

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**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

LEGISLATIVE RECORD - HOUSE, April 14, 2014

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
SECOND REGULAR SESSION  
42nd Legislative Day  
Monday, April 14, 2014

Representative BERRY of Bowdoinham assumed the Chair.  
The House met according to adjournment and was called to order by the Speaker Pro Tem.  
Prayer by Pastor Doris Morgan, Bartlett Memorial United Methodist Church, North Jay.  
National Anthem by Molly Worthley, Vassalboro.  
Pledge of Allegiance.  
Doctor of the day, Mary Casey Murphy, M.D., South Portland.  
The Journal of Friday, April 11, 2014 was read and approved.

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

**COMMUNICATIONS**

The Following Communication: (H.C. 418)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

April 14, 2014  
Honorable Millicent M. MacFarland  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Clerk MacFarland:

Pursuant to my authority under House Rule 201.1 (H), I have appointed Representative Seth A. Berry of Bowdoinham to serve as Speaker Pro Tem to convene the House on Monday, April 14, 2014.

Sincerely,  
S/Mark W. Eves  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

**COMMUNICATIONS**

The Following Communication: (H.C. 415)

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

April 14, 2014  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:  
Pursuant to Joint Rule 310, the following Joint Standing Committee has voted unanimously to report the following bill out "Ought Not to Pass:"

Education and Cultural Affairs  
L.D. 1638 An Act To Improve Educational Outcomes for Students in Poverty in Maine's Public Schools (EMERGENCY)

The sponsor and cosponsors have been notified of the Committee's action.

Sincerely,  
S/Millicent M. MacFarland  
Clerk of House

**READ and with accompanying papers ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 911)

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

April 11, 2014  
Honorable Millicent M. MacFarland  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Clerk MacFarland:

Senate Paper 552, Legislative Document 1487, "An Act To Provide Fiscal Predictability to the MaineCare Program and Health Security to Maine People," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

22 voted in favor and 13 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,  
S/Darek M. Grant  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 913)

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

April 11, 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 nominations:

Upon the recommendation of the Committee on Education and Cultural Affairs, the nomination of Beth Anne Lorigan of Brewer for appointment to the Maine Community College System, Board of Trustees.

Upon the recommendation of the Committee on Education and Cultural Affairs, the nomination of Patricia A. Duran of Hermon for appointment to the Maine Community College System, Board of Trustees.

Best Regards,  
S/Darek M. Grant  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

**ORDERS**

On motion of Representative TURNER of Burlington, the following Joint Resolution: (H.P. 1348) (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, BOLDOC 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, NELSON of Falmouth, NEWENDYKE of Litchfield, NOON of Sanford, NUTTING of Oakland, PARRY of Arundel, PEASE of Morrill, PEAVER 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 Midway, STUCKEY of Portland, THERIAULT of Madawaska, TIMBERLAKE of Turner, TIPPING-SPIZ of Orono, TREAT of Hallowell, 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, GERZOFSKY of Cumberland, GRATWICK of Penobscot, HAMPER of Oxford, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of Kennebec, LACHOWICZ of Kennebec, LANGLEY of Hancock, MASON of Androscoggin, MAZUREK of Knox, MILLETT of Cumberland, PATRICK of Oxford, PLUMMER of Cumberland, SAVIELLO of Franklin, SHERMAN of Aroostook, THIBODEAU of Waldo, THOMAS of Somerset, TUTTLE of York, VALENTINO of York, VITELLI of Sagadahoc, WHITTEMORE of Somerset, WOODBURY of Cumberland, YOUNGBLOOD of Penobscot)

**JOINT RESOLUTION RECOGNIZING**

**ORAL, HEAD AND NECK CANCER AWARENESS WEEK**

WHEREAS, cancer is a disease that impacts nearly every one of us, with one in 3 men and one in 2 women expected to be diagnosed with cancer at some point in their lifetimes; and

WHEREAS, the American Cancer Society estimates that more than 100,000 Americans will be diagnosed with cancers of the head and neck this year, including thyroid cancer, and nearly 14,000 will die from one of these types of cancer this year; and

WHEREAS, less than 60 percent of all head and neck cancer patients will live 5 years following their diagnoses; and

WHEREAS, over 85 percent of all oral, head and neck cancers could have been prevented and only a small percentage of the people of the United States understand oral, head and neck cancer or its causes, its treatments or its prevention; and

WHEREAS, a significant number of individuals treated for oral, head and neck cancer encounters disability due to breathing, swallowing, speaking, physical and visual difficulties; and

WHEREAS, increased awareness of oral, head and neck cancer could result in earlier diagnosis, lower functional disability and higher survival rates; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize Oral, Head and Neck Cancer Awareness Week, April 14 to 20, 2014 in order to increase awareness of this health problem.

**READ.**

The SPEAKER PRO TEM: The Chair recognizes the Representative from Burlington, Representative Turner.

Representative TURNER: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I rise today to speak about something very personal. I do so because I hope it will save a life or help somebody.

Cancer is a disease that impacts nearly every one of us, with 1 in 3 men and 1 in 2 women expected to be diagnosed with cancer at some point in their life. The American Cancer Society estimates that more than 100,000 Americans will be diagnosed with cancer of the head and neck this year and nearly 14,000 will die from one of these types of cancer. Less than 60 percent of all head and neck cancer patients will live 5 years following their diagnoses.

These are all statistics that were quoted to me one year ago on April 18 when I was diagnosed with neck cancer after my first surgery. That day my life stopped in its tracks when I heard, "I have some very bad news to tell you." But after the shock I decided it was not the day I would become a cancer victim, but instead it was the day I became a cancer survivor, meaning I had another day to live.

People ask me if I'm okay now. The answer is no, I'm not 100 percent, but what I do every day is embrace my new life. Once you have cancer you're not going to go back to the way your life

was. Some things are definitely going to change. If you accept that, you will be more mentally able to deal with everything. I would also be very remiss if I didn't acknowledge you folks because you were a large part of my healing process and I thank you.

For me my story is a positive one because I paid attention to the early warnings. I had a lump in my neck that my doctors were watching with scans and tests. But more recent my PET scans were clear in January and all reports from all my doctors are positive.

This week recognizes oral, head and neck cancer. To reduce your risk you should avoid tobacco products. If you use these products, please get the help you need to quit. Avoid excessive alcohol use, practice good oral hygiene and visit your dentist regularly. I encourage every one of you to take advantage of these screenings for oral, head and neck cancer, and encourage you to make sure that friends and your family pay attention to the warning signs. Thank you, Mr. Speaker, and Women and Men of the House.

The SPEAKER PRO TEM: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Mr. Speaker. I would be remiss if I let this go without just saying a few words. I am about, well, I guess I would say that I would not be here today if I did not have thyroid cancer a little over 10 years ago. I agree with the good Representative that when you get that diagnosis and you're in that shock of the diagnosis, your focus changes and your life is all about just getting better. And that's what it was like for me too. And, I have to say, though, that through that experience, it made me a better person and a stronger person. Growing up, I was always a kind of a meek and mild shy person, if you can believe it. And this kind of made me have that confidence that I could be anything, that I could do anything. And that's something that I hold on to.

I get checked every year. I go to the doctor. Every year I hold my breath and wait for the tests and so far it's been clear, and that's how it will be the rest of my life of getting that checked. But, my diagnosis came about because I had a winter of recurring strep throat, just strep throat that I kept having antibiotics for. It wouldn't go away. I finally went to an ENT and he did a very thorough neck exam. And I can't stress that enough. Sometimes we kind of feel around, but he did a really thorough neck exam, and he felt the nodules on my thyroid. And then I had a needle biopsy and they diagnosed me with cancer.

So, the awareness is super important. The type of cancer I had strikes younger women and it might not be something that you're looking for, especially if you're a non-smoker and you don't have other health risks. So, thorough neck exam is key. As a member of the Thyroid Cancer Association, they stress and they often do Check Your Neck campaigns. Just check your neck. So, thank you Representative for putting this in. Thank you very much.

Subsequently, the Joint Resolution was **ADOPTED**.  
Sent for concurrence.

#### SPECIAL SENTIMENT CALENDAR

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

##### Recognizing:

the members of the Dirigo High School Wrestling Team, on their winning the 2014 Class C State Championship: Jason Baldinelli, Julian Baldinelli, Torey Barnett, Tucker Barnett, Gus Brown, Jon Flagg, Dylan Helms, Jesse Hutchinson, Phuc "Ivan" Luu, Lucas MacDonald, Joshua Mostofizadeh, Griffyn Smith,

Gavin Sanders, Spencer Vaughan, Hunter White, Colin Woodhead and Bryce Whittemore; managers Maddie DeGroot, Ashley Hutchinson, Christina Tubbs and Kaylee White; and coaches Doug Gilbert, Dana Whittemore and Gunnar Bradbury. This is the Cougars' first State championship title since 1997. We extend our congratulations and best wishes to the team on this achievement;

(HLS 916)

Presented by Representative BRIGGS of Mexico.  
Cosponsored by Senator PATRICK of Oxford, Senator SAVIELLO of Franklin.

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

##### READ.

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

Representative **BRIGGS**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, congratulations to the Dirigo High School Wrestling Team for winning its first State title since 1997. The team was led by champions Griffyn Smith, 106 pounds and Jesse Hutchinson, 160. The Cougars placed 11 athletes in the top three of the 14 weight classes. It was Dirigo that relied on its depth and completed its mission scoring 195.5 points to win the Class C Team Crown.

The Cougars pulled away from Dexter, which finished in second with 158 points. It figured to be a two team race between the Cougars and Dexter from the beginning, and it showed in the early matches as the coaches continued to check match results, team points and strategies. But that became a moot point when the Cougars won nine of 11 semi-final matches to open up an insurmountable 50 point lead. It was the most points that Dirigo ever scored in one round at a State meet.

