bill, which leaves us with this bill before us. I am a friend of the harness racing industry. The president of the Maine Harness Horsemen's Association, Tim Powers, is in the gallery. He is a friend of mine. I've done a little work for them at times. I believe that the harness racing industry is a critical component to our economy and our history and our culture here in the State of Maine. At the same time, I don't believe that the current bill properly looks at the issues of what other financial impacts on the two existing facilities that we have in Maine, one in Oxford and one in Bangor, because obviously there will be an impact on them should we pass this bill and it were to become law and the casino were to become what it is. Again, I think that is a lack of proper analysis or a lack of proper information that we have in this time to look at what that impact is on them. But I think we're here to make decisions on what we do know and what is the proper thing to do, in terms of moving forward, and I do believe that the good Representative from Hollis, Representative Mearan, has done a good job at crafting a piece of legislation and an amendment that tries to balance the

interests of the parties, and particularly the state, in regards to a fee of \$50 million plus, plus recurring fees coming into the General Fund. I think it is a proper approach to move forward. It does have a local voting element to it and I think given the fact of the posture of where we are, and particularly in regards to what I think is a piece of economic development for southern Maine, as we know, there are other facilities being looked at in New Hampshire, in Massachusetts. Inevitably, people will go there, if that is the opportunity that they have. And so I would rather see these jobs in Maine and this money in Maine, if that is in fact the option, and so I will be supporting the amendment and I ask, Mr. Speaker, that we have a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "B" (H-671) to Committee Amendment "A" (H-628)**.

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 Westbrook, Representative Gattine.

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

The SPEAKER: The Representative may pose his question.

Representative **GATTINE**: So during the course of this lengthy debate, it has been stated a number of times that, ultimately, to go forward, that this would require a local referendum. I'm reading the language of the bill now and it looks like it can also be done by simply a majority vote of the municipal officers in the community where the casino would be located. Can someone clarify that for me, please?

The SPEAKER: The Representative from Westbrook, Representative Gattine, 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. Mr. Speaker, Men and Women of the House. I am going to be brief for once. I'm just asking, people have put a lot of work into this. We took a lot of great votes last week. This is just making sure that we have dotted our i's, that we've crossed our t's. It supports the harness racing industry. I will not be speaking at all again to anybody today, but I did want to stand up and say that we should be moving this forward and that's all. I hope you'll follow my light.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Volk.

Representative **VOLK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just have a couple of points that I'd like to make and I want to call attention to the fact that Scarborough is situated in a lovely area where many, many tourists from out of state and even out of the country enjoy visiting. We've got Old Orchard Beach right next door. It's going to be very easy for us to take advantage of that location and draw people that are visiting our state, particularly in the evenings, particularly when we have inclement weather, not that that ever happens in the State of Maine, especially in summer. But we're looking at a real economic opportunity, not just for Scarborough, not just for Cumberland County but for York County and for the entire state. I do want to point out that it was pointed out to me that the Oxford Casino would actually benefit potentially up to \$1 million with the way this cascade falls. So it's not going to be a complete loss of income for them if some of the folks currently from our area just stop visiting Oxford, but we're going to be drawing in a lot of new customers. I, for one, would prefer to see that money stay in Maine or come to Maine as opposed to Seabrook, New Hampshire, which is in the process, as I understand it, of authorizing slot machines.

I moved to Scarborough in 1999, I believe it is. At that point,

in time, Scarborough Downs had already been operating in the town for over 40 years. They have been there. Most of the people in town, I would say probably the majority of people in town, move to Scarborough with gambling already in our backyard. It was one of two facilities that had gambling. They go back, I believe, before the lottery system. So one look at their property, one drive by, and you can see that without the ability to drive more people to their track, they are going to go out of business and it's a real loss to our community, it's a real loss to the heritage of harness racing in the state and all that that entails. I mean, there are farmers in Aroostook County that grow hay that's used to feed these horses and to bed their stalls, so I would really ask that you consider it. You know, Bangor has done a wonderful job and as far as I'm concerned, they've succeeded in really doing this the right way. It has brought a new enlivenment to their downtown, which, in my opinion, before they developed their casino, was really beginning to die. I mean, I lived there when I was in college and there was nothing in downtown Bangor. There was one restaurant and like a deli, and now you go there and there are all of these locally owned thriving restaurants, all sorts of variety, and it's a lively place. People drive there to attend concerts from all over the state and all over New England, and I just hope that you will allow the people of Scarborough to weigh in one more time. We have voted on this twice and it has lost twice, but the last time it was only by 220 votes. Things have changed a lot in town. We have seen a huge decrease in the amount of state funding that we receive and at the same time our town has grown and we've had to increase taxes a number of times. I believe that this is a really wonderful opportunity to expand upon a business that's already been in town for over 60 years, that's given and given to the community until they couldn't afford to continue to give, and I think they gave well beyond when they could have still afforded to be able to give. They are looking forward to providing some real benefits to the citizens of Scarborough. With that, I would ask that you would support the Representative from Hollis's amendment. Thank you.

