

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

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
SECOND REGULAR SESSION
34th Legislative Day
Wednesday, April 2, 2014

(H.P. 973) (L.D. 1365)
(C. "A" H-664)

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **RECONSIDERATION** and later today assigned.

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

Prayer by Honorable Bernard L. A. Ayotte, Caswell .
National Anthem by Bangor Area Children's Choir.
Pledge of Allegiance.
Doctor of the day, Ann E. Dorney, M.D., Norridgewock.
The Journal of yesterday was read and approved.

The Following Communication: (H.C. 394)
STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

April 1, 2014
The 126th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 126th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1597, "An Act to Clarify Provisions of the Medical Marijuana Act."

This bill makes it legal for an elected official to visit a medical marijuana grow site operated by a registered caregiver or dispensary. Such a visit currently is against the law. This bill would apply to all elected officials, even those that would have no legislative authority whatsoever over medical marijuana issues, such as probate judges or town road commissioners. It seems hypocritical for us as elected officials to exempt ourselves from the law, especially when most of those elected would not need specialized knowledge of medical marijuana to perform their job duties.

For these reasons, I return LD 1597 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Clarify Provisions of the Maine Medical Use of Marijuana Act (EMERGENCY)

(H.P. 1168) (L.D. 1597)
(C. "A" H-665)

The **SPEAKER**: The Chair recognizes the Representative from Westbrook, Representative Gattine.

Representative **GATTINE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I hope you will join me today in overriding this veto. LD 1597 received a Unanimous Report, Ought to Pass, from the Committee on Health and Human Services and it went under the hammer in this body. We worked very, very hard in the committee to get the support of the entire committee and I'm very grateful for the hard work that my colleagues on the HHS Committee did. Basically, what this bill does that was passed is it allows marijuana dispensaries and caregivers to allow, if they choose, elected officials, local and state, to come in and receive tours and to try to understand better the work that is done in these budding businesses. One thing I've learned in the short period of time that I've been on the HHS Committee is that there are still a lot of misconceptions and myths about how this health care treatment and how these businesses operate. There's only so much you learn sitting in a committee room. While I've been on HHS I've had the opportunity to tour hospitals, I've had the opportunity to tour Riverview, I've had the opportunity to tour the Mental Health Unit down at the Warren Prison, but I am not allowed, under current statute, even at the invitation of a dispensary or a caregiver, to come in and try to understand better about how they operate. I

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act Regarding Wet Storage Sites for Cultured Marine Organisms"

(H.P. 1175) (L.D. 1603)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **MARINE RESOURCES READ** and **ACCEPTED** in the House on March 31, 2014.

Came from the Senate with the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **MARINE RESOURCES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-768)** in **NON-CONCURRENCE**.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 393)

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

April 1, 2014
The 126th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 126th Legislature:
Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1365, "An Act To Promote New Models of Mobility and Access to Transportation."

This bill is unnecessary and unwieldy. MaineDOT is in the process of writing a new statewide strategic transit plan, which addresses the concerns outlined in this bill. The Department has been successfully spearheading this effort without legislative action for approximately a year now; I trust they will accomplish this without a legislative mandate.

Further, LD 1365 creates an eighteen member advisory group to provide input on transit issues in the State. After reviewing the membership of such group, I feel conflicts of interest may arise and compromise the duties of the advisory group.

For these reasons, I return LD 1365 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Promote New Models of Mobility and Access to Transportation

AUGUSTA, MAINE 04333-0001

think that it's important for us to do whatever we can to try to understand these businesses, especially the folks on the HHS Committee who are charged with overseeing these and driving policy around these businesses. I think this legislation makes a lot of sense and I hope it's going to continue to get the strong support from this body. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I also join in with the good Representative from Westbrook and urge your support for this legislation. When this legislation first came out, there was a lot of controversy over it. But what this bill is actually intended for is to give elected officials, both legislators and those at a municipal level, the opportunity, at the invitation of the owners of these small businesses, the caregivers in our community and the dispensaries, etcetera, to have an opportunity to become educated about the program. I think it's really important for municipal officials which is why we included them in this to understand about all the businesses in their town. At this time, it's illegal for any of us to enter one of these establishments and I think it's really important that we make it easier for us to do so. Thank you very much.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 613V

YEA - Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Casavant, Cassidy, Chase, Chenette, Chipman, Clark, Cooper, Cray, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Jones, Jorgensen, Kaenrath, Keschl, Kinney, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Ayotte, Cotta, Crafts, Crockett, Davis, Fitzpatrick, Gifford, Guerin, Johnson P, Knight, Long, Weaver.

ABSENT - Bennett, Black, Campbell R, Carey, Chapman, Johnson D, Kent, Kusiak, Noon, Pringle.

Yes, 129; No, 12; Absent, 10; Excused, 0.

129 having voted in the affirmative and 12 voted in the negative, with 10 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

April 1, 2014

The 126th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 126th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1685, "Resolve, To Strengthen the Protection of Children from Abuse and Neglect."

I am in favor of efforts to make Maine children safe from abuse and neglect. However, it makes no sense for the Legislature to demand work from the Department of Health and Human Services through a resolve when the Department has volunteered to conduct the work in a reasonable timeframe. The Executive and Legislative branches can work together cooperatively and productively, and to that end, not every solution needs to be a legislative enactment. Sometimes, the less complicated the solution, the easier it is to accomplish.

For these reasons, I return LD 1685 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item Resolve, To Strengthen the Protection of Children from Abuse and Neglect (EMERGENCY)

(H.P. 1208) (L.D. 1685)

(C. "A" H-667)

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

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, I rise to urge this body to override the veto that we received yesterday. Mr. Speaker, Men and Women of the House, I do so because I feel very strongly about the issue of child abuse and neglect prevention, and because in all that I have learned here as a policymaker and as a teacher for 20 years, preventing child abuse and neglect rises to the very top of the list for me in terms of the things that we can do to move our economy forward, to move our educational system forward, and to help our state to move forward. The timing of this veto was particularly unfortunate and even shocking. It was unfortunate and shocking not only because yesterday was the beginning of Child Abuse and Neglect Prevention Month, not only because it was April Fools yesterday and in some ways the arrival of this veto letter seemed a cruel joke on children who are suffering today from child abuse and neglect, but more importantly because no time is better than the present to take real action, certain action, with the department to address child abuse and neglect. We know from science, recent science, that adverse childhood experiences have a dramatic effect on a child's brain development, health, learning, productivity, and their ability to lead a happy and productive life in the future. So, Mr. Speaker, I hope today that we can join together in overriding this veto and making sure that the good work that is in this bill goes forward. Thank you.