The Cougars have relied on their depth throughout the season and achieved its objective in the same fashion. Again, I would like to congratulate the Dirigo wrestlers on their 2014 Class C State Championship win.

Also, I would like to rise to recognize and congratulate the Dirigo Cougars Baseball Team on their winning the 2013 Class C State Championship Game as they celebrated their 8 – 2 victory over Stearns High School of Millinocket on Saturday, June 15th of last year. I did prepare a Legislative Sentiment for the team last summer, but we were just not able to connect between then and now. So, today I stand to recognize the baseball team as well. This is Dirigo's third Class C baseball title in four years. Dirigo did it in a typical gritty fashion with a rally from an early deficit in what became its 2013 playoff custom. Every starter got on base at least once for Dirigo, which banged out at total of 11 hits against the Stearns pitchers. Stearns was also held to two unearned runs.

Coach Ryan Palmer was quoted as saying, "We've been back in a lot of games this year. We've come back. These kids have worked so hard. People don't understand day in and day out how hard they worked. I try to give them a day off and they get mad at me." I agree in that this is a great group of players, managers and coaches on and off the field. There is a strong bond between them, there is no doubt.

And once again, it gives me great honor today to recognize and congratulate the Dirigo Cougars for winning the 2013 Class C Boys Baseball Championship. Thank you, Mr. Speaker.

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

**Recognizing:**

the Honorable H. Sawin Millett, Jr., of Waterford, on the occasion of his nearly 55 years of public service at the local, state and federal levels in Maine. Mr. Millett began his exemplary career as a teacher and coach at Carmel High School in 1959, after graduating from Bates College. He served as a teacher, coach and principal until 1971, having earned a Master's in Education from the University of Maine in 1967. He served as the Executive Director of the Maine School Management Association and was an Assistant Professor with the University of Southern Maine. Mr. Millett entered politics at the local level, serving as a selectman from 1963 to 1970 in Dixmont and as a selectman in his hometown of Waterford from 1986 to 1989. He served in the House of Representatives from 1969 to 1972 and for 4 consecutive terms from 2002 to 2010, during the last 3 as the lead House Republican on the Joint Standing Committee on Appropriations and Financial Affairs. Mr. Millett has also served 5 governors during his distinguished career. He served as the Commissioner of Education for Governor Longley from 1976 to 1979 and for Governor Brennan in 1979. For Governor McKernan he served as a Legislative Director from 1987 to 1989, as the Finance Commissioner from 1989 to 1991 and then as the Commissioner of the newly created Department of Administrative and Financial Services from 1991 to 1995. Mr. Millett served Governor King as a Policy Advisor in 1995 and as the Associate Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services from 1996 to 2000. He was Western Maine Regional Director for Senator Susan Collins from 2000 to 2002. Mr. Millett completes his long tenure of public service as the Commissioner of Administrative and Financial Services under Governor LePage, a position he has held for 39 months. We send our appreciation and best wishes to Mr. Millett for his many years of commitment to public service and his extraordinary efforts in serving the State and Nation;

(HLS 927)

Presented by Representative WINSOR of Norway.

Cosponsored by Representative AYOTTE of Caswell, Representative BEAR of the Houlton Band of Maliseet Indians, Representative BEAUDOIN of Biddeford, Representative BEAULIEU of Auburn, Representative BEAVERS of South Berwick, Representative BECK of Waterville, Representative BENNETT of Kennebunk, Representative BERRY of Bowdoinham, Representative BLACK of Wilton, Representative BOLAND of Sanford, Representative BOLDUC of Auburn, Representative BRIGGS of Mexico, Representative BROOKS of Winterport, Representative CAMPBELL of Newfield, Representative CAMPBELL of Orrington, Representative CAREY of Lewiston, Representative CASAVANT of Biddeford, Representative CASSIDY of Lubec, Representative CHAPMAN of Brooksville, Representative CHASE of Wells, Representative CHENETTE of Saco, Representative CHIPMAN of Portland, Representative CLARK of Easton, Representative COOPER of Yarmouth, Representative COTTA of China, Representative CRAFTS of Lisbon, Representative CRAY of Palmyra, Representative CROCKETT of Bethel, Representative DAUGHTRY of Brunswick, Representative DAVIS of Sangerville, Representative DeCHANT of Bath, Representative DEVIN of Newcastle, Representative DICKERSON of Rockland, Representative DILL of Old Town, Representative DION of Portland, Representative DOAK of Columbia Falls, Representative DORNEY of Norridgewock, Representative DUNPHY of Embden, Representative DUPREY of Hampden, Representative ESPLING of New Gloucester, Representative EVANGELOS of Friendship, Speaker EVES of North Berwick, Representative FARNSWORTH of Portland, Representative

FITZPATRICK of Houlton, Representative FOWLE of Vassalboro, Representative FREDETTE of Newport, Representative FREY of Bangor, Representative GATTINE of Westbrook, Representative GIDEON of Freeport, Representative GIFFORD of Lincoln, Representative GILBERT of Jay, Representative GILLWAY of Searsport, Representative GOODE of Bangor, Representative GRAHAM of North Yarmouth, Representative GRANT of Gardiner, Representative GUERIN of Glenburn, Representative HAMANN of South Portland, Representative HARLOW of Portland, Representative HARVELL of Farnington, Representative HAYES of Buckfield, Representative HERBIG of Belfast, Representative HICKMAN of Winthrop, Representative HOBBS of Saco, Representative HUBBELL of Bar Harbor, Representative JACKSON of Oxford, Representative JOHNSON of Eddington, Representative JOHNSON of Greenville, Representative JONES of Freedom, Representative JORGENSEN of Portland, Representative KAENRATH of South Portland, Representative KENT of Woolwich, Representative KESCHL of Belgrade, Representative KINNEY of Limington, Representative KNIGHT of Livermore Falls, Representative KORNFIELD of Bangor, Representative KRUGER of Thomaston, Representative KUMIEGA of Deer Isle, Representative KUSIAK of Fairfield, Representative LAJOIE of Lewiston, Representative LIBBY of Waterboro, Representative LIBBY of Lewiston, Representative LOCKMAN of Amherst, Representative LONG of Sherman, Representative LONGSTAFF of Waterville, Representative LUCHINI of Ellsworth, Representative MacDONALD of Old Orchard Beach, Representative MacDONALD of Boothbay, Representative MAKER of Calais, Representative MALABY of Hancock, Representative MAREAN of Hollis, Representative MARKS of Pittsford, Representative MASON of Topsham, Representative MASTRACCIO of Sanford, Representative McCABE of Skowhegan, Representative McCLELLAN of Raymond, Representative McELWEE of Caribou, Representative McGOWAN of York, Representative McLEAN of Gorham, Representative MITCHELL of the Penobscot Nation, Representative MONAGHAN-DERRIG of Cape Elizabeth, Representative MOONEN of Portland, Representative MORIARTY of Cumberland, Representative MORRISON of South Portland, Representative NADEAU of Fort Kent, Representative NADEAU of Winslow, Representative NELSON of Falmouth, Representative NEWENDYKE of Litchfield, Representative NOON of Sanford, Representative NUTTING of Oakland, Representative PARRY of Arundel, Representative PEASE of Morrill, Representative PEAVEY HASKELL of Milford, Representative PEOPLES of Westbrook, Representative PETERSON of Rumford, Representative PLANTE of Berwick, Representative POULIOT of Augusta, Representative POWERS of Naples, Representative PRIEST of Brunswick, Representative PRINGLE of Windham, Representative RANKIN of Hiram, Representative REED of Carmel, Representative ROCHELO of Biddeford, Representative ROTUNDO of Lewiston, Representative RUSSELL of Portland, Representative RYKERSON of Kittery, Representative SANBORN of Gorham, Representative SANDERSON of Chelsea, Representative SAUCIER of Presque Isle, Representative SAXTON of Harpswell, Representative SCHNECK of Bangor, Representative SHAW of Standish, Representative SHORT of Pittsfield, Representative SIROCKI of Scarborough, Representative SOCTOMAH of the Passamaquoddy Tribe, Representative STANLEY of Medway, Representative STUCKEY of Portland, Representative THERIAULT of Madawaska, Representative TIMBERLAKE of Turner, Representative TIPPING-SPITZ of Orono, Representative TREAT of Hallowell, Representative

TURNER of Burlington, Representative TYLER of Windham, Representative VEROW of Brewer, Representative VILLA of Harrison, Representative VOLK of Scarborough, Representative WALLACE of Dexter, Representative WEAVER of York, Representative WELSH of Rockport, Representative WERTS of Auburn, Representative WILLETTE of Mapleton, Representative WILSON of Augusta, Representative WINCHENBACH of Waldoboro, Representative WOOD of Sabattus, President ALFOND of Cumberland, Senator BOYLE of Cumberland, Senator BURNS of Washington, Senator CAIN of Penobscot, Senator CLEVELAND of Androscoggin, Senator COLLINS of York, Senator CRAVEN of Androscoggin, Senator CUSHING of Penobscot, Senator DUTREMBLE of York, Senator FLOOD of Kennebec, Senator GERZOFKY of Cumberland, Senator GRATWICK of Penobscot, Senator HAMPER of Oxford, Senator HASKELL of Cumberland, Senator HILL of York, Senator JACKSON of Aroostook, Senator JOHNSON of Lincoln, Senator KATZ of Kennebec, Senator LACHOWICZ of Kennebec, Senator LANGLEY of Hancock, Senator MASON of Androscoggin, Senator MAZUREK of Knox, Senator MILLETT of Cumberland, Senator PATRICK of Oxford, Senator PLUMMER of Cumberland, Senator SAVIELLO of Franklin, Senator SHERMAN of Aroostook, Senator THIBODEAU of Waldo, Senator THOMAS of Somerset, Senator TUTTLE of York, Senator VALENTINO of York, Senator VITELLI of Sagadahoc, Senator WHITTEMORE of Somerset, Senator WOODBURY of Cumberland, Senator YOUNGBLOOD of Penobscot.

