

MAINE STATE LEGISLATURE

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

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Pages 609-1214

2009-10 and To Make Other Changes Related to the Municipal Cost Components

(H.P. 855) (L.D. 1235)
(H. "A" H-453 to C. "A" H-422)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 132 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**SENATE PAPERS
Non-Concurrent Matter**

Bill "An Act To Suspend Driver's Licenses of Persons Operating All-terrain Vehicles, Watercraft and Snowmobiles while Intoxicated"

(H.P. 495) (L.D. 712)

Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-363)** in the House on May 29, 2009.

Came from the Senate with the Minority (5) **OUGHT NOT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion of Representative HASKELL of Portland, the House voted to **ADHERE**.

Non-Concurrent Matter

Bill "An Act To Base the Value of Eminent Domain Takings on Going Concern Value"

(H.P. 832) (L.D. 1207)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-361)** in the House on May 29, 2009.

Came from the Senate with the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion of Representative PRIEST of Brunswick, the House voted to **RECEDE AND CONCUR**.

**REPORTS OF COMMITTEE
Ought to Pass as Amended**

Report of the Committee on **JUDICIARY** on Bill "An Act To Consolidate and Modernize Maine's Courts"

(S.P. 330) (L.D. 882)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-154)**.

Came from the Senate with the Report **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

READ.

Representative PRIEST of Brunswick moved that the Bill and accompanying papers be **INDEFINITELY POSTPONED**.

The **SPEAKER**: The Chair recognizes the Representative from Brunswick, Representative Priest.

Representative **PRIEST**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. This bill was included in the budget; therefore, there is no need for it at this time. Thank you.

Subsequently, the Bill and accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

**CONSENT CALENDAR
First Day**

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

(H.P. 713) (L.D. 1038) Bill "An Act Regarding the Prevention and Reporting of Methicillin-resistant Staphylococcus Aureus" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-498)**

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

There being no objection, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

**ENACTORS
Acts**

An Act To Protect the Privacy of Maine Residents under the Driver's License Laws

(S.P. 492) (L.D. 1357)
(S. "A" S-247 to C. "A" S-215)

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

On motion of Representative TARDY of Newport, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 156

YEA - Adams, Berry, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Finch, Flaherty, Flemings, Gilbert, Goode, Harlow, Haskell, Hayes, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Pendleton, Peoples, Percy, Peterson, Pieh, Piotti, Pratt, Priest, Rankin, Rotundo, Russell, Sanborn, Schatz, Sirois, Smith, Stevens, Stuckey, Sutherland, Theriault, Treat, Trinward, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - Austin, Beaudette, Beaulieu, Beck, Bickford, Browne W, Burns, Campbell, Celli, Chase, Clark T, Cotta, Crafts, Cray, Curtis, Davis, Edgecomb, Fitts, Fletcher, Flood, Fossel, Gifford, Giles, Hamper, Hanley, Harvell, Hill, Joy, Kaenrath, Knapp, Knight, Langley, Lewin, McFadden, McKane, Millett, Nass, Nutting, Pilon, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Sarty, Saviello, Shaw, Strang Burgess, Sykes, Tardy, Thibodeau, Thomas, Tilton, Tuttle, Weaver, Willette.

ABSENT - Ayotte, Beaudoin, Blanchard, Cebra, Cornell du Houx, Crockett J, Cushing, Eves, Greeley, Johnson, McLeod, Perry, Robinson, Rosen.

Yes, 81; No, 56; Absent, 14; Excused, 0.

81 having voted in the affirmative and 56 voted in the negative, with 14 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-493)** on Bill "An Act To Regulate Mixed Martial Arts Competitions, Exhibitions and Events"

(H.P. 751) (L.D. 1089)

Signed:

Senators:

SCHNEIDER of Penobscot
 SULLIVAN of York
 RECTOR of Knox

Representatives:

SMITH of Monmouth
 AUSTIN of Gray
 MacDONALD of Boothbay
 PRESCOTT of Topsham
 HUNT of Buxton
 CLEARY of Houlton
 MARTIN of Orono
 GILES of Belfast
 COHEN of Portland

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

WRIGHT of Berwick

READ.

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

The SPEAKER: The Chair recognizes the Representative from Monmouth, Representative Smith.

Representative **SMITH**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I don't anticipate debate on this bill; however, I have learned that good work done in a committee often goes unnoticed in the whole body because there is no debate, and I just want to highlight some good work.

