

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

First Regular Session  
December 1, 2010 to June 29, 2011

Pages 1 - 1494

Majority - Ought to Pass as Amended by Committee  
Amendment "A" (S-161) (7 members)

Senate called to order by the President.

Minority - Ought Not to Pass (6 members)

In Senate, May 26, 2011, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-161)**.

Comes from the House, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **McCORMICK** of Kennebec, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

**ORDERS**

**Senate Order**

On motion by Senator **DILL** of Cumberland, the following Senate Order:

S.O. 16

WHEREAS, it appears to the Senate of the 125th Legislature that the following is an important question of law and that this is a solemn occasion; and

WHEREAS, the Constitution of Maine, Article VI, Section 3 provides for the Justices of the Supreme Judicial Court to render their opinion on such a question; and

WHEREAS, Legislative Document 1376, An Act To Preserve the Integrity of the Voter Registration and Election Process, has been "Passed To Be Engrossed" without amendment in the House of Representatives and the Senate and will be before us soon for enactment; and

WHEREAS, Legislative Document 1376 makes changes to the election laws, including proposing to repeal the provisions of the State's election laws that permit eligible persons to register to vote on election day and to replace those provisions with the requirement that an individual must register to vote at least 3 business days before election day; and

WHEREAS, as the result of eliminating same-day voting, Legislative Document 1376 proposes to enact provisional voting procedures in order to comply with the federal Help America Vote Act of 2002, 42 United States Code, Section 15482; and

WHEREAS, provisional voting procedures in Legislative Document 1376 will require additional activities and record-keeping procedures on the part of municipal election officials that are likely to result in additional expenditures; and

WHEREAS, there is an important and substantial question regarding whether Legislative Document 1376 requires local units of government "... to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues," as provided by the Constitution of Maine, Article 9, Section 21, thereby requiring that the State provide funding for 90% of the cost of the expanding expenditures unless enacted by a 2/3 vote of all members elected to each House; and

WHEREAS, these issues, if not resolved, raise significant legal questions about the legal effectiveness of Legislative Document 1376 if enacted without providing 90% funding for local government activities and without a 2/3 vote of each House, and will result in confusion with regard to the document's application to local units of government in the conduct of voting activities; now, therefore, be it

**Joint Resolution**

The following Joint Resolution:

H.P. 1176

**JOINT RESOLUTION EXPRESSING THE SENTIMENT OF THE LEGISLATURE FOR FOOD SOVEREIGNTY**

WHEREAS, according to the Declaration of Independence, all people "are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness"; and

WHEREAS, food is human sustenance and is the fundamental prerequisite to life; and

WHEREAS, the basis of human sustenance rests on the ability of all people to save seed and grow, process, consume and exchange food and farm products; and

WHEREAS, it is our obligation as elected representatives of the people of Maine to protect the fundamental freedoms as enshrined by the Constitution of Maine and the United States Constitution and to protect agricultural, ecological and economic diversity and sustainability for a free and healthy society; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the First Regular Session, on behalf of the people we represent, and in recognition of our State's proud agricultural heritage, take this opportunity to oppose any federal statute, law or regulation that attempts to threaten our basic human right to save seed and grow, process, consume and exchange food and farm products within the State of Maine.

Comes from the House, **READ** and **ADOPTED**.

**READ** and **ADOPTED**, in concurrence.

Senate at Ease.

ORDERED, that, in accordance with the provisions of the Constitution of Maine, the Senate respectfully requests the Justices of the Supreme Judicial Court to give the Senate their opinion on the following question of law:

Question No. 1. Does Legislative Document 1376 require local units of government "... to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues," as contemplated under the Constitution of Maine, Article 9, Section 21, requiring that the State provide funding for 90% of the cost of the expanding expenditures unless enacted by a 2/3 vote of all members elected to each House?

Question No. 2. If the answer to Question No. 1 is in the affirmative, if the Legislature enacts Legislative Document 1376 without providing funding as provided in the Constitution of Maine, Article 9, Section 21 and does not enact the measure by a 2/3 vote of all members elected to each House, will any of the provisions of Legislative Document 1376 be binding on local units of government?