On **OBJECTION** of Representative WINSOR of Norway, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Norway, Representative Winsor.

Representative **WINSOR**: Thank you, Mr. Speaker. Colleagues of the House and guests, I am pleased to speak this morning about a neighbor, a friend and a mentor, H. Sawin Millett, Jr. The Sentiment before you describes his long and commendable public service. But, I would like to talk a little bit about the Sawin and Barbara Millett that I know.

I've known Sawin and his wife Barbara since the early '80s when I moved from Harrison to Waterford. The Milletts had returned to Waterford only a few years before that and built a home next to their father's farm. Barbara became Deputy Clerk and was later Town Clerk and their daughter was in Girl Scouts with my daughter. My wife remembers Barbara providing dairy products for the scouting events from the farm.

Sawin served as a selectman and moderated our town meetings. I asked a few people in Waterford to describe their view of Sawin to me. They used words like "darned good man," "very bright," "hard worker" and "honest," and I agree. But, no one could do the things that Sawin has done, in his long career, without the support and guidance of a wonderful partner. Barbara Millett is that partner and, in my view, a saint.

While Sawin has been driving from Waterford to Augusta and back at least five days a week for more than 25 years she raised a family of five children, helped with some 10 grandchildren and now great-grandchildren.

I just finished a book, *Leading with Honor*, by Lee Ellis, who is a Vietnam prisoner of war, in which he describes an authentic leader. He said that, "Authentic leaders constantly live in harmony with their values even when no one is looking. Their walk matches their talk. They resist the temptation to achieve ends by less than honorable means. They are true to others, because they must be in order to be true to themselves." And that is the H. Sawin Millett that I know. I thank you, Mr. Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Lewiston, Representative Rotundo.

Representative **ROTUNDO**: Thank you, Mr. Speaker. Men and Women of the House, I've had the pleasure of working with Sawin Millett for nine and a half years. Six years when he was a member of the Appropriations Committee and for the past three and a half years as he served as the DAFS Commissioner. I can tell you that no one in this State House knows more about the workings of this state government, has a greater institutional memory or has a greater command of state finances than Sawin Millett. No one is smarter or more clever, or has served the people of Maine with greater dedication.

Sawin has been a generous mentor to legislators who have worked with him, and that is an important part of the legacy that he leaves behind him. I also came to appreciate, over the years, how important Sawin's family is to him as well. Regardless of the hour that the Appropriations Committee adjourned, or regardless of the weather, Sawin always drove home to be with his family, often driving over terrible, snow-covered roads in the back woods of Maine.

His service has been a personal sacrifice for him and his family. If anyone has earned a long and healthy and happy retirement, it's Sawin Millett. Thank you Sawin for staying in Maine after you graduated from Bates. Thank you for your lifetime of extraordinary public service and for the inspiration that this service has provided to all of us. We will miss you more than you know and we wish you the very best always. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Wells, Representative Chase.

Representative **CHASE**: Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is probably one of the best privileges, is to get up and to honor somebody that you respect so much, and this man, I do. When I first came here eight years ago, whenever you had a question, people would say, "Go ask Sawin. Sawin Millett, go ask him. He'll know," or "Go find out and have Sawin tell you what that is because he'll understand it better than anyone."

Well, first, I thought, why do they do that? But once you've had a conversation with the man, once you've understood how he thinks and how he performs, it's just amazing and you understand why people would say, "Go ask Sawin." Words like "honorable," "committed," "responsible," "full of integrity," "brilliant in financial abilities" and "an all-around good man" are just some of the things you can say about him. I can say that it's been an honor in my lifetime to have served with Sawin and worked with him. He's amazing, he's wonderful and a good guy. And I thank you Sawin for all you've done for the state and all around you in your lifetime. Thank you.

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I'll just tell you a quick story which I think highlights the reason why many of us are here. I had an event about a year and a half ago in Newport where Senator Collins came to dedicate a bridge that was put up. Congressman Michaud attended, as did General Libby, and we had this event where we dedicated this bridge to a Congressional Medal of winner person. About a month later, I got this signed photograph back in the mail from Senator Collins. All of us were standing there and, actually, I have this photograph in my office here at the Capitol. And I was actually struck by what she wrote on the photo at the bottom. And, you know, I've been in this business for about 25, 30 years or so. I mean, I have one or two of these. But I was struck by what she wrote on the bottom of it,

and she wrote, "Ken, thank you for your public service. Senator Collins." And that really struck me, that really, it's the reason why I think most of us are here, because of public service. The hours aren't great. The pay is less great. So we know that most of us are here because we do believe in what it is that we're doing for the state.

And, when I think of Sawin Millett, I really, truly think of someone who is really the person who's really displayed public service over his entire career. He's up from my neck of the woods, up by Newport. I expect that Representative Reed will probably speak to that a little bit in just a minute. I appreciate again and I think what Sawin represents is, sort of, the citizen Legislature and who we are as a government really represents coming from a small town in central Maine, being in the Legislature and then serving as the Commissioner of DAFS and many other positions. I was speaking to him the other day and his comment to me was, "I'm looking forward to going home and getting on my John Deere tractor and doing some work around the house." And really isn't that just so awesome. Because that's what we're all doing here. We're all here doing our bit of public service. We're going to be here for a certain amount of time and then most of us are just going to go back home and do what it is that we do. I can't think of doing anything better than jumping on a John Deere tractor and doing some work around the house. Congratulations Sawin.

The SPEAKER PRO TEM: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, as a freshman legislator on State and Local Government, I got to know the Honorable Sawin Millett at a time when we were making some probably significant changes to DAFS and how we are functioning as state government. I can't begin to say how much I respect Sawin. I think the biggest impact I had, or he had on me, was when he was struggling with a significant illness. He didn't quit. He didn't say, "I'm not going to do this anymore." He showed up and it was great because I sat at the end of the horseshoe and he was right next to me as we talked about how we were going to do some things differently in state and local government, well, state government.

I'm echoing what others have said. He's so open, so welcoming that I will carry that with me. And then, Chair of State and Local Government, as we went over budgets, State and Local Government hangs out with Sawin, not as much as in AFA, but, he's who we look to. He's who we are always calling and asking, "How do we do this?" And he never, ever showed a hint of frustration with us, even when we kept him late. We didn't keep him as late as AFA, but we kept him late trying to figure out state budgets. I can't begin to say how much our committee respected and so honor this gentleman. We want to thank him and wish him the very best in his retirement.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative **NUTTING**: Thank you, Mr. Speaker. As I sit here and listen to Special Sentiments, quite often, I think they go on too long. However, in this case, I don't think it could go on long enough. I think every person in this room could talk about Sawin Millett. I will just tell you a couple of things that I learned in the 122nd and the 124th Legislatures when I served on the Appropriations Committee with Sawin Millett as the Republican Lead. If you don't think it's challenging sitting cloistered in a small room with five Republicans, you should try it sometime. In all of that time, Sawin Millett displayed integrity. You've heard about his knowledge with the budget and financial issues. He

also had a wonderful sense of humor. When we needed to, and when we least expected it, he would exhibit that sense of humor.

One thing you may not know about Sawin, despite that fact that in the Appropriations Committee the shelves are lined with books and budgets and information from the last 10 or 20 years, but if you had a question about the budget, no matter what it was, no matter what committee it came from, you simply asked Sawin and in his breast pocket of his jacket was a piece of paper with the answer. No matter how complicated the question, the answer was always on a piece of paper in his breast pocket. So, Sawin, God bless you and enjoy your tractor and your beef cattle and your family at home. You certainly deserve it and I personally thank you from the bottom of my heart. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Carmel, Representative Reed.

Representative **REED**: Mr. Speaker, Ladies and Gentlemen of the House, I rise today to pay the utmost respect to Sawin Millett and to thank him for his 55 years of service to the State of Maine. Sawin and my relationship goes all the way back to our teenage years when we were growing up in East Dixmont. Life was much simpler then, it was comprised of work, school and baseball. During those years, it was at the Millett's family farm that my brother and I spent a lot of our time. Sawin's dad was my first baseball coach and basketball coach, one of my teachers and later a principal.

Mr. Millett was always teaching. It didn't matter if you were carrying sap buckets and boiling sap into syrup or plowing the back fields to plant crops for silage. There were always lessons to be learned.

The three Millett boys and my brother and I were players on that Dixmont Bears team. Many of us would later take the skills learned in the sandlots of Dixmont on to our high school and college teams. Little did I know then, how much of an influence the Millett family would have on my life's decisions. I probably would not have finished school, and I probably would not have gone into teaching and coaching. And I certainly would not be here today.

Many days, throughout those early years, I had the opportunity to observe a working family in action. I would draw on those experiences many times through the years and my appreciation for family farms has long endured. Some of the lessons learned have become incorporated and deeply ingrained into my thought processes and helped to sustain me to this very day.

So today, I want to say thank you to Sawin, the entire Millett family and wish him the very best as he dials back a little from the long days here in Augusta to enjoy more time with his wife, Barb, and the simple, quiet life on his farm in Waterford. God bless you Sawin and Barb. Thank you, Mr. Speaker, and thank you, Ladies and Gentlemen of the House.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Belgrade, Representative Keschl.

Representative **KESCHL**: Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'll be brief. I just want to add a brief comment to all of those well-deserved accolades given to Commissioner Millett today. I've known Sawin for over 20 years, both as a state worker and more recently as a legislator. I rise to say that no one, and let me repeat that, no one that I have known in my more than 35 years of public service to the State of Maine, has done more for the people of this state than Sawin Millett. Thank you Sawin. It's a well-deserved goodbye.

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



Representative **CAREY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, Commissioner Millett, I want to honor and thank him for his service. Sawin has shown me that we each benefit, and Maine benefits, when the values and beliefs that draw us to come here are grounded in respect, patience and public service. Thank you.