The issue of mixed martial arts coming to Maine was the subject of two very similar bills, one of which went to the Criminal Justice Committee and one went to the Business Committee. Because of the good work of both committees and both sponsors, the Representative from Sanford, Representative Tuttle, and the Representative from Rumford, Representative Peterson, and the commissioner of Professional and Financial Regulation, we have a terrific outcome in a strong committee report that will facilitate having mixed martial arts come to Maine. We have here an industry that wants to come to this state and simply asked that we regulate them appropriately, as that is required by their national organization. With that, I just want to raise a salute to the people who were involved in this and celebrate a success within the Legislature. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Wright.

Representative **WRIGHT**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. As you can see, I'm the lone dissenter on this bill and, although we have come close, I have no intention of trying to defeat a 12-1 Report.

I do have to speak on this bill though and first I want to commend Representative Peterson for bringing this forth. He showed knowledge, enthusiasm and a willingness to work to bring this sport to Maine. We also heard from many other legislators who were cosponsors or supporters, including Representative Prescott who, after talking about her black belt in karate, made everybody else on the committee just a little bit leery of crossing her. Then we heard from the promoters. They came promising to fill any arena that we have in this state. They talked about filling hotel rooms for the combatants, their families and the people interested. They talked about how we're going to bring more business to the restaurants and all the others associated. The one thing that they didn't talk about was bringing people in from out of state and the toll revenues that we will be realizing. Then we heard from the participants of the sport and, to me, they made the most compelling argument. These were mostly young adults, who came from troubled backgrounds. They talked about how the discipline of the martial arts taught them to be self-aware, self-assured and to carry themselves well. In our committee, we had to commend them all.

That being said, I know it sounds like I am a promoter of this bill, I'm the first to lay some rumors to rest, I am not a pacifist and I have the broken knuckles to prove it. I also recognize the discipline that comes from martial arts. When my son was young, he had extreme anger management problems. We enrolled him into tae kwon do and, thankfully, he brought those emotions under control, especially now, because he is six foot five. But this is a violent sport. People came and said it's no more violent than boxing. Well, boxing is a violent sport. It's not more violent than football. Football is a violent sport. My concern is the effects it has, not on the short-term but on the long-term, on the health of the participants. The amendment that came forth made the promoters provide emergency medical insurance for those during the fight, but what we didn't hear about was the long-term effects of having repeated blows to the head. All you have to do is listen to Muhammad Ali, at this time of his life, and you will see what that does to people. One of my concerns is these people with no insurance will be a burden on our system, which is already overrun.

The participants, I agree, they are very disciplined. They shake hands before; they shake hands afterwards, often with an embrace; they often work and train together. But my concern isn't with the participants, it's with the audience. If you watch these matches and I have watched them on TV, the participants are very disciplined. It's the crowd behind them hollering with every blow to the head, every time there is blood drawn. I was told, over and over, I didn't understand the sport, I had to watch them. I forced myself to watch a match and, unfortunately for the sponsor, this is probably the worst match that I could have watched in his concern. It went nearly five rounds and one of the participant's face looked like a pound of bloody hamburger at the end of the match. I cannot condone that kind of violence; I cannot support that kind of violence.

We heard about the economic stimulus that this will bring. As I said, I worry about the long-term effects, not just of the participants but also of the audience. Our society is getting more and more violent all of the time. We do not need to condone this kind of violence. As far as economic stimulus goes, gambling casinos and warehouses would also bring economic stimulus. I, for one, cannot support those and I cannot support this bill. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Lyman, Representative Wagner.

Representative **WAGNER**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I, too,

share with Representative Smith the attitude that just because I'm not into it doesn't mean it shouldn't be permissible for other folks, but I do not see mixed martial arts as being healthy for anybody, our entire society in particular. I ask us to think back a bit. In the schoolyard you hear a fight and the kids come running, not to intervene, not to break it up but to get a good look, brutality as entertainment. This blood sport resembles too much to me circus maximus, something that you divert the people's attention away from the harsh economic realities of our times. I don't think we have to go back to ancient history though to be a little bit disturbed by this. There may be one or more within this body who can recollect what it feels like to have a swollen face, brewing blood in your mouth, inability to see out of one eye because of a blow that you've taken to the temple. A phrase that became a bit of a joke during the Clinton Administration, "I feel your pain", I wish technology would come up with something that would allow us to do just that as we view one of these matches, to feel the blows, literally. I think the audience would disappear quite quickly, with the exception of the hard core masochist. I think this activity, because I can't call it sport, is misnamed. When I think of martial arts, I think of self-discipline, self-control, techniques that would be only used in self-defense. The purpose of this is to inflict maximum damage on another human being. I see MMA as TBI, traumatic brain injury, taking blows to the head, not just from the hands as it is in boxing, but from the legs.