After reconsideration, the House proceeded to vote on the question, 'Shall this Resolve become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Resolve become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

The Following Communication: (H.C. 395)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION**

ROLL CALL NO. 614V

YEA - Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson P, Jones, Jorgensen, Kaenrath, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Wood, Mr. Speaker.

NAY - Ayotte, Cotta, Gifford, Long, Pease, Winsor.

ABSENT - Bennett, Black, Campbell R, Carey, Johnson D, Kent, Kusiak, Noon, Pringle.

Yes, 136; No, 6; Absent, 9; Excused, 0.

136 having voted in the affirmative and 6 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (S.C. 866)

**MAINE SENATE
126TH LEGISLATURE
OFFICE OF THE SECRETARY**

April 1, 2014

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Eves:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 126th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Criminal Justice and Public Safety, the nomination of Joel A. Merry of West Bath for appointment to the State Board of Corrections.

Best Regards,
S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act Requiring a Dynamic Fiscal Analysis of Changes to Visual Media Production Tax Credits and Reimbursements" (EMERGENCY)

(H.P. 1338) (L.D. 1853)

Sponsored by Representative KNIGHT of Livermore Falls. (GOVERNOR'S BILL)

Cosponsored by Senator VALENTINO of York and Representatives: BERRY of Bowdoinham, BROOKS of Winterport, FREDETTE of Newport, HAMANN of South Portland,

STANLEY of Medway, Senators: HILL of York, LANGLEY of Hancock, THIBODEAU of Waldo.

Committee on **TAXATION** suggested.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **REFERENCE** and later today assigned.

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

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

ORDERS

On motion of Representative NELSON of Falmouth, the following Joint Resolution: (H.P. 1337) (Cosponsored by Representatives: AYOTTE of Caswell, BEAR of the Houlton Band of Maliseet Indians, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BENNETT of Kennebunk, BERRY of Bowdoinham, BLACK of Wilton, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BROOKS of Winterport, CAMPBELL of Newfield, CAMPBELL of Orrington, CAREY of Lewiston, CASAVANT of Biddeford, CASSIDY of Lubec, CHAPMAN of Brooksville, CHASE of Wells, CHENETTE of Saco, CHIPMAN of Portland, CLARK of Easton, COOPER of Yarmouth, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, DAUGHTRY of Brunswick, DAVIS of Sangerville, DeCHANT of Bath, DEVIN of Newcastle, DICKERSON of Rockland, DILL of Old Town, DION of Portland, DOAK of Columbia Falls, DORNEY of Norridgewock, DUNPHY of Embden, DUPREY of Hampden, ESPLING of New Gloucester, EVANGELOS of Friendship, Speaker EVES of North Berwick, FARNSWORTH of Portland, FITZPATRICK of Houlton, FOWLE of Vassalboro, FREDETTE of Newport, FREY of Bangor, GATTINE of Westbrook, GIDEON of Freeport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GRANT of Gardiner, GUERIN of Glenburn, HAMANN of South Portland, HARLOW of Portland, HARVELL of Farmington, HAYES of Buckfield, HERBIG of Belfast, HICKMAN of Winthrop, HOBBS of Saco, HUBBELL of Bar Harbor, JACKSON of Oxford, JOHNSON of Eddington, JOHNSON of Greenville, JONES of Freedom, JORGENSEN of Portland, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, KORNFIELD of Bangor, KRUGER of Thomaston, KUMIEGA of Deer Isle, KUSIAK of Fairfield, LAJOIE of Lewiston, LIBBY of Waterboro, LIBBY of Lewiston, LOCKMAN of Amherst, LONG of Sherman, LONGSTAFF of Waterville, LUCHINI of Ellsworth, MacDONALD of Old Orchard Beach, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MAREAN of Hollis, MARKS of Pittston, MASON of Topsham, MASTRACCIO of Sanford, McCABE of Skowhegan, McCLELLAN of Raymond, McELWEE of Caribou, McGOWAN of York, McLEAN of Gorham, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORIARTY of Cumberland, MORRISON of South Portland, NADEAU of Fort Kent, NADEAU of Winslow, NEWENDYKE of Litchfield, NOON of Sanford, NUTTING of Oakland, PARRY of Arundel, PEAVEY HASKELL of Milford, PEOPLES of Westbrook, PETERSON of Rumford, PLANTE of Berwick, POULIOT of Augusta, POWERS of Naples, PRIEST of Brunswick, PRINGLE of Windham, RANKIN of Hiram,

REED of Carmel, ROCHELO of Biddeford, ROTUNDO of Lewiston, RUSSELL of Portland, RYKERSON of Kittery, SANBORN of Gorham, SANDERSON of Chelsea, SAUCIER of Presque Isle, SAXTON of Harpswell, SCHNECK of Bangor, SHAW of Standish, SHORT of Pittsfield, SIROCKI of Scarborough, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway, STUCKEY of Portland, THERIAULT of Madawaska, TIMBERLAKE of Turner, TIPPING-SPITZ of Orono, TREAT of Hallowell, TURNER of Burlington, TYLER of Windham, VEROW of Brewer, VILLA of Harrison, VOLK of Scarborough, WALLACE of Dexter, WEAVER of York, WELSH of Rockport, WERTS of Auburn, WILLETTE of Mapleton, WILSON of Augusta, WINCHENBACH of Waldoboro, WINSOR of Norway, WOOD of Sabattus, Senators: President ALFOND of Cumberland, BOYLE of Cumberland, BURNS of Washington, CAIN of Penobscot, CLEVELAND of Androscoggin, COLLINS of York, CRAVEN of Androscoggin, CUSHING of Penobscot, DUTREMBLE of York, FLOOD of Kennebec, GERZOFISKY of Cumberland, GRATWICK of Penobscot, HAMPER of Oxford, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of