**READ.**

Senator **COURTNEY** of York moved the Joint Order be **INDEFINITELY POSTPONE.**

On motion by Senator **DILL** of Cumberland, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Dill.

Senator **DILL:** Thank you Mr. President. This Joint Order relates to L.D. 1376. However, I am not here this morning to argue the merits of L.D. 1376. I think we can all understand that people disagree about what the impact of L.D. 1376 might have on our constituents. The supporters of L.D. 1376 sincerely believe that there is a problem with voter fraud that needs to be address and I respect that. The people who oppose L.D. 1376 think that the impact may disenfranchise voters, sincerely. I hope that you will just trust that this is sincerely a disagreement on the merits. The issue that this order raises is entirely different because L.D. 1376 may be an issue that is a national issue because, let's face it, elections have consequences. This is an issue that is part of a national agenda and I sincerely respect the fact that there is a problem that is attempting to be solved by this bill. I disagree with it, but that's not what we are here to talk about. We're here to talk about how in Maine we have what everybody knows is a provision in our Constitution about mandates. Everybody knows that in Article 9, section 21, our Constitution says that for the purpose of more fairly proportioning the cost of government and providing local property tax relief the State may not require a local unit, that's one, of government to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues unless the State provides 90% of the funding or there is a two-thirds vote. I would note that this section must be liberally construed.

The issue is whether or not there is a mandate and that is a legal question. If you go down to OFPR and you speak to the people there they will tell you this is a legal question, whether there is a mandate. Obviously, we can't talk about another bill

that has identical provisional balloting, that has been declared to have a mandate. Let's just talk about L.D. 1376 and what it asks our municipalities to do. Every single one of your town clerks now has to completely change how they run elections, not just federal elections, but local elections and state elections. You may hear, "Well, L.D. 1376 is exempt from the mandate provision of the Maine Constitution because it is implementing a federal law, HAVA, the Help America Vote Act." The problem with that argument is that what HAVA says is that for federal elections you have to have provisional voting unless you have same day voter registration. What L.D. 1376 does is place provisional voting requirements on all our towns for all our elections. Let's just say, for instance, you had a special election, maybe for a State Senate seat, this would apply. If you have a town counsel election, this would apply. What we are saying by concluding that there is no mandate is not a single town is going to incur a single expense with this brand new provisional voting system. Brand new system. The clerks have to do an entirely different thing. What we are saying is that this is not going to impact a single municipality. I think that's an important question because, let's face it, if this is a mandate, and if we do not comply with the Maine Constitution, the consequences are dire. If it is a mandate and we don't fund it and we don't have a two-thirds vote then towns don't have to enforce it. We could have same day registration in South Portland but we could have voters in Rockland not be able to register to vote on Election Day. We could have a lot of law suits.

I think this is an important legal question and, thankfully, our Constitution provides in another section, Article 6, section 3, on page 32 of your little books, if you want to follow along. It says that when there is an important legal question we have the option of requesting the justices of the Supreme Judicial Court to answer it for us. We've done it in the past. This is an excellent opportunity for us to avoid significant adverse consequences for our constituents. We, this Senate, can, by passing this order, get this question answered. It hasn't been answered by the Attorney General. We have no written opinion about that. We have conflicting opinions from within the offices that generally provide fiscal notes. The towns and cities, your towns, believe this is a mandate. This order simply requests the justices of the Supreme Judicial Court to answer this question. We'll get the answer in a number of days and we can move forward. If it's not a mandate we'll know that. The bill will pass. The clerks and the towns will know what to do and it's not a problem. If we don't request an opinion of the justices and it is a mandate we are causing incredible confusion, expense, and difficulties for our towns and cities that have been running elections for 38 years, that are now going to have to not only figure out a brand new provisional voting system, but navigate whether or not they have to follow this law or not. You know that there are going to be towns that are stubborn, that are going to say they are sick of unfunded mandates and they are not going to do it. There are going to be towns that do. We, in the Legislature, are going to look foolish because we didn't take seriously our constitutional requirement to get these questions answered. I would encourage all of you to support this, regardless of whether you support L.D. 1376 or not because that's not the question, that question has been answered. This is about whether or not we are going to be consistent with L.D. 1376 and the other bills that have similar provisional balloting, about whether we are going to be responsible and having these legal questions answered by the people in this state who are best qualified to answer these legal questions, or whether we're going