Now I received some information from a member of the New York Assembly, he sent me a report that he had prepared. One of the UFC heavyweight champions, Randy Couture, had his blows measured: with his hands 227 kilos of force, with his legs 910. It is permissible to grab the opponents head and knee him in the head. Now John McCain, the Senator, characterized this as human cockfighting. I see this as a human demolition derby. Now there are rules, rules that were not created by the Marquis de Queensberry, but more like the Marquis de Sade. As Representative Wright mentioned, who engages this and who profits from it? Nothing much different from the fight game, the sweet science boxing, kids from the lower rungs of the economic society trying to use what they've got, their bodies in some way, but who's making the money on it? How much, at the date for a licensed UFC fight, will stay within this state and how much of it goes back to Las Vegas, where the principle promoters reside? I ask, Ladies and Gentlemen, that you consider the choice that we have here, the choice between unnatural selection and intelligent design. Unnatural selection, in a sense, that you've got survival of the most desperate, as opposed to some intentional evolution. Let's see if we can move this society a little bit farther away from blood sports, a little farther away from that trait in our species that causes us to move towards combat, not to break it up, not to offer medical assistance, but to get a good look. I ask that you vote Ought Not to Pass. Thank you, Ladies and Gentlemen. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Prescott.

Representative **PRESCOTT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This is a bill that I can completely identify with. I am a martial artist and I have been a martial artist, first and second degree black belt, for many years. I have taught the art and I enjoy it with much passion. I believe that martial artists sometimes get the bad rap. The word violence often comes up and I want to just teach a lesson to this chamber that that's really not the case with martial arts. Martial artists are actually a very passive group of people and the words control and discipline come to my mind when I think of a martial artist. I do respect the words of Representative Wright and the Representative that followed, but to ban this sport

isn't our choice to make. We allow other sports and activities in this state and we have to remember that these people are not just wandering the streets of Maine ready to pounce on any victim that they see at will. These people enter a ring willingly to fight another opponent, just as in a boxing match, but blows to the head were mentioned and actually that isn't the case, because they're not just allowed to use their hands, they're allowed to use their feet, elbows and anything else so the target isn't always just the head, as it would be in a boxing match, a boxing match is usually head and torso. The object is to get the other guy into a position where they either cannot fight or they, what we call in the martial arts world, "tap out". Tap out means I know you've got me, you probably have me in a joint lock or some kind of way that I cannot move and, if I do move, you may break my arm. The other guy recedes and they bow to each other, because that's the respect that martial arts brings to the ring. They're not out to rip each other's head off but to win their round or fight, as any sport. These are trained athletes, professionals. They are in shape, they are conditioned and they know what they are doing. This is a highly regulated sport. There have been more deaths in Maine in snowmobiling, skiing, soccer, football, snowboarding, and I would have to say ice fishing as well. This is an economic development tool and, Ladies and Gentlemen, we need all the help we can get right now. These matches can fill our civic centers and our Bangor Auditorium and any other place that allows this sport to take place. We cannot turn this opportunity away. I urge you to vote to pass this as our committee did, with a 12-1 strong report, with a lot, a lot of work together to educate each other on what this sport is all about. Please follow my light. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Lyman, Representative Wagner.

Representative **WAGNER**: Thank you, Madam Speaker. If it hasn't already been done so, I ask for a roll call. Secondly, with respect to your submission, when you are highly trained as an athlete, you go beyond the pain of the training, you push yourself farther and farther, and you will not give up unless it's an absolute impossibility for you to continue. It is difficult, I would think, to submit when your wits have been jarred by the blows that you have received. You can train not to give in. The result? Knockouts instead. Ladies and Gentlemen, again, please defeat this motion.

Representative **WAGNER** of Lyman **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: The Chair recognizes the Representative from Buxton, Representative Hunt.

Representative **HUNT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I have to admit this is not my sport, but secretly I love boxing, but this one really isn't for me. But that being said, you know, another gladiator sport that we all seem to embrace is football. You're telling me on Sunday that when a wide receiver goes to get a pass across the middle, the safety is not going to lay him out and people cheer about that? The safety's job is to knock that person out so that they never catch a pass again. If they don't do that, they're replaced by somebody who will. So let's not have a double standard here. Frankly, my two favorite words in hockey are hit them. That being said, this is a good sport. It's not my sport. There's less blows to the head than say boxing, which we have a proud tradition of here in the state, and I think this is a positive step forward for the state. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Peterson.