**JOINT RESOLUTION RECOGNIZING APRIL 2, 2014
AS ARTS EDUCATION DAY**

WHEREAS, access to a high-quality education in all content areas for all students is vital to the future of the State of Maine; and

WHEREAS, arts literacy is fundamental to the complete education of all students; and

WHEREAS, arts education stimulates critical thinking, creativity and imagination, increases cooperative decision-making and leadership skills, promotes high-level literacy and communication and affords the opportunity for problem-posing and problem-solving; and

WHEREAS, arts education prepares students for the workplace by contributing significantly to the creation of creative, flexible, adaptable and knowledgeable workers who are needed in the 21st-century economy; and

WHEREAS, arts education is more successful when parents and families, artists, arts organizations, businesses and community institutions actively support arts education programs taught by qualified teachers; and

WHEREAS, outstanding arts education programs in schools and organizations across the State of Maine should be encouraged and publicly recognized; and

WHEREAS, educators, parents, students and other community members recognize the importance of requiring students to meet high standards in arts education; and

WHEREAS, the mission of the Maine Alliance for Arts and Education is to promote and advocate for arts, culture and educational excellence in visual art, music, theater, dance and writing in all Maine schools and communities; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature of the State of Maine now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize Wednesday, April 2, 2014 as Arts Education Day for the State of Maine; and be it further

RESOLVED: That we honor the outstanding education and advocacy work of Gloria Hewett, Suzanne Goulet and Emily Bean and send them our appreciation for their commitment to arts education; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Gloria Hewett, Suzanne Goulet, Emily Bean and the Maine Alliance for Arts and Education.

READ.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Nelson.

Representative **NELSON**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. Today is Arts Education Day in Maine. Today we celebrate, promote and advocate for arts, culture and educational excellence in visual arts, music, theater, dance, and writing in all Maine schools and communities. One of the great joys of being a member of the Education and Cultural Affairs Committee is not only that we get to work every day to support and strengthen the educational programs for all of Maine's children, but as the committee of oversight we get to hear regularly from Maine's cultural institutions. I have always been a strong proponent of arts education. I see the excitement it brings to so many children. As a musician, I know the power of music. The arts provide a different way of thinking and of expression and of communication. I believe that the arts are as essential a part of one's education as English and Mathematics. I urge you to take the time to look at the student artwork on the walls and in the committee rooms in the Cross Building. We start every legislative session with music: "The Star Spangled Banner." We are often serenaded by school choruses or bands in the Rotunda prior to session convening. All of this enriches our lives. Today we take time to honor and celebrate arts education and to thank some special arts educators for the important work they do every day. Please join us in the Hall of Flags at noon, hopefully we will be done by then, for celebration of Arts Education Day and enjoy the beautiful ceramic pin that was on your desk this morning. Each pin was hand painted by National Art Honor Society students under the direction of Heidi O'Donnell, President and Executive Chair of the Maine Art Education Association. Wear the pin and remember how important arts education is for our children, for our communities, for our state and for our nation. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative DeChant.

Representative **DeCHANT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to speak to this Joint Resolution. I am the Executive Director of the Chocolate Church Arts Center in Bath. I have been in this position since July of last year and it has been a great deal of hard work, but it has allowed me a great deal of insight into the creative economy. At the core of the creative economy is arts and education. When I was in school, I had band every day and had access to choir and art class. I played the cymbals in band, so you can imagine how often I had to practice. Now, in my child's school, the art experience is basically regulated to a couple times a week, if that, as well as all the crafts on a cart, so it moves throughout the school rather than to have a soft place to land. Now, I'm a big advocate for STEM which is Science, Technology, Engineering, and Math, but I also submit, without putting Art in there and without creating STEAM, that the STEM will fall short and not be as effective as it can be for our economy and our future. Now not every child is going to be a dancer and artist. I think my child first wanted to be a goat, so I think we're trying to steer him towards something maybe a little bit more

lucrative. But every child does need to learn creative problem-solving that will lead to innovation, that will lead to risk-taking and that will lead to future entrepreneurialism. At the Chocolate Church, this past December, we produced the best Christmas Pageant ever, and this is an example of what arts and education can do. Our performance required no fees to participate, but what we were able to do with a grant from the Davenport Foundation was to bring in legions of students from the area's schools and many of those students, this was their first time being an audience member, so it was their opportunity to experience what it's like to wait in line, what it's like to get a program, what it's like to sit and keep all of your extremities into a chair in the dark and have a performance that's live. That's something that I believe that can never be replicated in somebody's couch or in the living room playing a video game. So we need to incorporate education and the arts into our curriculum, and I admire that all the folks who are taking the lead and who are working in this and holding this vision for the State of Maine, with the Maine Alliance for Arts Education, the Maine Arts Commission, so that we can make sure that we have future artists, future audience members and future creative thinkers. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Beavers.

Representative **BEAVERS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I, too, want to honor this special day. Two of my three children are career artists and one is also an arts educator. They both belonged to their arts societies when they were in high school and they currently make a living through art, one here in Maine and one in New Mexico. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Mr. Speaker. Mr. Speaker, Friends and Colleagues of the House. Very briefly, in addition to the things that have just been said, I would like to point out that since I've been working a lot in technical education, one of the things that we look at when we're trying to improve education is to look sort of back up the pipeline of how are kids being educated before they get to the spot we're working on. I'm working primarily in the high school to college transition area, but I'd like to point out that arts education in the elementary school is the precursor to technical education later on. Thank you.

Subsequently, the Joint Resolution was **ADOPTED**.

Sent for concurrence.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

An Act To Promote New Models of Mobility and Access to Transportation

(H.P. 973) (L.D. 1365)

(C. "A" H-664)

Which was **TABLED** by Representative BERRY of Bowdoinham pending **RECONSIDERATION**.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 615V

YEA - Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy,

Chapman, Chase, Chenette, Chipman, Clark, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Duprey, Espling, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Keschl, Kinney, Kornfield, Kruger, Kumiega, Lajoie, Libby N, Lockman, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Nutting, Parry, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Welsh, Werts, Willette, Wilson, Winchenbach, Wood, Mr. Speaker.