to be irresponsible. I would encourage you and ask you to please support the passage of this order. Thank you very much, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT:** Thank you Mr. President. I rise in opposition to the pending motion. I would urge my colleagues to support this solemn occasion. It is not unusual for a solemn occasion request. If you look at the past, it's been done repeatedly and especially in issues that involve elections and voting. In 1993, a solemn occasion was requested when this Legislature was considering an act to impost term limits. In 1996, a solemn occasion was requested on three distinct occasions dealing with the line item veto, an act to reform campaign finance laws, and an act regarding Congressional term limits. The point here is that legislators of the past have seen fit to tread carefully when we're dealing with voting and election rights and make sure we've got it right before we impose requirements that cast doubt on elections held in the state of Maine. There is no question that voting is central to our democracy. How elections are conducted are extraordinarily important from one end of the state to the other, whether you are dealing with a local municipal election or up to a statewide election involving the election of the President of the United States. This simply will give us an opportunity to find out from the experts, the Supreme Judicial Court of the State of Maine, whether this law can take effect and under what terms it can take effect. Imagine passing this law, thinking we've made a change, and municipal clerks around the state getting ready for the next election. Litigation ensues over the course of the next year and next Summer we find out that this law is unenforceable unless the Legislature comes in and funds it. Now we've really upset the apple cart on the eve of an election, a very significant election. Asking for solemn occasion will prevent litigation. It will allow us to find out, in a matter of a few days, what will take us six months, a year, or more to figure out if we let the process go forward. It is likely that this law will be challenged in one way or another. Why not find out now so we can act with confidence? If there is a chance that changes need to be made that will allow it to take effect, I would certainly think supporters would want to make those changes now rather than have to come back and do it in one or two or three years. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Penobscot, Senator Schneider.

Senator **SCHNEIDER:** Thank you Mr. President. I just rise briefly to speak about the issue which keeps reoccurring, and it has ever since I've been under the Dome. This notion of fiscal notes. What I find really egregious is when one very similar bill gets a fiscal note and one doesn't. I have a real problem with this. This has been an issue that reoccurs. I was told by Grant Pennoyer that if there is even one postage stamp on a bill to a municipality, if a municipality even incurs one postage stamp, that this is a State mandate. I remember distinctly when I served on the State and Local Government Committee because we were dealing with a bill. There is no dynamic fiscal note under the Dome. None. To say that this bill doesn't have a fiscal note when we're talking about this, and they can't answer the question down in the Fiscal Office, it just, frankly, smells rotten. I think it's an issue we should have answered because then, in the future, when I'm told that my

bill has a fiscal note I can say, "Oh no, this one didn't have a fiscal note." All of you who have bills who were told, in the past, that they have fiscal notes, you can say, "Oh no, this one doesn't have a fiscal note." It's critical that we have this question answered. I really hope that you will vote against the Indefinite Postponement because if you don't think that this impacts you, you may be happy as a lark on this one, to escape this particular issue with not having a fiscal note on it by Indefinitely Postponing this and not answering this question, there may come a day, down the line, when you have a bill that's important to you and you want it to be passed but they are telling you that it has a fiscal note. We all know what happens when we get a fiscal note on a bill and there is no money. It goes down in flames. I hope that you will vote against the pending motion so we can get an answer on this, so at least we have this to go on in the future with our own pieces of legislation that are important to us. I call upon the press to get a hold of this and do some research on this and make this an issue because it is a huge issue. I'm calling out to all of you in the press to do an investigation on this particular issue. Thank you very much, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Sullivan.