Representative **PETERSON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Let's examine the facts for a moment: Mixed martial arts is widely accepted as the fastest growing sport in the world. *Forbes* magazine recently published an article in which it was estimated that this sport would become a \$1 billion industry within five years.

This bill was drafted and worked with input from the Ultimate Fighting Championship, or the UFC, the largest mixed martial arts organization in the world. The UFC pledged their desire to bring their business to Maine if we clarified our law and joined over 30 other states in the nation in creating a regulatory structure that would insure the safety of participants.

When we talked about the UFC coming to town, we are talking about a significant potential economic impact. When the UFC went to the city of Columbus, Ohio, for March 2007's UFC 68, it was the largest gate in nationwide arena history. Approximately 40 percent of attendees visited from outside of Ohio, a boom for hotels and restaurants in Columbus. According to the Ohio Athletic Commission, this single MMA event produced \$11 million in external economic activity for the city. The UFC itself purchases 600 hotel rooms when they bring an event to town. The sport is now regulated and recognized by the world's most prestigious sports regulatory bodies, including the California, Florida, Nevada, New Jersey, Ohio and Pennsylvania state athletic commissions.

Maine is where multiple champions got their start, but they were forced to move out of state to pursue their careers. We grow some of the greatest mixed martial artists in the world starting in the wrestling programs in our schools and communities, where the best competitors develop their skills and instincts, and then we export them because they don't have the legal and regulatory environment to continue to develop and perfect their skills, and, in the process, Maine is missing out on a golden opportunity to generate much needed revenue. Please follow my light, vote green and pave the way to bring the fastest growing sport in the world to our state. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Connor.

Representative **CONNOR**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I rise in favor of the Majority Ought to Pass as Amended Report. There are a couple of things I want to bring to the attention of the body. So this motion respects the opinion of two, near unanimous, committees here in the Maine Legislature with a 12-1 and I believe a unanimous out of the Criminal Justice Committee. I don't think that those folks sat and listened to hours of testimony to then take a random guess at what is the best opinion of the day. They went forward, listened, got themselves informed and made a prudent decision.

The second piece I want to talk about, I can't lie. I cosponsored it, I am a fan of the sport, I am proud to say I'm a fan of the sport and I'm proud to say that I'm actually informed about the sport to the degree that a fan can be. I don't remember my mouth ever being bloody, I don't remember having swallowed it, but I can tell you, watching the sport, I know that it's 50/50 on whether someone's going to get a "tap out", which is a submission hold, or if they're going to try to carry the day, get back up, show some heart and keep fighting. The reality is, and the good Representative from Topsham spoke about this, the respect and discipline that these fighters have leads them to say, wow, I'm in this position, my arm is up over my head, I can't get

out of this, I'm done, thanks for fighting, it's over, I'll hug you at the end and next time I'm going to try to twist your arm that way and we'll see how it goes. So the facts don't meet with some of the testimony that we've heard, that folks just always get back up and keep fighting. These fighters know when they can't and they don't, and the simple fact that there hasn't been a death here in the U.S., and worldwide I think there have been two in the history of this whole program, again, I have to always keep going back to the good Representative from Topsham, we had seven deaths on snowmobiles last year alone. So this sport is apparently safer than riding a snowmobile. That can't be. It's not our job I don't think to sit here and say to committee, they don't know what they're doing, let's do what we want. I urge you to vote Ought to Pass.

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

Representative **TUTTLE**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. As has been mentioned, I, along with Representative Peterson, of Rumford, had presented this legislation. Just for our information, some states have their licensing departments regulate these events. The states of Delaware, Washington and Connecticut, there's a bill pending similar to ours. Several states also allow professional competitions. These states are Alabama, Alaska, Hawaii, Indiana, Massachusetts, Mississippi, North Dakota and Wyoming. The Unified Rules of Martial Arts have been adopted by the New Jersey Athletic Commission, the states of California, Oregon, Pennsylvania, Nevada, New Hampshire and Massachusetts.

As was mentioned before, this bill allows mixed martial arts' matches and competitions in the State of Maine. The hearing that we had before the Criminal Justice Committee, there was a gentleman by the name of Marcus Davis, who's originally from Bangor and is very highly ranked in the organization. He's a great competitor and he's a great trainer. He mentioned in his life he had been a boxer and he said his life was going nowhere, and because of mixed martial arts, it's allowed him to have a family, have a very good life. As has been mentioned here before, the whole essence of mixed martial arts is rather different than a lot of other violent activities like football, boxing. I can tell you, I've been a wrestler all of my life, I've been in boxing, and I think mixed martial arts is much safer than boxing, because in boxing you have massive trauma to the head time after time after time, the fighter goes down, they get him up and make him fight again. Mixed martial arts, you're hurt once, they stop the fight.