NAY - Ayotte, Campbell R, Cotta, Crafts, Cray, Crockett, Davis, Dunphy, Fitzpatrick, Gifford, Guerin, Jackson, Johnson P, Knight, Libby A, Long, Malaby, Nadeau A, Newendyke, Pease, Peavey Haskell, Timberlake, Wallace, Weaver, Winsor.

ABSENT - Bennett, Black, Johnson D, Kent, Kusiak, Noon, Pringle.

Yes, 119; No, 25; Absent, 7; Excused, 0.

119 having voted in the affirmative and 25 voted in the negative, with 7 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following items:

Recognizing:

the following members of the Yarmouth High School drama club, the Yarmouth Playmakers, who won the Class B State Championship at the 2014 Maine Drama Festival: James Erwin, Matt LaMourie, Chandler Smith, Sam Steinbock, Chris McGonigle, Francis Leith, Joe Inger, Colin Prato, Philip Chowdry, Eli Puelle, Grant Gilman, Ben Waterman, Even Laukli, Ben Dow, Karl Munroe, Henry Jones, Matthew Truesdale, Jackson Ruprecht, Ian Guiney, Luke Bray, Maddy Whittemore, Samantha Mangino, Kayla Barton, Meredith Coolidge, Amelia French, Katie Champlin, Lily Daggett, Emma Maierhofer, Maggie Keefe, Libby Keefe, Cyrilla Ray, Emily Boyer, Sabrina Flanders, Molly Bernier, Wells Flanagan, Katie Vigue, Julia Kitonis, Lizzie Hall, Ella Werner, Mikayla Clifford, Grace Gabrielson, Olivia Leonard, Isabelle Murray, Katie Overhaug, Julia Beatty, Mari Cooper and Brooke Horney. Directed by teacher Betsy Heid-Puelle, the students presented a one-act play based on Rudyard Kipling's *Just So Stories*, adapted by Amelia French and with music by Karl Munroe. The Yarmouth Playmakers will represent Maine at the New England Drama Festival in St. Johnsbury, Vermont. We extend our congratulations and best wishes to the Yarmouth Playmakers on this achievement;

(HLS 818)

Presented by Representative COOPER of Yarmouth.

Cosponsored by Senator WOODBURY of Cumberland.

On **OBJECTION** of Representative COOPER of Yarmouth, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It's fitting that this Sentiment be heard today since this is Arts Appreciation Day. I'm proud to say that Yarmouth High School has been a powerhouse

in many respects, both academically and sports and the support that our community gives to our public school system. But one of the elements of that power has long been its drama program. The work of the Yarmouth Playmakers and its intrepid, talented director Betsy Heid-Puelle has been absolutely astonishing. Every fall, the Playmakers present a very large musical theater production involving sometimes half the student population, it seems. In the spring, they participate in the statewide One-Act Play competition, and this, in case your community doesn't participate in it, is a very interesting competition. The plays can be adapted or original. They must last no longer than 40 minutes. If you go beyond 40 minutes, if you go beyond one second past 40 minutes you are disqualified. The sets have to be put up and taken down in five minutes flat at each end. Again, if you go over one second, you're out of the competition. Well, Yarmouth Playmakers have, since 2000, won the state championship for their class, Class B, seven times. This year, it was particularly noteworthy. The play was adapted from stories written by Rudyard Kipling, by a student by the name of Amelia French. She took these stories and crafted a play that was amazingly effective and touching. She had Rudyard Kipling coming into the bedroom of his daughter who had died the year before and where he had, on many occasions, read these stories, mostly about animals, touching and beautiful children's stories. As he thought of his daughter and these stories, the play begins and I've been told that, at the end of the play, there was not a dry eye in the house. So I wanted to take this occasion to express my appreciation to the Playmakers, it's director, it's co-president, presidents Amelia French and James Erwin who are in the gallery today, and wish them the best of luck in the regional championship productions which will be held in the near future in Vermont. Thank you, Mr. Speaker.

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

Recognizing:

Dr. Jonathan Karnes, of Hallowell, for his dedicated service to the community and his active role in helping people around the world. Dr. Karnes is an active member and supporter of Faith Christian Church and its associated food pantry in Gardiner. He was involved with the 2013 AIDS Walk of Central Maine to benefit Horizon Program. From 2010 to 2012, Dr. Karnes was primary care coordinator for SAMM Homeless Shelter and the primary care preceptor for Alpha Home in San Antonio, Texas. He was faculty physician for the University of Texas Health Science Center medical mission to Ethiopia, working in the largest leprosy hospital in East Africa. He also provided primary care to the rural Ethiopian town of Aleto Wando and to the associated elementary school and women's training center. We send our appreciation to Dr. Karnes for his work with those in need and we send him our best wishes;

(HLS 819)

Presented by Representative BECK of Waterville.
Cosponsored by Senator FLOOD of Kennebec, Representative TREAT of Hallowell.

On **OBJECTION** of Representative BECK of Waterville, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Waterville, Representative Beck.

Representative **BECK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am pleased to offer my comments regarding a Sentiment recognizing Dr. Jonathan Karnes, of Hallowell. As the Sentiment reads, Dr.

Karnes is recognized for his work here in Maine where he's a family medicine physician with a special fellowship training in dermatology, for his work in support of those Mainers living with HIV and AIDS, with the homeless, and with patients in places like East Africa. I became aware though of Dr. Karnes's work because I was contacted by Holly Mullen, of Waterville, some of you who may know who works in the Office of Revisor of Statutes, about the care that Dr. Karnes provided to her mother in a scare and an unscheduled visit to the doctor's office. All is well and the Mullen family was so grateful they wrote to me and also to the Board of Medicine. There is an avenue at the Board of Medicine for filing complaints but not compliments, and so I was pleased to introduce this Sentiment. The Mullen family was very grateful and after reading their account, I was, too. So while the Sentiment recognizes some of the more unique or compelling work of Dr. Karnes, I think we are reminded that we are so fortunate in Maine to have excellent medical providers and excellent care. As we complete our legislative session, I think we should recognize this and recognize the work of physicians like Dr. Karnes. Thank you, Mr. Speaker.