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, I rise from the discussion on the bill, L.D. 1376, when I asked a question and it was not answered. Does this involve every election a municipality does? I want you to go back. If you are in an RSU, I want you to think of how many new students move in during the course of a year, with their parents, obviously. Being maybe new to the community, they haven't registered to vote. They go down to vote because communities are pleading to please come out and support the budget. You have to have that validation. Well, if they wait until the day of the election they are not going to be able to vote. If there is a challenged ballot, that's going to be an awful lot of money because that is part of this mandate that comes into it. We have opened it up to elections for municipal people. It was insinuated in the non-answer that every single election would be covered by this law. Charter bills for a community. It has far reaching consequences above and beyond the election for Augusta. There is life outside of Augusta. Communities trying to run a school budget in an RSU where every little community within that RSU has to vote. Every time you want to withdraw from it, every time you want to whatever it is. Because I didn't get the answer when we voted for it, I'm hoping that I can get an answer the reassures me that you've narrowed this down. I'm still opposed to it, but at least it's narrowed down and the cost to our municipalities is not as much because there will be challenged budgets on those votes for RSUs and there will be new people that were expecting to vote, their kids are in school and they consider themselves part of that school community. They won't be able to vote. I just would like you to think about that or reassure me on that this piece. It won't change my vote on this, but at least we've removed a large piece of it. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I talked about how many of the clerks in Aroostook County did Saturday stuff because of the many people

that were gone all during the week. If this is an unfunded mandate that the towns might not have to follow, I have a question too if the towns are not going to be able to continue to do absentees on Saturdays, regardless of this. I just am troubled by all these problems we've been having with asking if laws are constitutional or unfunded mandates and not getting answers and other times having bills that are called unconstitutional without asking a ruling. Wednesday we had a letter sent up from the second floor talking about the Constitution, how important it was for all of us to follow the Constitution. It was the oath that we took. I agree with that. You can't wrap yourself in the Constitution when you see fit and then throw it down on the floor when it doesn't suit your needs. It seems like this is the type of problem we're having here. This is a simple thing, to get a ruling on the constitutionality of this and if it's an unfunded mandate. We're not allowing that to happen. That certainly seems to fly in the face of what that oath that we heard about on Wednesday said.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Dill.

Senator **DILL:** Thank you Mr. President. I just wanted to point out that with respect to it applying to all elections, it's my understanding and interpretation, based on the research that I've done and the conversations that I've had, that this law will, in fact, apply to every single election in the state. It will apply to your town counsel, your school board, your budget validation, obviously, your own election, and the election of Congressional delegations as well as the President. I think there is nothing in the bill that exempts any particular type of election.

The other piece of information I wanted to share with you. I was trying to understand why there wasn't a fiscal note or mandate on this particular bill when there is a mandate on another bill that has very similar language. I was told that, because of an off-set that there may be, costs incurred by your towns in implementing provisional balloting, but because it is believed that there will be a decrease in costs associated with eliminating same day registration and absentee ballots immediately prior to the election that this off-set results in a zero fiscal note and, therefore, it's not a mandate. I would just suggest to you that not a single town agrees with that. Not a single town came forward and presented evidence that this isn't going to cost them any money. This was somebody under this Dome, sharpening their pencil and just sort of thinking, "Well, you know, if they have to do provisional balloting there might be less votes." Your towns don't agree. Your towns, represented by the Maine Municipal Association, do not agree. I encourage you to call your clerk and ask them if this is going to cost them any more money. Is this going to cost them a cent more? I think anyone, just getting an interpretation of this bill and thinking about implementing it, would tell you that, of course, it's going to cost some money.

The other thing I want to say is that there is nothing in this bill that says towns that want to continue to register citizens on Election Day have to stop. Even though it may not be required, many of your clerks may not want to deny them. If someone comes to the polling place and is not registered, they may want to just register even though the next election might not be for several months or even a year. They may say, "Well, I'm here. Can I just register?" The clerk, of course, is going to say, "Yes, you can register." There is nothing in it to prevent people from

registering. Clerks are going to be doing both registration and provisional balloting. Again, it's a simple question. This is a process that we have. This is a tool we have to answer questions like this. It's not, in any way, radical or extreme. I encourage you to defeat the pending motion and support the Joint Order. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Alfond.