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

Representative **CROCKETT**: Thank you, Mr. Speaker. Distinguished Members of the House and Commissioner Millett, I've known Sawin since I was probably 13. My first impression of him was actually a rock star, ironically, right, because I didn't actually know him. When I first met him, I had heard so much about him. He walked in the room, everybody turned to him because he just, he had that sort of influence on people. But then after you spoke to him, he tried to come off like a farmer. But he would still, he had a rock star impression on the room because just his knowledge and his wisdom, he just was able to permeate the essence of any gathering.

But, the irony goes further than that. He has always been a person of integrity and honesty. He understood politics, as anybody would who's been involved for 40 years, but he's always put the institution greater than any sort of partisan politics, which is a legacy worthy of emulation.

But, it has also been a humbling experience, knowing Sawin. As a young man, when I shook his hand, I always considered myself rather rugged, having worked in the woods. And anybody who has ever shaken Sawin's hand, you feel like a little boy no matter how old you are, and that strength is not just a strength of a physical quality, but of character as well. I wish him good luck in his retirement. Thank you.

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

---

**Recognizing:**

Chief Terry C. Polchies, of Aroostook County and now of Bangor, for his lifelong commitment to promoting the common good of the Maliseet Indians and Indian organizations and tribes in the United States and Canada. Chief Polchies was born in the Maliseet Woodstock Reserve in New Brunswick, Canada. He was a 1960 graduate of Houlton High School and attended Ricker College in Houlton for 2 years, studying business administration. Chief Polchies was a Ford Fellow for one year, working to acquire familiarity with Indian affairs throughout North America, including federal, state and provincial issues and the common problems and strategies used by Native people. He has an extensive history of working with these issues on the state and national level and has made major contributions to the relationships between the Maliseets, the tribes of Maine and the State. He worked as a coordinator for the Department of Indian Affairs in Maine and was president of the Association of Aroostook Indians. Chief Polchies was a negotiator from 1978 to 1980 for the Maine Indian Land Claims Settlement and was Chairman and Chief Executive Officer of the Houlton Band of Maliseets from 1977 to 1982, at the time of the settlement. He served as president of Tribe, Inc., an Indian international organization of the Wabanaki Confederacy Tribes of Maine and Canada, and was affiliated with many other organizations involving Indian affairs in Aroostook County and in Maine. We send our appreciation to Chief Polchies for his invaluable and dedicated service and contributions to so many issues that are important to the Maliseets, to the Indians of Maine and to the State;

(HLS 929)

Presented by Representative BEAR of the Houlton Band of Maliseet Indians.

Cosponsored by Senator GRATWICK of Penobscot, Representative GOODE of Bangor, Representative SCHNECK of Bangor, Representative KORNFIELD of Bangor, Representative FREY of Bangor, Senator SHERMAN of Aroostook, Senator JACKSON of Aroostook, Representative MITCHELL of the Penobscot Nation, Representative SOCTOMAH of the Passamaquoddy Tribe, Representative FITZPATRICK of Houlton.

On **OBJECTION** of Representative McCABE of Skowhegan, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

---

**Recognizing:**

Kyle Lemelin, of Lewiston, a member of the Lewiston High School Boys Ice Hockey Team, who is the recipient of the 2014 Travis Roy Award. Kyle was selected by a vote of the ice hockey coaches from the State's Class A schools. We congratulate Kyle on his receiving this award and send him our best wishes;

(HLS 931)

Presented by Representative ROTUNDO of Lewiston.

Cosponsored by Senator CRAVEN of Androscoggin, Representative WERTS of Auburn, Representative CAREY of Lewiston, Representative LIBBY of Lewiston.

On **OBJECTION** of Representative ROTUNDO of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Lewiston, Representative Rotundo.

Representative **ROTUNDO**: Thank you, Mr. Speaker, and Men and Women of the House. It's such a pleasure and honor to recognize Kyle on this extraordinary achievement. Kyle is a great athlete and great leader and he has a very, very bright future ahead of him. We are very proud of Kyle and on behalf of the entire Legislature, I wish him the very best always.

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

---

**In Memory of:**

Jeff Pert, of Brunswick, a noted cartoonist of Maine-themed humor. Mr. Pert, originally from Winslow, was known for his sense of humor and his love of cartooning. His family and friends remember that he always had a strong interest in sketching and comic books and he shared his creativity with the community. His work is on postcards and items for sale in tourist shops and is extremely popular with both Maine residents and the people who visit. Mr. Pert will be greatly missed and long remembered by his family, his friends and those whose lives he touched;

(HLS 928)

Presented by Representative DAUGHTRY of Brunswick.

Cosponsored by Senator GERZOFKY of Cumberland, Representative PRIEST of Brunswick, Representative KENT of Woolwich.

On **OBJECTION** of Representative DAUGHTRY of Brunswick, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Brunswick, Representative Daughtry.

Representative **DAUGHTRY**: Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Jeff Pert was a funny guy. His humor was distinctly Maine based, and you can find his cartoons all over the state, in bookshops, in tourist shops, pretty much anywhere.

One of my favorites of his is of a lobster talking to his friend who is in a pot. The other lobster is looking at him saying, "Hey Bob, how's the water? Bob, Bob, Bob!" Another shows a moose at a therapist's office where he tells his therapist, "She left me for a guy with a bigger rack."

From an early age, it was clear that Jeff was going to be an artist. His brother John said that Jeff was always doodling in his sketchbook. As a young kid, he had various different incarnations in his artistic repertoire, which included a glam rock band with explosives and high school classmates remarking that he was always known as the funny guy in tight white pants.

As he grew older, he started working as a cartoonist. He also did some work in film. He always had a deep respect and love of the artistic community in Maine. He always supported young artists. He would drive all across the state to find someone that he'd met online who had just started thinking of getting into cartooning and helped them find their way and helped them get started.

I first met Jeff, actually, when I was campaigning. All of you know what it's like to go around and knock on doors, and sometimes it gets a little monotonous. He was one door that I will never forget and was, quite honestly, one of my most favorite doors. We didn't get to talk that much about politics because I told him I had always dreamt of being a cartoonist and I had stopped cartooning in college. I had worked as an editorial cartoonist, but it wasn't something I kept up with. So he immediately went after me and said that where was reason that I should stop cartooning now that I was a politician, and actually pushed me and got me to start drawing again saying that now that I was a politician, I had the best access to be sketching all of you.

Unfortunately, Jeff passed away about two weeks ago of a heart attack. He was with his friends and they were in the car and he was complaining of having chest pain. Jeff was always a snarky guy, even to the very end he was making jokes in the car, on the way there, about what was happening to him and about how it was just something, he was being old, you know, who knows what would happen. So, even to his very end, Jeff remained committed to his friends and family and true to his humor and his wit. He will be greatly missed, and if you haven't seen his cartoons, I urge you to Google him and look at them. They're really, really funny and they'll put a smile on your face which is exactly what Jeff did every day for many folks. Thank you.

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

#### REPORTS OF COMMITTEE

##### Ought to Pass Pursuant to Public Law

Representative **ROTUNDO** for the **Joint Standing Committee on Appropriations and Financial Affairs** on Bill "An Act To Achieve the Savings Required under Part F of the Biennial Budget and To Change Certain Provisions of the Law for Fiscal Years Ending June 30, 2014 and June 30, 2015" (EMERGENCY)

(H.P. 1349) (L.D. 1858)

Reporting **Ought to Pass** pursuant to Public Law 2013, chapter 368, Part F, section 3.

Report was **READ** and **ACCEPTED**. The Bill **READ ONCE**.

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

On motion of Representative **McCABE** of Skowhegan, **TABLED** pending **PASSAGE TO BE ENGROSSED** and later today assigned.

#### Divided Report

Seven Members of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** report in Report "A" **Ought Not to Pass** on Bill "An Act To Improve Maine's Ability To Attract Major Private Investments"

(S.P. 738) (L.D. 1835)

Signed:

Senators:

**PATRICK** of Oxford  
**CLEVELAND** of Androscoggin

Representatives:

**HERBIG** of Belfast  
**CAMPBELL** of Newfield  
**GILBERT** of Jay  
**HAMANN** of South Portland  
**MASTRACCIO** of Sanford

Five Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (S-516)** on same Bill.

Signed:

Senator:

**CUSHING** of Penobscot

Representatives:

**DUPREY** of Hampden  
**LOCKMAN** of Amherst  
**VOLK** of Scarborough  
**WINCHENBACH** of Waldoboro

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-517)** on same Bill.

Signed:

Representative:

**MASON** of Topsham

Came from the Senate with Report "A" **OUGHT NOT TO PASS READ** and **ACCEPTED**.  
**READ**.

Representative **HERBIG** of Belfast moved that the House **ACCEPT** Report "A" **Ought Not to Pass**.

Representative **WILLETTE** of Mapleton **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought Not to Pass**.

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

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

Representative **VOLK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose the pending motion.

The **SPEAKER PRO TEM**: The Representative may proceed.

Representative **VOLK**: Thank you. This bill before you now puts Maine in a better position to compete nationally and

internationally. It provides us for a mechanism for competing for major business expansion and creation projects. This would be defined as projects that result in investments of more than \$50,000,000 and the creation of more than 1,500 jobs. That's a lot of jobs.

These jobs would be located at one of two facilities; the Loring Air Force Base and the Brunswick Naval Air Base, two pieces of property which were paid for by public tax dollars by the Federal Government. The development of these bases and the facilities there would cost billions of dollars in today's figures. So we have a tremendous opportunity here.

What this bill would do is provide a 20 year corporate income tax credit that includes a 100 percent credit for years 1-10 and a 50 percent credit for years 11-20. Businesses would also receive a sales tax exemption and reimbursement for up to 20 years. It would provide an annual reimbursement to qualified businesses from the Regional Greenhouse Gas Initiative Trust Fund for electric rates that exceed national average industrial rate, thus dealing with our hindrance of the high electric costs faced by manufacturers in this state.