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

Recognizing:

Melanie Jordan, of Dixfield, who won the Future Star of Tomorrow Award at the 2014 North American Country Music Associations, International competition held at Pigeon Forge, Tennessee. The annual competition includes talented musicians from the United States, Canada and Mexico. Melanie, a junior at Dirigo High School, was named Rising Star 2013 last year at a Maine music competition that qualified her to go to Tennessee. She traveled with members of the Downeast Country Music Association of Maine for her performance at the Country Tonite Theatre in front of 6,000 people. We extend our congratulations and best wishes to Melanie on her winning these competitions;

(HLS 820)

Presented by Representative BRIGGS of Mexico.
Cosponsored by Senator PATRICK of Oxford.

On **OBJECTION** of Representative BRIGGS of Mexico, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Mexico, Representative Briggs.

Representative **BRIGGS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I would like to congratulate Melanie Jordan, who is a junior at Dirigo High School in Dixfield. Melanie has been singing in the River Valley area and beyond for quite some time. She continues to receive recognition throughout the region and now nationally. Melanie and her mother left Maine on March 8 and traveled with members of the Downeast Country Music Association of Maine by tour bus to Pigeon Forge, Tennessee. It meant the world to Melanie to get the chance to compete nationally by singing country music in Tennessee. The teen vocalist was on stage of the Country Tonite Theatre in Pigeon Forge where she competed on March 15 during the North America Country Music Associations, International Competition. Melanie won the 2014 Future Star of Tomorrow Award after performing two songs in eight minutes during the competition. She thinks she won either fourth or fifth place in her 13- to 16-year-old age bracket for new modern country. She won't know how she was scored until June or July. Melanie was quoted "I got the Future Star of Tomorrow Award, which I think is for fourth or fifth place, but out of 19 people I competed against, I'm very happy with it," "It was just really

amazing, it's something I'm never going to forget." These were singers from all over the U.S., Canada and Mexico competing.

Last year in the Maine music competition, Melanie was named Rising Star 2013 and took second place, qualifying for the Tennessee competition. Because she was 16 years old when she competed in the Maine event, Melanie, who turned 17 in January, competed in the 13- to 16-year-old age bracket. She had to perform two songs in eight minutes or less that she got to choose from a list of songs for her age bracket. Members of the Maine group helped her pick the songs and mentored her. The two songs Melanie sang were "American Honey" by Lady Antebellum and "Born to Fly" by Sara Evans. She was on stage for a little over seven minutes. Fear didn't set in until she was backstage waiting to perform. But she had her "lucky socks" on. Melanie quoted "As soon as I got on stage, I felt right at home, I mean what was the worst I could do? Not get a trophy? Either way, I gained something from it, because I had nothing to lose." Melanie, from the people of this great state and members of this body, we would like to congratulate you in receiving this great and honored award. Thank you, Mr. Speaker.

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

Recognizing:

Charley Laflamme, of Ogunquit, on the occasion of his retirement after more than 32 years of dedicated service with the Department of Health and Human Services. Mr. Laflamme was a community care worker, responsible for the licensing and oversight of child care programs in Southern Maine for 21 years. He was committed to ensuring quality child care and a safe, wholesome environment for young children. Mr. Laflamme founded the Bicycle Coalition of Maine in 1992 and continues to actively participate in its activities and serves as a liaison to the Bike-Walk Alliance of New Hampshire, which he assisted in establishing. He is the chair of the Town of Ogunquit's Bike-Ped Committee, teaches bicycle education in the public schools in Southern Maine and participates in the York County Early Childhood Coalition. We extend our appreciation to Mr. Laflamme for his commitment to the citizens of the State and wish him well in his future endeavors;

(HLS 821)

Presented by Representative McGOWAN of York.

Cosponsored by Representative BEAUDOIN of Biddeford, Representative BEAVERS of South Berwick, Representative BENNETT of Kennebunk, Representative BOLAND of Sanford, Representative CAMPBELL of Newfield, Representative CASAVANT of Biddeford, Representative CHASE of Wells, Representative CHENETTE of Saco, Speaker EVES of North Berwick, Representative HOBBS of Saco, Representative KINNEY of Limington, Representative LIBBY of Waterboro, Representative MacDONALD of Old Orchard Beach, Representative MAREAN of Hollis, Representative MASTRACCIO of Sanford, Representative NOON of Sanford, Representative PARRY of Arundel, Representative PLANTE of Berwick, Representative RANKIN of Hiram, Representative RYKERSON of Kittery, Representative ROCHELO of Biddeford, Representative SANBORN of Gorham, Representative WEAVER of York, Senator COLLINS of York, Senator DUTREMBLE of York, Senator HILL of York, Senator PLUMMER of Cumberland, Senator TUTTLE of York, Senator VALENTINO of York.

On **OBJECTION** of Representative McGOWAN of York, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from York, Representative McGowan.

Representative **McGOWAN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House. It is my honor and privilege to recognize Charley Laflamme, at the time of his retirement, who has provided 32½ years of service to the children and families of Maine and the Department of Health and Human Services. His passion and commitment to the safety and welfare of Maine children brought him, at times, to challenge his supervisors and the practices of the Department of Health and Human Services. As a result of his courageous advocacy for children, reforms are being undertaken and staffing increases have been committed. The tragic outcome of this man's outstanding commitment to the families and children of Maine as he has chosen to retire due to the backlash to his dedication, to high standards and responsive services to our most vulnerable citizens. I ask you all to join me in applause for a man who has risked his own career to stand up for children in Maine.

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

Recognizing:

Tim C. Walton, of Fayette, who was named Associated Builders and Contractors' ambassador to Merit Canada. The position will directly support and promote the efforts of the CAN-AM Merit Alliance, formed between Associated Builders and Contractors and Merit Canada. Mr. Walton is director of external affairs and public policy at Cianbro in Pittsfield and will be working with Merit Canada to address key issues relevant to construction contractors in North America and advancing free enterprise. We extend our congratulations and best wishes to Mr. Walton on this appointment;

(HLS 822)

Presented by Representative GIFFORD of Lincoln.