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'm also in opposition to the pending motion. I want to just give you an example of how sensitive the local mandate preamble is. In the past the Secretary of State had a program for victims of domestic violence. They wanted to include the address confidentiality program so that 54 domestic violence victims could be sent an absentee ballot. A mandate preamble was put on that for 54 people. We're talking about many more people than 54 people. Yet, absent from L.D. 1376, no mandate preamble. The Secretary of State, our current Secretary of State, has put in a generous \$2,400 up to \$2,900 to educate all of the state of Maine about these changes. Are you kidding me? \$2,400 to \$2,900 to educate the people in your community and everyone in the state of Maine about these changes. That is a true laughing joke. The November elections are happening in five months. People are going to be going to the polls in five months. There are city council races, school committee races, mayor races. We are setting ourselves up for a disaster. We're sent here to lead. We're sent here to do what's right for the state of Maine. I'm asking you all to be courageous. I know how you all voted. We all know how we voted. We're asking you to take a quick time out. Let the justices rule on this case. If it's not a mandate, we move on. The towns will know. Please show courage this morning. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Penobscot, Senator Schneider.

Senator **SCHNEIDER:** Thank you Mr. President. I just wanted to speak to the Senator from Cumberland, Senator Dill's description of this nothing, once again, that there has been somebody under the Dome, anybody who is in the Fiscal Office, or Revisor's, or wherever this information is coming from. I want to know who is saying that there is an off-set. I want to know who is giving that information, that if there is a savings that it can be off-set by the fiscal impact that we send down. That has never been allowed. It has been the reason, and the bone of contention, since I have come here. The frustration not only from our side of the aisle, but from your side of the aisle as well. Anybody who has made a suggestion in OFPR that we have a dynamic fiscal note, I want to know who that was. I will find out, or the press will find out because after I'm done here on the Senate floor I'm going to call the press and I'm going to say, "What is going on here?" This stinks. It's not just about this bill, it's about this determination that a person down in OFPR making a decision whether or not a bill has a mandate or doesn't have a mandate, or does have a fiscal note, doesn't have a fiscal note. This is egregious to all of us. It's an affront to the process. I won't tolerate it. I will not sit still. I don't think anybody should sit still on this because it's been a bone of contention and something that is just absolutely wrong. This is wrong and we need to find out, we need a decision on this from an outside, non-partisan group of people. That's what we're

asking for here. I would pose a question through the Chair to anyone who may answer.

**THE PRESIDENT:** The Senator may pose her question.

Senator **SCHNEIDER:** Thank you Mr. President. I would like to know why there has been a motion to Indefinitely Postpone this and why there isn't an interest in finding out if there is a mandate?

**THE PRESIDENT:** The Senator from Penobscot, Senator Schneider poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Penobscot, Senator Plowman.

Senator **PLOWMAN:** Thank you Mr. President. Men and women of the Senate, fiscal notes are the domain of the Maine Legislature. They are not the domain of the court system. Under the separation of powers, we make the laws and the courts interpret them. I'm not a lawyer, but I would think that they would hesitate to put themselves into the inner workings of the Legislature to determine how fiscal notes are developed. The determination of whether there is the determination of the Legislature. The Constitution says if that determination is made then we must fund it. When you have a solemn occasion to ask the court it should be about the question of the legality of the underlying legislation and not how its fiscal note was developed. Asking the courts to come to our sandbox is an invitation they might just decline. I think this is an issue. I understand there is a huge problem with fiscal notes. I've been here a very long time and seen my programs disappear under the weight of a fiscal note. That's a Rules Committee. That's developed in the Rules Committee, that's developed by the Legislative Counsel, and, in past years, by a special select committee to try to change these kinds of things. Again, not the purview of the Maine Supreme Judicial Court. Fiscal notes are the unique animal of the Legislative Branch of the State of Maine. That's why we don't believe it belongs as a solemn inquiry to the Supreme Judicial Court of the State of Maine to determine how fiscal note on a particular bill. The bill is controversial enough. If you want a solemn request regarding the underlying purpose of the bill, that certainly would be something that the court would look at, very briefly, I'm sure because none of this is unconstitutional. To ask for a solemn occasion on the development of a fiscal note does not rise to the level, in my mind, of where the court should be talking the second branch of government about how we get things done. Try to get them to go change their rules and you will find that they do not want us to involve ourselves in their rules. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT:** Thank you Mr. President. This request for a solemn occasion is not about a fiscal note. It's about a provision of the United States Constitution regarding State mandates, Article 9, section 21, which says for the purpose of more fairly apportioning the cost of government and providing local property tax relief, the State may not require a local unit of government to expand or modify the unit's activities so as to necessitate additional expenditures from revenues unless the State provides annually 90% of the funding of these expenditures from State funds not previously appropriated to that local unit of