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

Representative **CROCKETT**: Thank you, Mr. Speaker. Mr. Speaker, Distinguished Members of the House. I was going to rise today and offer the words of a good friend of mine, the Representative from Oxford, Representative Jackson, who many of you know has been ill. Unfortunately, he couldn't be here to speak for himself, but I actually don't share the same views as Representative Jackson from Oxford. I know he is more of a pro gambling guy than I am, although we both have an appreciation for fairness and it has been mentioned today about a comprehensive view that the committee or any of the subsequent task forces have been unable to reach a comprehensive view. This bill doesn't do it either. It carves out another exception, so we still haven't achieved anything to that end, but instead what we have done is created another monopoly. Now, those who argue for the free market and believe gaming should be completely open to anybody who wants to open one in the same way you would a convenience store, that's consistent, that makes sense because you have a solid view. But what we're doing now is we are creating another monopoly, we're slicing the pie up more, so we're even doing it without adding and meeting the same gates that the existing casinos have. We're lowering the standard. We're allowing another one into the state without really any true justification other than it's a good cause, like so many other good causes we have in the state. I'm not going to be as presumptuous to ask you to follow my light, but I would ask you to look at the circumstances and look for consistency. How do

we adopt a public policy in the State of Maine that addresses gaming? We're only carving out another exception today. We're doing nothing. We're bypassing the statewide referendum that is the default position of our state, so I would ask that we vote down the pending measure, but obviously everybody can think for themselves. Thank you.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill kind of reminds me and I mentioned it last year that I feel like I'm one of the luckiest people in the Legislature here where my two committees, Marine and Transportation, are nonpartisan, we do very little partisan, and I like this debate because this is not a Republican/Democrat debate. This is a philosophical and area debate. You may be against gaming or you may be for the harness racing industry or maybe both, but I'll mention something I said the other day, that every one of us that's running for reelection is going to go out and talk about creating jobs, and I would hope that we won't continue the practice of going out and saying that we want to create jobs in Maine but just not these jobs, because I believe we've done that way too much as a body, that we pick and choose a lot. But I think we need to look at this as a strong job creator, but also if there is going to be gaming in Massachusetts and New Hampshire on their beaches, in those areas of tourism, and if we say no to this, how much of our tourism business is going to move to Seabrook and to different places in New Hampshire and Massachusetts? I believe this is another reason for tourists to come to Maine and I believe the more we can have more tourism in Maine, the better off the entire state will be. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hollis, Representative Mearan.

Representative **MAREAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. A question was asked about the municipal vote, the local referendum by the municipality. If you look at the amendment, 671, the top of the page, page 6, it says, "Statewide and county referendum; municipal vote." On the bottom of that paragraph, underlined, it says, "To be eligible for a casino operator license, a commercial track that initially applies for a casino operator license after January 1, 2014 is required to receive approval only of the voters of the municipality in which the casino will be located." Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Very briefly, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Important to understanding this piece of legislation is recognizing the importance of \$50 plus million going into the General Fund. That's a big deal. We know our appropriators; they're not even in the room right now. They're off working on trying to craft a budget. So we know that this \$50 million plus for this licensing fee would be a significant windfall for our General Fund, now and moving forward, and so, again, I just encourage you to sort of understand the big picture here, that this is a significant windfall to the General Fund for the State of Maine and not as much for the private sector on this one. Again, I'd ask you to follow my light. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "B" (H-671) to Committee Amendment "A" (H-628). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 534**

YEA - Beaudoin, Beaulieu, Beavers, Bennett, Black, Boland, Bolduc, Campbell R, Casavant, Cassidy, Chase, Chenette, Cray, DeChant, Dickerson, Dill, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Gifford, Gilbert, Gillway, Graham, Grant, Harvell, Hickman, Johnson P, Jones, Kent, Keschl, Kinney, Knight, Kumiega, Kusiak, Libby A, Long, MacDonald S, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McLean, Monaghan-Derrig, Moonen, Moriarty, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peoples, Peterson, Pouliot, Powers, Priest, Rankin, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Shaw, Short, Sirocki, Stanley, Theriault, Treat, Turner, Tyler, Volk, Wallace, Willette, Wilson, Winchenbach, Wood.