Cosponsored by Representative KESCHL of Belgrade, Senator SAVIELLO of Franklin, Representative FREDETTE of Newport, Senator SHERMAN of Aroostook, Senator JACKSON of Aroostook, Representative DION of Portland.

On **OBJECTION** of Representative GIFFORD of Lincoln, was **REMOVED** from the Special Sentiment Calendar.

READ.

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. Very briefly, I had the privilege and opportunity to work with Tim Walton now for the last three and a half years, particularly in regards to the role of the Maine-Canadian Legislative Advisory Commission, which is a bipartisan Commission, where we've had the opportunity to visit both Quebec and New Brunswick in working on issues related to tourism, border crossing issues and energy issues. Tim brings a wealth of knowledge to his role as being the commercial representative on that Commission, and we appreciate all his hard work and time that he brings to that Commission. Thank you, Tim, very much.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Gifford.

Representative **GIFFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I also have had the pleasure of the last three years of working with Tim Walton on the Canadian Commission trade issues, and it definitely has been a great relationship and we wish Tim well in his new position. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from South Berwick, Representative Beavers.

Representative **BEAVERS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I want to agree with the comments that have been said prior to mine. I congratulate Tim, and I also want to let him know I can't wait until his company starts working on the Sarah Mildred Long Bridge between Kittery and Portsmouth.

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

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-459)** on Bill "An Act To Clarify and Update a Nurse's Authority To Administer Medication"

(S.P. 701) (L.D. 1766)

Signed:

Senator:

PATRICK of Oxford

Representatives:

HERBIG of Belfast

CAMPBELL of Newfield

GILBERT of Jay

HAMANN of South Portland

MASON of Topsham

MASTRACCIO of Sanford

WINCHENBACH of Waldoboro

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

Signed:

Senator:

CUSHING of Penobscot

Representatives:

DUPREY of Hampden

LOCKMAN of Amherst

Came from the Senate with 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-459) AS AMENDED BY SENATE AMENDMENT "A" (S-465)** thereto.

READ.

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

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

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

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

ROLL CALL NO. 616

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell R, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hubbell, Jackson, Johnson P, Jones, Jorgensen, Kaenrath, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nelson, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Bennett, Black, Campbell J, Carey, Cotta, Gideon, Hobbins, Johnson D, Kent, Kusiak, Malaby, Nadeau C, Noon, Pringle, Rochelo, Villa.

Yes, 135; No, 0; Absent, 16; Excused, 0.

135 having voted in the affirmative and 0 voted in the negative, with 16 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-459)** was **READ** by the Clerk.

Senate Amendment "A" (S-465) to **Committee Amendment "A" (S-459)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-459) as Amended by **Senate Amendment "A" (S-465)** 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**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-459) as Amended by Senate Amendment "A" (S-465)** thereto in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-475)** on Bill "An Act To Amend the Laws Regarding Special Food and Beverage Taste-testing Event Licenses"

(S.P. 628) (L.D. 1637)

Signed:

Senators:

TUTTLE of York

MASON of Androscoggin

Representatives:

LUCHINI of Ellsworth

BEAULIEU of Auburn

FOWLE of Vassalboro

GIFFORD of Lincoln

KINNEY of Limington

LONGSTAFF of Waterville

RUSSELL of Portland

SAUCIER of Presque Isle
SCHNECK of Bangor
TURNER of Burlington

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

Signed:
Senator:
PATRICK of Oxford

Came from the Senate with 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-475)**.

READ.

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

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

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

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

ROLL CALL NO. 617

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Brooks, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hubbell, Jackson, Johnson P, Jones, Jorgensen, Kaenrath, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nelson, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Bennett, Black, Briggs, Campbell J, Cotta, Fitzpatrick, Hobbins, Johnson D, Kent, Kusiak, Malaby, McGowan, Nadeau C, Noon, Pringle, Rochelo, Villa.

Yes, 134; No, 0; Absent, 17; Excused, 0.

134 having voted in the affirmative and 0 voted in the negative, with 17 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-475)** 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" (S-475)** in concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 1297) (L.D. 1806) Bill "An Act To Implement the Recommendations Contained in the State Government Evaluation Act Review of the Maine Public Employees Retirement System" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass**

(H.P. 1289) (L.D. 1797) Bill "An Act Expanding Access to Early Postsecondary Education" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-783)**

(H.P. 1303) (L.D. 1816) Bill "An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-784)**

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

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

(H.P. 1257) (L.D. 1751) Bill "An Act To Provide Property Tax Relief to Maine Residents" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-785)**

On motion of Representative WILLETTE of Mapleton, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

ENACTORS

Emergency Measure

An Act To Amend the Reporting Requirements for the Business Equipment Tax Exemption

(S.P. 618) (L.D. 1627)
(C. "A" S-462)

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. 129 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.

Emergency Measure

An Act To Assist Victims of Human Trafficking

(H.P. 1238) (L.D. 1730)
(C. "A" H-763)

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

Representative McCABE of Skowhegan **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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 618

YEA - Ayotte, Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Jackson, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Bennett, Black, Fitzpatrick, Hobbins, Hubbell, Johnson D, Kusiak, Malaby, Noon, Pringle.

Yes, 141; No, 0; Absent, 10; Excused, 0.

141 having voted in the affirmative and 0 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Protect Jobs in the Forest Product Industry

(H.P. 1283) (L.D. 1792)

(C. "A" H-758)

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

The **SPEAKER**: The Chair recognizes the Representative from Medway, Representative Stanley.