government. Legislation implementing this section or requiring a specific expenditure as an exception to this requirement may be enacted upon a vote of two-thirds of all members elected to each house. It further goes on to add that this section must be liberally construed, meaning that the court is to find in favor of a mandate on any ambiguous question. What this order is about is finding out for sure whether this legislation fits within the mandate. You've heard how other pieces of legislation, which seemed much less onerous on towns, has required a mandate. We get to determine whether to put a mandate preamble on a bill. We don't get to determine whether or not it ultimately is a mandate because the Judicial Branch of government is the sole arbitrator, or the final arbitrator, of Constitutional questions. One way or another, the Supreme Court of Maine will be answering this question. What I don't understand is why we don't want them to answer it now, at minimal expense, but instead wait for litigation that is going to involve the Attorney General's Office, tying up their resources and their time, and putting town clerks and city clerks around the state in doubt as to what to do on Election Day this November. This is an appropriate question for the court. As I said earlier, a solemn occasion is typically used when you are affecting voting rights. Because it is so important, you want to make sure you are getting it right and you make sure the law you are passing is going to take effect. I simply don't understand why we don't want to know. If this is a mandate all you have to do is amend this bill to provide funding or get two-thirds support. All you need to do is supply funding for the additional cost. Wouldn't you rather know that now than have the law suspended in six months or a year? We can find this out in a matter of days. Why in the world don't we want to? Thank you, Mr. President.

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The Chair noted the absence of the Senator from Sagadahoc, Senator **GOODALL** and further excused the same Senator from today's Roll Call votes.

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**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from York, Senator Courtney to Indefinitely Postpone the Joint Order. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#221)

**YEAS:** Senators: COLLINS, COURTNEY, FARNHAM, HASTINGS, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SHERMAN, SNOWE-MELLO, THIBODEAU, THOMAS, TRAHAN, WHITTEMORE, THE PRESIDENT - KEVIN L. RAYE

**NAYS:** Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, DIAMOND, DILL, GERZOFOSKY, HILL, HOBBS, JACKSON, PATRICK, SCHNEIDER, SULLIVAN, WOODBURY

EXCUSED: Senator: GOODALL

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **COURTNEY** of York to **INDEFINITELY POSTPONE** the Joint Order, **PREVAILED**.

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Extend Fire Code Rules to Single-family Dwellings Used as Nursing Homes for 3 or Fewer Patients"  
H.P. 954 L.D. 1302

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Report **READ** and **ACCEPTED**, in concurrence.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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**Ought to Pass As Amended**

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Laws Regarding Custody of the Remains of Deceased Persons"  
H.P. 1095 L.D. 1490

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-596)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-596)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE**.

Committee Amendment "A" (H-596) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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The Committee on **JUDICIARY** on Bill "An Act To Protect Homeowners Subject to Foreclosure by Requiring the Foreclosing Entity To Provide the Court with Original Documents"  
H.P. 128 L.D. 145

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-425)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill and accompanying papers **COMMITTED** to the Committee on **JUDICIARY**.

Report **READ**.

On motion by Senator **HASTINGS** of Oxford, Bill and accompanying papers **COMMITTED** to the Committee on **JUDICIARY**, in concurrence.

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**Divided Report**

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Improve the Predictability of Land Use Regulation in the Unorganized Territories (EMERGENCY)  
H.P. 615 L.D. 819

Reported that the same **Ought Not to Pass**.

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-560)**.

Signed:

Senator:

SCHNEIDER of Penobscot

Representatives:

DILL of Old Town  
KENT of Woolwich  
McCABE of Skowhegan  
O'BRIEN of Lincolnville

Comes from the House with Reports **READ** and the Resolve and accompanying papers **INDEFINITELY POSTPONED**.

Reports **READ**.