Now there is an interest and a fan base for this sport in Maine; however, there is no regulatory board or venue for the competition. That's why we're here with you today. Maine currently has a world champion mixed martial artist who does want to compete in Maine, but, because of the law, he can't do that. As I mentioned, wrestlers from across the state also support this bill, as mixed martial arts is a logical place for many serious wrestlers to go in their career. Almost everyone who has trained and turned pro in Maine has left. Professional mixed martial artists do not see an opportunity here and that's a shame, because we have many Maine natives, many former wrestlers that are nationally ranked now, and for us not to allow them to compete in Maine is not the right thing to do. The sport has many rules, as well as weight classes and time periods. Since the UFC took charge with implementing the rules of standards that gave the sport credibility, which is not how it started. As it started, we had a lot of work to do; we've done that in the time. I think its time has come for Maine. This also provides a great opportunity, as has been mentioned before, for the State of Maine with venues, and I think at this time with all of the things

that have been done in mixed martial arts, the improvement with the matches and the competition, I believe it's the right thing for Maine. Thank you, Madam Speaker.

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. 157

YEA - Austin, Beaudette, Beaulieu, Beck, Berry, Bickford, Blodgett, Bolduc, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Carey, Casavant, Cebra, Chase, Clark H, Clark T, Cleary, Cohen, Connor, Crafts, Cray, Crockett P, Curtis, Davis, Dill, Driscoll, Duchesne, Eaton, Edgecomb, Finch, Fitts, Flaherty, Flemings, Fletcher, Fossil, Gifford, Giles, Goode, Hamper, Hanley, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Joy, Kaenrath, Kent, Knapp, Knight, Langley, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, McKane, Miller, Millett, Morrison, Nass, Nelson, Nutting, O'Brien, Peoples, Percy, Peterson, Pieh, Pilon, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Richardson D, Richardson W, Russell, Sanborn, Sarty, Saviello, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Weaver, Webster, Welsh, Wheeler, Willette, Madam Speaker.

NAY - Adams, Boland, Dostie, Eberle, Flood, Gilbert, Jones, Kruger, Lajoie, Pendleton, Rankin, Rotundo, Schatz, Wagner J, Wagner R, Watson, Wright.

ABSENT - Ayotte, Beaudoin, Blanchard, Celli, Cornell du Houx, Cotta, Crockett J, Cushing, Eves, Greeley, Johnson, McLeod, Perry, Robinson, Rosen.

Yes, 119; No, 17; Absent, 15; Excused, 0.

119 having voted in the affirmative and 17 voted in the negative, with 15 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-493)** 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-493)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Create a Duty To Report Serious Injuries"

(H.P. 877) (L.D. 1258)

Signed:

Senators:

GERZOFISKY of Cumberland
NUTTING of Androscoggin
DAVIS of Cumberland

Representatives:

HASKELL of Portland
HANLEY of Gardiner
LAJOIE of Lewiston
GREELEY of Levant
SCHATZ of Blue Hill
PLUMMER of Windham
WHEELER of Kittery
MAGNAN of Stockton Springs

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-488)** on same Bill.

Signed:

Representatives:

BURNS of Whiting
SYKES of Harrison

READ.

Representative HASKELL of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-489)** on Resolve, Establishing the Blue Ribbon Commission To Study Landlord and Tenant Issues (EMERGENCY)

(H.P. 747) (L.D. 1080)

Signed:

Senators:

SULLIVAN of York
PLOWMAN of Penobscot
GOODALL of Sagadahoc

Representatives:

BEAULIEU of Auburn
CORNELL du HOUX of Brunswick
PINKHAM of Lexington Township
TRINWARD of Waterville
TUTTLE of Sanford
FITTS of Pittsfield
CAREY of Lewiston
NASS of Acton
RUSSELL of Portland

Minority Report of the same Committee reporting **Ought Not to Pass** on same Resolve.

Signed:

Representative:

VALENTINO of Saco

READ.

On motion of Representative TRINWARD of Waterville, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE. Committee Amendment "A" (H-489)** was **READ** by the Clerk and **ADOPTED**.

Representative TUTTLE of Sanford **OBJECTED** to suspending the rules in order to give the Resolve its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Subsequently, the Resolve was assigned for **SECOND READING** Tuesday, June 2, 2009.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Friday, May 29, 2009, 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 - Report "A" (7) **Ought to Pass as Amended by Committee Amendment "A" (H-430)** - Report