Representative **STANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. As the sponsor of LD 1792, I wish to state for the record the intentions behind LD 1792 and the intention of the committee in unanimously asking you to support the language contained in Committee Amendment "A." Enacting this bill with your strong support will be helpful in creating the framework for an agreement between Great Northern Paper and Brookfield Renewable Energy that hopefully will lead to the restart of the presently closed mill in East Millinocket, the preservation of over 200 direct jobs, hundreds of indirect jobs and a way of life in the Katahdin region. Indeed, the operations of Great Northern Paper are currently idle, due to the very difficult and unstable market conditions, combined with unstable wood and energy pricing. The mill ceased operations on January 23, 2014, and approximately 210 Great Northern Paper employees were laid off on February 6, 2014. Great Northern Paper's management has assembled a restructuring plan which addresses key elements required for the business to be successful, with its primary focus on energy and wood requirements. The intention is to successfully implement all components of this plan and successfully restart the mill.

Committee Amendment "A," which completely replaces the original bill, has the bipartisan and unanimous support of the Energy, Utilities and Technology Committee. The amendment amends the 2001 Private and Special Law that governs the sale of electricity produced by the former Great Northern dams that were originally authorized by a Private and Special Law enacted in 1897. The dams the Legislature has allowed to be constructed in this area of the Penobscot River and the power they have generated for generations have been key to the operation of the Great Northern Paper mills in Millinocket and East Millinocket. The fate of these towns has always been linked to the mills. The towns were built around the mills. Without the hydropower facilities, the mills would not exist. Without the mills, the towns would not be there.

Great Northern Paper Company, LLC, acquired the mills in September 2011 after they were closed by Brookfield. In late January 2014, the East Millinocket mill was shut down. Great Northern Paper began to put together a strong restructuring plan. The restructuring effort, however, has encountered some obstacles specific to its energy requirements and associated agreements. The existing Private and Special Law significantly impedes Great Northern's ability to negotiate with Brookfield Energy in a collaborative manner as it contains certain restrictions that present potential reasons for Brookfield to decline to share excess revenue generated through remarketing of energy during the restructuring and in the future, thereby allowing the excess profits from the sale of energy to facilitate the restart and ongoing operations of the mill.

The Private and Special Law passed in 2002 effectively prevents the owner of the hydro facilities, Brookfield Energy, and Great Northern from sharing any of the excess revenues associated with a closure of the mill in excess of 90 days. That law was put in place to deter subsidizing the long-term shut down of the papermaking operations with revenues generated from the resale of the power onto the grid. That language is now having the perverse effect of effectively preventing Great Northern from gaining the benefit of revenue generated from the sale of power to assist with its efforts to restart and maintain paper production.

I worked with Senator Cleveland, Representative Hobbins and members of the committee to assure that this new language I am urging you to support specifically clarifies that so-called load-shedding arrangements would allow Great Northern Paper to share in the revenue received from the sale of power that would otherwise be going to the mill is expressly allowed. Indeed, passage of this bill will show that it is the Legislature's specific intent to make load-shedding permissible by assuring that the current law would not prohibit short-term load-shedding and would allow load-sharing for a longer term via a one-time exception.

Let me make it perfectly clear that this legislation is permissible. It does not mandate that the owner of the mills and the owner of the hydroelectric facilities are required to do anything. It is my strong belief and the belief of the committee that the parties should come to a mutually agreeable resolution of their differences so that the mill can restart. We heard that the crucial aspect of the mill's restart is to be able to receive revenue from the load shedding, both during the present closure and in the future. The owner of the hydro facilities objected to the original language. While we could have continued down the path of the original bill, it was clear that the owner of the hydro facilities would litigate whatever was enacted, totally delay the process, and prevent the restart of the mill.

With the Committee Amendment, we believe we have removed any rationale for litigating any aspect of this law. While

it is our strong intention that the parties come together and reach a mutually agreeable solution so that the mill can restart, we fully understand that the owners of the hydropower facilities hold the key to the resolution of this matter. We strongly urge the owner of the hydropower facilities to do what is necessary to assist Great Northern Paper to restart the mill under its new restructuring plan and get the workers back to the mill, on the job.

The state's power as trustee of the public's surface water resource gives this Legislature the authority to determine the appropriate use of these waters to assure that they are used for the benefit of the public. This has been clear since the original charter granting Great Northern the privilege to "construct and maintain dams" on the Penobscot River. Since the state originally granted Great Northern the privilege to develop the dams, this Legislature has amended the original charter over a dozen times and has enacted various conditions on how these assets can be used. With this bill, we are removing any statutory impediments that prevent Great Northern Paper from receiving the economic benefit from these dams as originally envisioned. Great Northern's restructuring plan is the only chance of getting the mill back into operation. The unions have been very involved with Great Northern in discussions regarding the restructuring plan and are fully supportive of the company's efforts and of this legislation.

Sharing revenues that are available from load-shedding is a critical piece of Great Northern's restructuring plan to restart and maintain operations. We are hopeful that by removing any impediments in existing law to allow Great Northern to benefit from revenues from the sale of electricity shows our strong support for restarting papermaking operations, supporting the workers, supporting the heritage of the Katahdin region, and we strongly urge the owner of the hydropower facilities to recognize that it is the key to a successful startup and ongoing paper production. Without this legislation, there likely is little hope of restarting the East Millinocket mill. Even with passage of this bill, there is no concrete assurance the mill will restart. As I've noted, we are looking for the owner of the hydro facilities to partner with Great Northern Paper to give the company its workers and the region the opportunity to maintain jobs and its papermaking heritage. I sincerely hope you will follow the bipartisan and unanimous support of the committee and vote to pass LD 1792. Thank you.

Representative FREDETTE of Newport **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**: The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. There are few things that strike fear in the heart of Mainers than the news that another paper mill has closed its doors. Today, we have an opportunity to open those doors. As the good Representative from Medway just said, there are no guarantees that those doors will open for the 239 people currently out of work who would like to be back making paper. But by voting in the affirmative on this bill, we can collectively send a message to the Millinocket region that we care about them, that our hearts are with them, and that we are going to do everything in our power to make sure that those families have a job as quickly as possible and that that community is taken care of. So I'm not going to say much beyond that other than let's take the fear out of everybody's hearts, let's put back into our hearts hope, and let's send hope back up to the people of the Millinocket region courtesy of the Maine House of Representatives. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Winterport, Representative Brooks.