The bill would also provide an employment tax increment financing for qualified investments. Again, we're talking 1,500 jobs, a minimum investment of \$50,000,000. It would be equal to 80 percent of Maine income tax withheld each year, for which reimbursement is requested and attributed to those qualified employees for no more than 10 years. In years 11 to 20, the certified business would be eligible for reimbursement of 50 percent of Maine income tax withheld.

They would also have access to extensive workforce development assistance, training and recruitment, by empowering the Commissioner of DECD and the Commissioner of the Department of Labor to work with agencies across state government involved in employment or skill training to identify and marshal resources to help a certified company recruit and train workers. And, yes, what you've all heard about and what you're probably going to base your vote on, unfortunately, is that it creates a right to work zone in specified geographic locations. This is 5,000 acres. I don't know how big Maine is exactly. I was going to look it up this morning, but, I didn't realize this bill was going to come to us so quickly. But, I'm sure Maine has hundreds of thousands of acres. This is 5,000 acres of land on which there would be a right to work zone.

That goes away if benchmarks are not met along the way. It goes away. So, if they're not on track to create 1,500 jobs, the right to work zone goes away. If they're not on track to invest \$50,000,000, that goes away.

It also establishes a Maine preference as part of the contractual inducement for a qualified applicant to make a qualified investment, and for the state to provide the incentives. The qualified applicant agrees when awarding contracts, purchasing supplies or sub-contracting work to give, to the greatest extent possible, preference to Maine workers, companies and bidders.

Why is that important? Well, you're probably going to hear from people who support this motion that Maine needs to work on growing the businesses that we already have. Maine needs to work on growing small businesses. Yes, that's true. But, guess what, folks? My family owns a small business and we've seen businesses get purchased by national companies and international companies. My husband has traveled more in the last six months, because he has to go to national headquarters so that he can keep business here in Maine, than his father did in 30 years. That's more in six months. In fact, today, he's on his way to Pennsylvania. Next week, he's got to go to Wisconsin

because the owner of Fisher Snow Plows, which I believe is in Rockland, is in Wisconsin.

Other companies that have left Maine for other states, these are just some of our customers that we could come up with off the top of our head. Van Baalen, also known as Nautica, moved to Virginia. ZF Lemforder moved to Michigan. William Arthur very recently moved to Massachusetts. Automatic Distributors moved most of their operation to Indiana. If I remember correctly, several of those are actually right to work states.

United Technologies, from Pittsfield, the most recent one to fall, is moving its operations to North Carolina, Mexico and China. Barber Foods sold to AdvancePierre Foods, that's in Portland, and had big layoffs. Yes, they're still operating in Portland, but you know what, it's probably only a matter of time.

Then we've got companies that sold to out-of-state entities. Old Town Canoe sold to Johnson Outdoors, Wisconsin. Fisher Engineering sold to Douglas Dynamics, Wisconsin. By the way, Wisconsin is a right to work state. It's not a southern state. It's not a low-wage state, but it is a right to work state. Rynel sold to Mönlycke in Finland. William Arthur sold to Hallmark. Toms of Maine sold to Colgate. Dorothy Eggs sold to Moark. Irving Tanning sold to Prime Tanning in New Hampshire who sold to Tasman in Kentucky. Brunswick Technologies sold to Owens Corning, Ohio. And EFCO sold to Kickteam, in California. And Poland Spring, of course, is owned by Nestle from France.

We are competing nationally. We are competing internationally and folks, if we don't start getting ourselves in the game, we are all going to lose. Now, you can vote in favor of this motion and base it on the right to work piece, but that's a mistake. I would even be willing to go along with the other report by the good Representative from Topsham, who's been very reasonable over this session, in trying to find solutions. We want what's best for Maine.

I still believe we could compete, even without the right to work piece. But we need to be able to compete. This is a tool in the toolbox of our economic development team. It's over in the Cross Building trying to do the best job that they can to bring jobs to Maine. But we have tied their hands behind their backs when we refused to even allow them to be competitive. There is no risk to this endeavor. If the jobs don't come, the incentives are gone. It's just a tool. This isn't going to be a big marketing campaign on the part of the state. This is just going to give them the ability to pick up the phone and say, "Hey, we've got these great facilities. Would you consider coming and visiting Maine and looking at what we have to offer here?" That's how you grow the small businesses. There is a huge spinoff effect, when you have 1,500 manufacturing jobs that move to an area. You think my husband wouldn't be in there trying to sell them boxes? And he sources almost all of his materials either in the State of Maine or in the New England region.

Think of that. We're not just talking about the big business. We're talking about local businesses too. I urge you to vote down this pending motion. I urge you to do something that will benefit our state, that will benefit people who need good-paying jobs. These jobs are qualified by income. They are qualified by the benefits that will be offered. These people will have access to health insurance. They will have access to a 401k program. They will have access to other benefits. These are not low-paying jobs, and when you think in terms of manufacturing, you can't just be thinking about a beehive of workers within a factory. There are also management jobs. There are clerical jobs. You're talking everything from blue-collar to white-collar, everything in between. Everything that surrounds that area. All those people benefit. I cannot, for the life of me, understand why you'd be opposed to this. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, this is nothing but a union busting bill and nothing more. It's the third time it's been around. When the three branches of government were all controlled by one party, they still couldn't get it through then, but they just don't seem to want to give up. The proposal would have given big companies tax breaks, it says in the paper. But that will be on the back of the workers. Why, oh why, do they want so bad to do away with the unions and the middle-class workers? I advise everybody in this chamber to follow my light. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Pittsfield, Representative Short.

Representative **SHORT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in favor of the pending motion. I can't help but believe that anyone that supports this anti-organizing legislation simply has no idea what has been accomplished over the last 100 years by the collective will of working men and women. Working men and women who stood together with one voice and told their employers what they believed to be fair in the way of wages, hours or work and working conditions. Due to the fact that it was done as a collective, their demands were met.

When I look at LD 1835, I can see that the intent of this bill is to tear apart the ability of Maine workers to join together as a collective group. This bill isn't just anti-organizing; it's an anti-working men and women bill.

Mr. Speaker, 21 states already have passed this same anti-organizing legislation. So, if the passage of this type of legislation is so effective in attracting business, what makes anyone think that these businesses are going to flock to Maine instead of going to one of these other states if this passes? If LD 1831 does pass and business don't come to running, what's the next step? Perhaps there will be an attempt to turn back the clock 100 years in an effort to bring businesses to Maine. Legislation could come forward that would be introduced to take away the minimum wage. Maybe that would work. Perhaps we could get rid of child labor laws, the 8 hour work day, the 40 work week, weekends, holidays, worker's compensation, on-the-job safety and, while we're at it, we might as well do away with environmental protection laws. Maybe then we could bring back sweatshops to Maine.

The **SPEAKER PRO TEM**: Will the Representative defer. The Chair recognizes the Representative from Scarborough, Representative Volk, and inquires why she rises.

Representative **VOLK**: Thank you. I'm not sure. I'm not an expert on parliamentary procedure, but I can't imagine what implying that we're interested in rolling back child labor laws has to do with this bill.

On **POINT OF ORDER**, Representative **VOLK** of Scarborough asked the Chair if the remarks of Representative **SHORT** of Pittsfield were germane to the pending question.

The **SPEAKER PRO TEM**: The Chair will remind all members that it is important to keep debate germane to the topic of the bill at hand. The Representative may proceed.

Representative **SHORT**: Thank you, Mr. Speaker. If we do these things, we could place ourselves in direct competition with Mexico and China. Just think of the businesses that would come running to Maine then. Mr. Speaker, within the next six months, the town of Pittsfield will lose nearly 300 jobs. United Technology decided to leave Maine, not because their plant in Pittsfield was unionized, because it wasn't. They are moving their operations to Mexico and China. A UTC spokesman told me that their reason for leaving was not due to the facility or the workforce.

So, why do you think they are leaving, Mr. Speaker? Does corporate greed come to mind? I strongly believe that this bill should be defeated on behalf of hardworking men and women of Maine. Mr. Speaker, Ladies and Gentlemen of the House, thank you for your attention.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, we currently have many successful economic development programs at work in Maine that are constantly being cut and cash starved. While we throw money at programs we know don't produce results, and frankly we can't afford, we can't afford LD 1835 and we know it will not produce results.

This bill takes the most poorly performing tool in our economic development toolbox, the Pine Tree Development Zones, and puts it on steroids. I imagine that giving businesses incentives to create jobs is something we can all agree on. My concern is who we are taking benefits away from while we do this. LD 1835 takes program benefits away from all businesses in all areas of the state and gives it to one big employer in one area of the state. It raids the Competitive Skills Scholarship Program and the Efficiency Maine Trust, two successful, proven tools in our economic development toolbox. It throws it all at one big fish while draining resources currently available to all Maine businesses and all Maine employees.

We know awarding large incentive programs does not work. It is a 50 state race we are not going to win. This lottery-style economic policy proposed in 1835 will come at the direct expense of all Maine businesses in all areas of the state and the Maine taxpayer. It is said that making the same mistake again and again and expecting a different result is insanity. Repeating the mistake and throwing more money at it is bad economic policy. I urge you to support the pending motion.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition to the pending motion. Serving on the Labor, Commerce, Research and Economic Committee this session, I have to say most of the proposals that came to us were job killers, proposals that would actually make Maine less competitive. This bill is a great exception to that rule.

I want to share with you a quote from the op-ed that was just distributed in the House Chamber. It was written by Steve Levesque, who is the Executive Director of the Mid-Coast Regional Redevelopment Authority and he's the former Commissioner of the Maine Department of Economic and Community Development. It was just distributed in the Chamber by Representative Volk. Over the years, we have watched world-class businesses with large-scale economic development projects go to places like Alabama, Florida, Texas, South Carolina, Tennessee, Washington, New York and Canada that we never really had a shot at simply because we have been uncompetitive. We have the facilities, the infrastructure and the talented people in Maine to support these projects, but not the economic tools and supportive business climate to attract them. I would encourage you to read the full op-ed.