NAY - Beck, Berry, Briggs, Chapman, Chipman, Clark, Cooper, Crafts, Crockett, Daughtry, Davis, Dion, Dorney, Dunphy, Duprey, Espling, Frey, Gattine, Gideon, Goode, Guerin, Hamann, Harlow, Hayes, Herbig, Hobbins, Hubbell, Jorgensen, Kaenrath, Kornfield, Kruger, Lajoie, Libby N, Lockman, Longstaff, Luchini, MacDonald W, McGowan, Morrison, Plante, Reed, Rochelo, Rotundo, Schneck, Stuckey, Timberlake, Tipping-Spitz, Verow, Weaver, Welsh, Werts, Winsor, Mr. Speaker.

ABSENT - Ayotte, Brooks, Campbell J, Carey, Cotta, Devin, Doak, Jackson, Johnson D, Malaby, Nadeau A, Peavey Haskell, Pringle, Villa.

Yes, 84; No, 53; Absent, 14; Excused, 0.

84 having voted in the affirmative and 53 voted in the negative, with 14 being absent, and accordingly **House Amendment "B" (H-671) to Committee Amendment "A" (H-628) was ADOPTED.**

Subsequently, **Committee Amendment "A" (H-628) as Amended by House Amendment "B" (H-671) thereto was ADOPTED.**

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

Representative WINSOR of Norway **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (H-628) as Amended by House Amendment "B" (H-671) thereto.**

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

The **SPEAKER:** A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (H-628) as Amended by House Amendment "B" (H-671) thereto. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 535**

YEA - Beaudoin, Beaulieu, Beavers, Bennett, Berry, Black, Boland, Bolduc, Campbell R, Casavant, Cassidy, Chase, Chenette, Cooper, Cray, DeChant, Dickerson, Dill, Dion, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Gifford, Gilbert, Gillway, Graham, Grant, Harvell, Hickman, Johnson P, Jones, Keschl, Kinney, Knight, Kumiega, Kusiak, Libby A, Long, MacDonald S, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McLean, Monaghan-Derrig, Moonen, Moriarty, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peoples, Peterson, Pouliot, Powers, Priest, Rankin, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Shaw, Short, Sirocki, Stanley, Theriault, Treat, Turner, Tyler, Verow, Volk, Wallace, Willette, Winchenbach, Wood.

NAY - Beck, Briggs, Chapman, Chipman, Clark, Crafts, Crockett, Daughtry, Davis, Dorney, Dunphy, Duprey, Espling, Frey, Gattine, Gideon, Goode, Guerin, Hamann, Harlow, Hayes, Herbig, Hobbins, Hubbell, Jorgensen, Kaenrath, Kent, Kornfield,

Kruger, Lajoie, Libby N, Lockman, Longstaff, Luchini, MacDonald W, McGowan, Morrison, Plante, Reed, Rochelo, Rotundo, Schneck, Stuckey, Timberlake, Tipping-Spitz, Weaver, Welsh, Werts, Winsor, Mr. Speaker.

ABSENT - Ayotte, Brooks, Campbell J, Carey, Cotta, Devin, Doak, Jackson, Johnson D, Malaby, Nadeau A, Peavey Haskell, Pringle, Villa, Wilson.

Yes, 86; No, 50; Absent, 15; Excused, 0.

86 having voted in the affirmative and 50 voted in the negative, with 15 being absent, and accordingly under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-628) as Amended by House Amendment "B" (H-671) thereto and sent for concurrence.**

**ENACTORS**

**Emergency Measure**

An Act To Improve Enforcement of Marine Resources Laws

(H.P. 1233) (L.D. 1723)

(H. "A" H-680 to C. "A" H-672)

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. 127 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.

**UNFINISHED BUSINESS**

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

**SENATE DIVIDED REPORT - Majority (10) Ought Not to Pass - Minority (3) Ought to Pass as Amended by Committee Amendment "A" (S-397) - Committee on TAXATION on Bill "An Act To Make Maine Mills More Competitive by Encouraging the Processing of Forest Products at Mills in the United States"**

(S.P. 640) (L.D. 1649)

- In Senate, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-397).**

**TABLED - March 6, 2014 (Till Later Today) by Representative McCABE of Skowhegan.**

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

The **SPEAKER:** The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES:** Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. As we all know, the purpose of the Tree Growth Tax Exemption is to encourage traditional land use in our state and to also ensure the economic vitality of our forestry industry. As it currently is, Mr. Speaker, federal taxes favor Tree Growth by allowing income from timber harvesters to be treated as capital gains. Tree Growth, those who manage forestlands have a tax deduction for regeneration expenses which include site preparation planning, vegetative and control costs. There is a forestry incentive program at the federal level that provides cost-sharing payments to private landowners for conservation practices, and there is a stewardship incentive program that offers technical assistance and cost-share assistance for tree planning, forestry improvement, recreation, wildlife, aesthetics, and soil and water conservation, and, quite