Representative **BROOKS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. My good friend, the Representative from Medway, is right on. Now is the time to send the message and that message is put people back to work, 218 of them, right in his area. Thank you, Mr. Speaker.

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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 619

YEA - Ayotte, Beaudoin, Beavers, Beck, Berry, Bolland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hubbell, Jackson, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaulieu, Bennett, Black, Hobbins, Johnson D, Kusiak, Noon, Pringle.

Yes, 143; No, 0; Absent, 8; Excused, 0.

143 having voted in the affirmative and 0 voted in the negative, with 8 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Concerning Maine's Involuntary Treatment and Involuntary Commitment Processes

(H.P. 1244) (L.D. 1738)

(C. "A" H-764)

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 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Establish the Commission To Study College Affordability and College Completion

(S.P. 748) (L.D. 1849)
(S. "A" S-468)

(H.P. 1281) (L.D. 1789)
(C. "A" H-765)

An Act To Protect the State's Authority in Issues Concerning Federal Relicensing of Dams Located in the State

(H.P. 1315) (L.D. 1826)
(C. "A" H-766)

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

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Final Passage. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 620

YEA - Ayotte, Beaudoin, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Duprey, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hubbell, Johnson P, Jones, Jorgensen, Kent, Keschl, Kinney, Kornfield, Kruger, Kumiega, Lajoie, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Nutting, Parry, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Welsh, Werts, Willette, Wilson, Winchenbach, Wood, Mr. Speaker.

NAY - Campbell R, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Dunphy, Espling, Fitzpatrick, Gifford, Guerin, Harvell, Jackson, Libby A, Lockman, Long, Malaby, McElwee, Nadeau A, Newendyke, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Wallace, Weaver, Winsor.

ABSENT - Beaulieu, Bennett, Black, Hobbins, Johnson D, Kaenrath, Knight, Kusiak, Noon, Pringle.

Yes, 110; No, 31; Absent, 10; Excused, 0.

110 having voted in the affirmative and 31 voted in the negative, with 10 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

The following item was taken up out of order by unanimous consent:

**ENACTORS
Emergency Measure**

Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Major Substantive Rule of the Department of Education

(H.P. 1254) (L.D. 1747)
(H. "A" H-777 to C. "A" H-757)

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

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Raymond, Representative McClellan.

Representative **McCLELLAN**: Thank you, Mr. Speaker. Good morning, good afternoon here. I just rise because I spoke against this bill the other day, the 180 rules, and I just wanted to share I got a lot of feedback personally afterwards from people. I learned I'm not a team player because I questioned the process and so I wanted to put that out there. Again, I want to acknowledge there was a lot of hard work. This is actually something we worked on for a couple of years and I want to acknowledge the hard work, and I certainly struggle standing up here and not supporting it today, but I guess the way I look at it is I don't think the rules are ready. I think there are issues with some of the things. I've heard this from educators in my world. So one sense would be, well, they're pretty good, let's vote for them, and I just don't try to roll that way. I really try to do things as best as we can. I really wish we had more time and I put that out. I put that out in the committee, it didn't get any traction. I tried to talk about it yesterday and it didn't get any traction. So this is not an easy thing for me to do, but I wanted to get up and let you know what my train of thought was. Thank you, Mr. Speaker.

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 621

YEA - Beaudoin, Beaulieu, Beavers, Beck, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hubbell, Johnson P, Jones, Jorgensen, Kent, Kornfield, Kruger, Kumiega, Lajoie, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McElwee, McGowan, McLean, Monaghan-Derrig,

Acts

An Act To Require Health Insurers To Provide Coverage for Human Leukocyte Antigen Testing To Establish Bone Marrow Donor Transplantation Suitability

(H.P. 1172) (L.D. 1600)
(C. "A" H-755)

An Act To Clarify the Law Governing the Maintenance of Veterans' Grave Sites

(S.P. 656) (L.D. 1662)
(C. "A" S-469)

An Act To Amend the State's Tax Laws

(S.P. 673) (L.D. 1707)
(C. "A" S-472)

An Act To Modernize and Improve the Efficiency of Maine's Courts

Moonen, Moriarty, Morrison, Nadeau C, Nelson, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Welsh, Werts, Wilson, Mr. Speaker.

NAY - Ayotte, Berry, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Keschl, Kinney, Knight, Libby A, Lockman, Long, Malaby, McClellan, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Volk, Wallace, Weaver, Willette, Winchenbach, Winsor, Wood.

ABSENT - Bennett, Black, Campbell R, Hobbins, Johnson D, Kaenrath, Kusiak, Noon, Pringle.

Yes, 97; No, 45; Absent, 9; Excused, 0.

97 having voted in the affirmative and 45 voted in the negative, with 9 being absent, and accordingly the Resolve **FAILED FINAL PASSAGE**.

Subsequently, on motion of Representative BERRY of Bowdoinham, the House **RECONSIDERED** its action whereby the Resolve **FAILED FINAL PASSAGE**.

On further motion of same Representative, **TABLED** pending **FINAL PASSAGE** and later today assigned.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I want to mark this day as the day that democracy may have died. You may disagree with me, but today the Supreme Court came down in *McCutcheon v. Federal Election Commission* and stated, under the court's ruling, donors will have a \$2,600 limit per campaign but that wealthy donors now do not have to worry about a two-year cap of \$123,200, which means that wealthy donors now can invest their resources in any political candidate across the country with no fear of a cap. If you disagree with *Citizens United*, as many of us did on the floor of this body, one should be very concerned about the ruling that came down today. Thank you, Mr. Speaker.

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

Representative **CAMPBELL**: Mr. Speaker, if I was in my seat, I would have voted, on LD 1637, I would have voted yea and on 1766 I would have voted yea.

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

Representative **BRIGGS**: Thank you, Mr. Speaker. Mr. Speaker, had I been present on Roll Call No. 617, LD 1637, I would have voted yea.

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

Representative **VILLA**: Thank you, Mr. Speaker. Had I been present for roll call, I would have voted on LD 1637 yea and LD 1766 yea.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

On motion of Representative FREDETTE of Newport, the House adjourned at 11:16 a.m., until 9:00 a.m., Thursday, April 3, 2014.