Mr. Speaker, this piece of legislation that's in front of us today makes Maine more competitive. And there's another thing about this bill. There is no risk to it. It will not cost taxpayers a dime and potentially could be very beneficial. Think of 1,500 new jobs. Now, yes, we're giving a tax break to get those jobs here. Those 1,500 new good-paying jobs, all over \$40,000 a year, they'll be paying state income tax. The bill is perspective in nature. It targets a segment of our economy that can, and will, transform

our entire state. The projects we are seeking to attract not only provide wages and benefits that are above the average wage, the economic impact they will create is enormous. So, rather than ask what do we have to lose in considering this legislation, I would counter by saying we have everything to lose if we turn our backs on quality jobs and bow down to the union bosses. Thank you, Mr. Speaker.

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

Representative JONES: Thank you, Mr. Speaker. Men and Women of the House, let's get this straight. Let's assume for a moment, although in my heart or hearts and in my political identity I do not believe that corporations are people, but let's assume for a moment that they are. The question before us is who does indeed pay the cost of the social service the government does indeed provide, okay?

I would argue that by favoring one class of persons, that is to say corporations, above another, we are engaging, as a body, if we do not accept the report before us, in crony capitalism, to wit this bill will provide a 20 year corporate income tax credit that includes a 100 percent credit for the first 10 years the project is in operation. Imagine a citizen, a homeowner, receiving the same tax credit. But remember, my friends, corporations aren't people.

Second, this provides a sales tax exemption reimbursement for expenditures for up to 20 years. I imagine that, brothers and sisters. A citizen receiving a sales tax exemption and reimbursement for 20 years.

Third, this bill will provide a sales tax exemption and reimbursement for expenditures made, excuse me, 5 years for the Efficiency Maine Trust. Imagine our citizens having access to that crony, capitalistic subsidy. Additionally, there's enrollment tax increment financing benefits, which is equal to 80 percent, 80 percent of the income tax withheld. I would love, and so would the men and women in District 45 that I represent, love, to have an 80 percent Maine income tax reimbursement. But remember, men and women, corporations are people, okay?

The question I have before you is, "Whom do we serve?" And I will finally say, okay, in reference to my colleagues, the good Representative from Pittsfield who referred to the exclusion of workers to freely associate, which is a protected constitutional right, I would collectively list: *Locke v. Kansas*, *Marquez v. Screen Actors*, *Communications Workers v. Beck*, *National Labor Relations Board v. General Motors*. The question I have for you is when are we going to reject the notion that the Maine economy needs to be more competitive and accept the notion that to build a true prosperity for our citizens we need to be more collaborative? Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Berwick, Representative Plante.

Representative PLANTE: Thank you, Mr. Speaker. I'll choose to work with brevity. We've dealt with this issue last year. The National Labor Relations Act has laid out, for the last 80 years, the procedure by which we go about having a union or not at any place of employment. This disallows the ability for a group of people to be able to say, we want to have a vote, we want to make sure it's going to get equal representation and the union will be given fair share for its work done on behalf of the workers. This is not a bill that's worthy of the time we're giving it right now. I have to be honest. It doesn't really serve a purpose because these businesses aren't leaving because we pay our workers too well, and if that were to be the case, I wouldn't want to fight to make sure I could tell my workers I want to pay you less. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Pittsfield, Representative Short.

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

The SPEAKER PRO TEM: The Representative may pose his question.

Representative SHORT: Thank you, Mr. Speaker. I just heard the term used, not too long ago by one of the Representatives in the House, "union bosses," and I would ask somebody to please define for me what a union boss is and perhaps give me an example. I'm just wondering if, perhaps, the president of the Actors Guild might fit that description like Ronald Reagan or perhaps Charlton Heston. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Sanford, Representative Mastraccio.

Representative MASTRACCIO: Thank you, Mr. Speaker. Men and Women of the House, I just feel compelled to stand up and say that as a member of the Joint Select Committee on Maine's Workforce and Economic Future, after almost two years of testimony, we never once heard a proposal like the one that was before us that we are trying to accept an Ought Not to Pass Report. There was nothing like this. We heard from businesses. We heard from everyone. Not once did we hear anything like this. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Acceptance of Report "A" Ought Not to Pass. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 699**

YEA - Beaudoin, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Domey, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Mr. Speaker.

NAY - Beaulieu, Bennett, Black, Campbell R, Chase, Clark, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, Mason, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Ayotte, Chapman, Cotta, Johnson D, Noon.

Yes, 91; No, 55; Absent, 5; Excused, 0.

91 having voted in the affirmative and 55 voted in the negative, with 5 being absent, and accordingly Report "A" **Ought Not to Pass** was **ACCEPTED** in concurrence.

---

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

---

**CONSENT CALENDAR**

**First Day**

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

(H.P. 1164) (L.D. 1593) Resolve, To Eliminate Financial Inequality in MaineCare Reimbursement for Community-based Behavioral Health Services Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-829)**

(H.P. 1280) (L.D. 1788) Bill "An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2014 and June 30, 2015" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-830)**

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

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

**ENACTORS**

**Emergency Measure**

An Act To Provide Additional Authority to the State Board of Corrections

(S.P. 730) (L.D. 1824)  
(C. "A" S-511)

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

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 PRO TEM: 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. 700**

YEA - Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chase, Chenette, Chipman, Clark, Cooper, Crafts, Crockett, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby N, 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, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Tyler, Verow, Villa, Volk, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Black, Cotta, Cray, Davis, Dunphy, Gifford, Harvell, Johnson P, Kusiak, Libby A, Lockman, Long, Peavey Haskell, Sirocki, Turner, Wallace.

ABSENT - Ayotte, Chapman, Johnson D, Noon.

Yes, 131; No, 16; Absent, 4; Excused, 0.

131 having voted in the affirmative and 16 voted in the negative, with 4 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

**Acts**

An Act To Establish Submission Requirements for Wind Energy through Rulemaking

(S.P. 692) (L.D. 1750)  
(C. "A" S-483)

An Act To Reform Regulation of Consumer-owned Water Utilities

(S.P. 710) (L.D. 1784)  
(H. "A" H-817 to C. "A" S-484)

An Act To Allow Signs for Areas of Local, Regional and Statewide Interest on the Interstate System

(H.P. 1320) (L.D. 1831)  
(C. "A" H-814)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

**Resolves**

Resolve, Directing the Public Utilities Commission To Study the Potential Benefits and Barriers Involved in Making Renewable Thermal Technologies Eligible for Qualification in Maine's Renewable Energy Portfolio Standard

(S.P. 542) (L.D. 1468)  
(S. "B" S-510)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

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

The following items were taken up out of order by unanimous consent:

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Friday, April 11, 2014, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-711)** - Minority (5) **Ought to Pass as Amended by Committee Amendment "B" (H-712)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Address Preventable Deaths from Drug Overdose" (EMERGENCY)

(H.P. 1209) (L.D. 1686)

TABLED - March 24, 2014 (Till Later Today) by Representative FARNSWORTH of Portland.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, on motion of Representative FARNSWORTH of Portland, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-712)** was **READ** by the Clerk.

Representative GIDEON of Freeport **PRESENTED House Amendment "A" (H-831) to Committee Amendment "B" (H-712)**, which was **READ** by the Clerk.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Freeport, Representative Gideon.

Representative **GIDEON**: Thank you, Mr. Speaker Pro Tem. Mr. Speaker Pro Tem, Women and Men of the House, 163 Maine people died last year whose lives could have been saved. I rise in this chamber today so that all of us here can share the simple goal of saving at least that many people in 2014. The people I'm talking about fit into no specific category. They are women and men who are our parents, our siblings, our children and our friends. These people transcend boundaries of social lines, economic status, education or race. These people are dying, but we can save them.

The amendment before us today is a true compromise. It not only marries the language of two parties in this chamber, but brings together the strategic thinking of both legislative and the executive branches. I want to especially thank our Chief Executive whose amended language allows healthcare providers to write a Naloxone prescription to an immediate family member of one who is at risk of an overdose, and the Representative from Saco, Representative Hobbins, who personally spoke with the Chief Executive about this matter. I also want to thank the Representative from Chelsea, Representative Sanderson, the Representative from Hancock, Representative Malaby, and the Representative from Scarborough, Representative Sirocki, for identifying the fact that first responders' access to Naloxone is a most basic and important priority if we want to save lives in Maine.

To fix the problem, we first need to understand it. The number of people who died from an overdose in Maine in 2012 was 163 people, surpassing the number of people who died in a car accident in Maine. When a person overdoses, there is a window of 1 to 3 hours when their life can be saved. Literally, their breathing is slowed to the point of death. If the drug, Naloxone, is administered during this time, it can combat the effects of the opiate in a person's blood stream. That's what Naloxone does. It simply gives a person the chance to get medical treatment and to live.

Here's what Naloxone doesn't do. It has no effects on the body other than to counteract the overdose. It produces no high. It cannot be abused. It does not prevent treatment for addiction, nor does a single study show that it propels people to repeat an overdose. Though the rising epidemic of drug use feels particularly bad in New England, we are not alone. States across the country are dealing with the same issues that we are. By the end of 2013, across the whole U.S., 18 states, plus the District of Columbia, have laws in place that allow for greater distribution of Naloxone. But know this, as recently as the first four months of 2014, Governors in five states have moved aggressively to get Naloxone into the hands of more people who can save lives. Governor Shumlin in Vermont, Governor Patrick in Massachusetts, Governor Cuomo in New York have, by Executive Order, declared that state troopers will now carry Naloxone.

In Wisconsin, Governor Scott Walker just signed a bill into law that allows all first responders to carry Naloxone and that allows for the public to carry and administer Naloxone. And in New Jersey, Governor Chris Christie recently amended rules to make

sure that all EMS carry Naloxone. This was after signing legislation last year that allows police, firefighters and the general public to carry Naloxone. New Jersey's first two counties' law enforcement officers began carrying the antidote just this month.

But, enough about other states. What do our own first responders think about Naloxone and who should carry it? Here's what some of them say. As Sheriff Joel Merry of Sagadahoc County states, "There is nothing that a public safety first responder values any higher than that of saving a life, regardless of the circumstances. By allowing first responding emergency medical services to administer Naloxone, more commonly referred to as Narcan, we can save lives." As Kevin O'Sullivan, who just earned his Advanced EMT license after years as a Basic EMT says, "Sometimes it is an addict, down and out, who is overdosing. Other patients will be normally functioning citizens with a quiet and hidden problem, a teenager in Skowhegan, your sister in Bangor, a lawyer in Portland. In all these cases, the pattern is the same, regardless of the person's life story or family connections or income. He or she is not breathing. Their skin has turned blue. We will begin breathing for this person with a mask and oxygen, and depending on if we are a medic or advanced EMT, we will administer Naloxone. We don't need to wake the person up completely, all we need to do is restore their breathing. Our job is not to judge, it is to keep this person, who is dying, from dying. In these situations, the ability to quickly administer this specific and narrow drug can keep this person alive."

And as John Martell, President of the Maine Professional Fire Fighters Association, said, "The reality is this, first responders from all over our state are more than likely to be the first people to arrive on the scene of most emergencies, no matter what the nature of the call is. If the intent of this legislation is to save any many lives as possible, it would seem to only make sense to empower those who can do the most good when arriving to any medical emergency."

Mr. Speaker Pro Tem, Women and Men of the House, please join me today in voting for this basic and sensible bill that will immediately begin to save the lives of people in Maine. Thank you.

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

Representative **JONES**: Thank you, Mr. Speaker. I rise to support the testimony of my good colleague from Freeport and urge support for the current motion. You know, drug overdose deaths are a public health problem in Maine. They occur frequently. They occur across the whole state. They cause disability and suffering and there are effective ways of dealing with this problem that are acceptable to Mainers. Mr. Speaker, this is the definition of a public health problem. It occurs frequently and widely, it causes disability and suffering, and there are effective ways of dealing with it that are acceptable to the community. Drug overdose deaths especially affect Maine men and women in their 30s and 40s. These adults are in the prime of their lives, and they leave behind friends, partners, parents, spouses and children. For each person, Mr. Speaker, lost the entire community is affected and each loss is a loss for all of us.

The CDC identifies drug overdose deaths in the nation as an epidemic. They found that the national drug overdose death rate was 11.9 per 100,000, but in Maine, it's 12.3 per 100,000. If we look at Maine specific data, some areas of our state are hit especially hard. For example, Washington County had 17.68 per 100,000 people die of overdose deaths. As the good Representative from Freeport pointed out, 167 people died in Maine from drug overdose deaths in 2010 while only 161 people died from motor vehicle accidents that year.

Just like we know what works to prevent highway accidents and motor vehicle deaths, we also know there are ways to prevent drug overdose deaths. For example, in the case of highway accidents, we tackle the problem on several fronts. We educate our youth about safe driving through driver's ed. We educate everyone about the risks of driving fast and under the influence. Health care providers are often asked to have difficult conversations with their elderly patients about when it's time to stop driving. We have engineered our roads for safety, and we have safety features in our cars like airbags and seat belts, we have speed limits, we have drunk driving laws, we have age requirements for driving, we have limitations on young drivers, we have breathalyzers, we have required education courses for people who are caught driving drunk and we have treatment for individuals who have substance abuse problems that impact their driving.

Now remember, driving kills fewer people in Maine than drug overdose deaths so let's consider preventing drug overdose deaths. We know what works to prevent them. We tackle this complex issue on many fronts. For example, in 2010, 96 percent of drug overdose deaths involved prescription drugs, mainly opioids. So we have taken numerous steps to reduce access to prescription drugs. We have a prescription drug monitoring program. We have drug disposal options for community members. We educate people with high doses of prescribed opioids to lock up their medications. Health care providers receive training and continuing education on how to properly prescribe controlled substances. MaineCare has established prescribing guidelines for opioids.

The Attorney General's Prescription Drug Abuse Task Force has supported educating the general public, we have laws and enforcement to control diverting and selling controlled substances and we have some treatment for individuals with addictions. We even have a recommendation, Mr. Speaker, from a legislative appointed body that legislation like the bill before us as amended be passed. The Substance Abuse Services Commission Report on LD 1501 recommended many of the actions that I just spoke of, as well as a passage like the law we're considering.

As a reminder for those of us who haven't been here for long, in 2011, the Legislature directed the Substance Abuse Services Commission to convene a workgroup to review and make recommendations for improvements in how physicians and other prescribers treat patients with chronic, non-cancer related pain without causing addiction or diversion, and to explore other ways to address Maine's opioid problem. Among other things, Mr. Speaker, the work group recommended statutory immunity for prescribing and dispensing intranasal Naloxone kits. The bill before us, as amended, is a step in meeting these recommendations.

The CDC and the other states that have approved Naloxone projects consider drug overdose deaths a public health problem. As I mentioned earlier, we solve a complex health public health problem by working on several fronts to address all aspects of the problem, recognizing, of course, that no single intervention will work. We must, Mr. Speaker, work together to reduce and prevent drug overdose deaths in Maine. I urge you and the Men and Women of the House to support the House Amendment "A" as presented and the motion in general. Thank you.

Subsequently, **House Amendment "A" (H-831) to Committee Amendment "B" (H-712) was ADOPTED.**

Subsequently, **Committee Amendment "B" (H-712) as Amended by House Amendment "A" (H-831) thereto was ADOPTED.**

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

Representative FREDETTE of Newport **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "B" (H-712) as Amended by House Amendment "A" (H-831) thereto.**

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

The **SPEAKER PRO TEM:** A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "B" (H-712) as Amended by House Amendment "A" (H-831) thereto. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 701**

YEA - Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, 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, Hobbins, Hubbell, Jackson, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kurniega, Kusiak, 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, Pringle, 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 - Ayotte, Chapman, Johnson D, Noon.

Yes, 147; No, 0; Absent, 4; Excused, 0.

147 having voted in the affirmative and 0 voted in the negative, with 4 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (H-712) as Amended by House Amendment "A" (H-831) thereto and sent for concurrence.**

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

Bill "An Act To Expand Consumer Choice for Wine"

(H.P. 1276) (L.D. 1783)

- In House, Report "A" (6) **OUGHT TO PASS AS AMENDED** of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-809) AS AMENDED BY HOUSE AMENDMENT "A" (H-813) thereto** on April 7, 2014.

- In Senate, Report "B" (6) **OUGHT NOT TO PASS** of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** in **NON-CONCURRENCE.**

TABLED - April 10, 2014 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **FURTHER CONSIDERATION.**



Subsequently, Representative BERRY of Bowdoinham moved that the House **INSIST**.

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

Representative FREDETTE: Mr. Speaker, may I pose a question to the Chair?

The SPEAKER PRO TEM: The Representative may pose his question.

Representative FREDETTE: It's my understanding, Mr. Speaker, in looking at the calendar, it says in the Senate Report "B," Ought Not to Pass was that action. Is that correct?

The SPEAKER PRO TEM: The Chair would answer in the affirmative.

Subsequently, Representative FREDETTE of Newport moved that the House **RECEDE AND CONCUR**.

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 702**

YEA - Beaulieu, Bennett, Black, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Hayes, Jackson, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

NAY - Beaudoin, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Carey, Casavant, Cassidy, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Peoples, Peterson, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Mr. Speaker.

ABSENT - Ayotte, Campbell J, Chapman, Johnson D, Noon, Stuckey.

Yes, 57; No, 88; Absent, 6; Excused, 0.

57 having voted in the affirmative and 88 voted in the negative, with 6 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **INSIST**.

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

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

**ROLL CALL NO. 703**

YEA - Beaudoin, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Carey, Casavant, Cassidy, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Herbig,

Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Mr. Speaker.

NAY - Beaulieu, Bennett, Black, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Hayes, Jackson, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Ayotte, Campbell J, Chapman, Johnson D, Noon.

Yes, 91; No, 55; Absent, 5; Excused, 0.

91 having voted in the affirmative and 55 voted in the negative, with 5 being absent, and accordingly the House voted to **INSIST**.

---

SENATE DIVIDED REPORT - Majority (8) **Ought to Pass** - Minority (5) **Ought Not to Pass** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Establish a Moratorium on the Approval and Operation of Virtual Public Charter Schools" (EMERGENCY)

(S.P. 340) (L.D. 995)

- In Senate, Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "B" (S-514)**.

TABLED - April 10, 2014 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, Representative MacDONALD of Boothbay moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative MacDONALD: Thank you, Mr. Speaker. Men and Women of the House, this bill, as you may know, was a carry-over bill from the last session. The issues that pertained then still pertain now. I rise in support of the Majority Ought to Pass Report.

The amendment made in the other body is simply a technical amendment to advance the dates, given the fact that we're taking this up now a year later than was originally proposed. Mr. Speaker, I would submit to you there are possibly three items that the body ought to consider when they consider whether or not we should enact a moratorium on virtual public schools, and they relate to the dismally poor performance of virtual public schools across the nation, according to national reports.

First of all, if you look at the measure of adequate yearly performance, which is a nationwide measure of the ability of schools to move forward in the academic progress of their children, there's a 28 percentage point difference between virtual charter schools and brick and mortar schools - a 28-point difference, Mr. Speaker. In the USA, overall, 50 percent of schools meet adequate yearly performance, but virtual public schools meet only 29 percent. Only 29 percent of virtual public schools meet adequate yearly performance.

So I think based upon that, we need to ask questions as to

why we ought to move forward with virtual public charter schools in this state. To supplement the AYP, or Adequate Yearly Progress data, there's other data such as state school performance data, like the performance data that we do here in the State of Maine, where we grade our schools A through F. Nationally, virtual charter schools have been ranked academically unacceptable fully 71 percent of the time by states that do this kind of grading. Think of that. Seventy-one percent of these schools graded unacceptable by states that do this kind of grading. So, the question is why should we move ahead funding these kinds of schools when they don't meet adequate yearly progress? They're academically unacceptable.

Finally, Mr. Speaker, I would suggest to you that one other measure, that is graduation rates for virtual schools, are dismally low. Again, at 37.6 percent for virtual charter schools as opposed to the United States average graduation rate out of high school of 79 percent.

Three measures, Mr. Speaker, on which virtual charter schools fall way short of other kinds of schools, yet, at the same time, we have for-profit corporations moving ahead trying to move us into this world when the measures that we have shown that they're really not ready. And lest we think that this is a minor matter, we know that a virtual charter school, already approved in this state, is poised to take \$2,400,000 a year out of our public school system into the virtual charter school world.

So I ask you, Mr. Speaker, does it make sense to move ahead when we have all of this data that shows these schools are not performing well. I think that it makes sense and this national study that I quote you from the National Education Policy Center suggests that the best thing that state policymakers could do, at this time, would be to slow the train down, take a look at why these measures are as bad as they are for virtual charter schools, take a look and then try to make the situation better as we move forward. For those reasons, Mr. Speaker, I ask you and I ask members of this body to accept the Majority Ought to Pass Report on this bill. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Greenville, Representative Johnson.

Representative JOHNSON: Mr. Speaker, I'd like to pose a question through the Chair?

The SPEAKER PRO TEM: The Representative may proceed.

Representative JOHNSON: Does this bill, as it is here, contain the Senate Amendment that addresses the funding of brick-and-mortar charter schools?

The SPEAKER PRO TEM: The Representative from Greenville, Representative Johnson, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative MacDONALD: Mr. Speaker, the amendment that comes to us from the other body, Amendment "B," only changes the dates, effective dates, of the implementation of the moratorium to a year later, so it would be December of 2015. So that's all that that does, 2014. Thank you, Mr. Speaker.

Representative WILLETTE of Mapleton REQUESTED a roll call on the motion to ACCEPT the Majority Ought to Pass Report.

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Biddeford, Representative Casavant.

Representative CASAVANT: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I find this bill repetitive and rather troubling because we've talked about some

very similar things just a number of months ago. It's like Yogi Berra said, "It's déjà vu all over again."

I would urge the body to consider that when you lose date and such information, that it often depends on where you get the information. You can find stuff on either side of any particular point. I think I also want to urge people to understand that when you look at virtual charter schools, you're looking at a certain select group of students that are going to need that type of schooling. It's not something that any large number of individuals would go from grade 9 through grade 12. It would be, more or less, a pick and choose type of thing. Kids that might be bullied. Kids that might be engaged in other activities. It's a number of things like that.

I would also argue that, yes, that maybe there are some virtual charter schools that are not doing well, but if you look at the big picture, we have public schools that are not doing well either. In fact, I would argue that we would not even be having this debate if public schools were functioning the way they should. Now, I don't say that to blame public schools. I blame that for a number of things. Public schools have their own particular dilemmas today. We have a declining student population that's causing a money crunch that gets many people scared very, very often.

We have a culture issue where kids want to be LeBron James and don't want to be Albert Einstein. We see that in every school district throughout America. I would argue that, yes, there is an emergency, but it's not because of charter schools or virtual charter schools. It's because of the status quo. I say that in full recognition that the only way to change status quo is to try to get some sort of innovation.

On my way up here, I was thinking a number of things and one of them, again is repetitive, that in all the discussions we ever hear, all the information that you receive, we talk about things like money and school systems, and we never talk about students and what they need. I would argue that they do need, some need, charter schools.

I would also argue that one of the dilemmas facing public education today is what we, the Legislature, is creating and that is a big box educational system. When I started teaching 35 years ago, the laboratory was a classroom. Every day when I went into a classroom, I had no idea what I was going to do in many of those days, and I would try some things, some things that were completely off the wall, and some things that, I would argue, that you could never do in a classroom today, and they worked. There was that spontaneity in the classroom. We're taking that all away. The Federal Government's taking that all away with all these mandates and ideas of testing and protocol and structure and all this other stuff so that you lose a teaching moment in so many cases. And yet, out there in the Maine landscape of education, there are things that work.

I would argue that one of the greatest educational leaders of Maine is Joe Gauld of the Hyde School, a school that was created outside the box of public education that talks about unique student potential. I remember going to the new school in Kennebunk a number of years ago and being amazed to see kids there at night. I kept thinking, "Why would my kids not want to be there at night doing extra credit work and things of that nature?" I think that's the fundamental core of the issue here.

When I was on the Education Committee, I asked this question and I never really got an answer, and I still don't know what the answer might be, but it's this. If you look at your own particular academic career, or that of your kids, you know that the first few years of school, they love school. It's something fantastic. They get thrilled by it. And then somewhere around the 4th or 5th or 6th grade, all of a sudden, "Mom, Dad, do I have

to go to school?" The dread comes in. They don't want to go. They lose the spark. So I say this, if we can create an alternative, some sort of innovation that allows our kids to retain the spark that they had when they were younger, that wants them to go to school, shouldn't we offer them that option? Should we be so bound up with the fear of losing money that we say, "Oh no, we can't do that."

Mr. Speaker, Ladies and Gentlemen of the House, when we look at public education today, I would argue this, that I have seen the enemy and it is us. We create these walls. We create these boundaries that affect schooling and it has nothing to do with charter schools or virtual charter schools or public education. There are so many other things out there. It's a complex problem and I think what we're doing is demonizing the wrong individuals and the wrong structure. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: 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, if you look at the title of this bill, the title of this bill is, "To Establish a Moratorium on the Approval and Operation of Virtual Charter Schools." Essentially, at its core, that's what this bill does. Now, if this bill were actually two separate bills, when we were actually looking at the funding piece separately from the moratorium piece, I suspect there may be a different outcome on what happens to this bill in the end. Unfortunately, I think the marrying of these two things together is going to be, unfortunately, the demise of the bill. Because of the moratorium piece, I'm going to have to vote against the bill.

We have the Charter School Commission Board, which has, I think, done a respectable job in terms of trying to work through the many hurdles that are in place for people and folks that want to start a charter school, and my understanding is, is there have been many, or at least several, applications by virtual charter schools that have also been denied by the Charter School Commission. So, I think if we let them do their work, I think that this stuff is going to get done in the way that it should get done and technically you don't even need a moratorium so long as the Charter School Commission is doing the work that they should be doing. So, I'm going to put my faith in them and, unfortunately, therefore, I'm going to have to vote against this bill. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative CAMPBELL: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I very much disagree with my seatmate that spoke a few minutes ago. I was here when we voted to fund public schools at 55 percent, and it became law, and we've been in violation of that law for quite a few years now. Now we're trying to get virtual schools. I've seen this administration want to fund Catholic schools and private schools. The thing we should do is support our teachers and support public education as we all have for years and come up with the 55 percent, never mind all this other stuff right now, maybe later on. So, I'd say I totally disagree with my seatmate. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Fairfield, Representative Kusiak.

Representative KUSIAK: Thank you, Mr. Speaker Pro Tem, and Women and Men of the House. I rise in support of the motion before us. I'd like to share a few points about virtual charter schools. Looking at the existing schools nationally, teacher turnover in virtual schools is very, very high. Class sizes are also very large. Also, again, looking at existing virtual schools, studies reveal that only about a quarter of the students

who attend these schools, or participate in these schools, achieve adequate yearly progress. That's the measure in the No Child Left Behind legislation, compared to about a half of students nationwide who make adequate yearly progress in traditional schools. Furthermore, graduation rates in virtual schools are very, very low. The point is virtual schools for K through 12 students provide success for one group of people, stockholders and school corporations. Thank you. I urge you to vote in favor of this moratorium.

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

Representative FREDETTE: Thank you, Mr. Speaker Pro Tem. Just very quickly in response to the good Representative Campbell's comments about supporting teachers, I just wanted him to know that, in fact, that my wife's been teaching for 23 years. I've been very active in the school system, and so I'd like to think that I am very supportive of teachers and schools.

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

**ROLL CALL NO. 704**

YEA - Beaudoin, Beaulieu, Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Campbell J, Carey, Cassidy, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Peavey Haskell, Peoples, Peterson, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Winchenbach, Mr. Speaker.

NAY - Bennett, Black, Boland, Campbell R, Casavant, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Hayes, Jackson, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winsor, Wood.

ABSENT - Ayotte, Chapman, Johnson D, Noon.

Yes, 91; No, 56; Absent, 4; Excused, 0.

91 having voted in the affirmative and 56 voted in the negative, with 4 being absent, and accordingly the Majority Ought to Pass Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Senate Amendment "B" (S-514)** was **READ** by the Clerk and **ADOPTED**.

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

Subsequently, under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Senate Amendment "B" (S-514)** in concurrence.

**SENATE PAPERS**

The following Joint Resolution: (S.P. 755)

**JOINT RESOLUTION RECOGNIZING NOVEMBER 2014 AS  
PANCREATIC CANCER AWARENESS MONTH**

WHEREAS, researchers estimate that about 45,200 people in the United States will be diagnosed with pancreatic cancer and about 38,460 will die from the disease this year; and

WHEREAS, pancreatic cancer is one of the few cancers for which the survival rates have had little improvement in nearly 40 years, and 60% of patients with pancreatic cancer have metastatic disease at the time of diagnosis and an average life expectancy of just 6 to 12 months; and

WHEREAS, pancreatic cancer is the 4th leading cause of cancer-related deaths in the United States, and there is no early detection test to diagnose the disease in its early stages when surgical removal of the tumor is still possible; and

WHEREAS, pancreatic cancer occurs when abnormal cell growth begins in the pancreas, with family history, smoking, age and diabetes being some major risk factors; and

WHEREAS, pancreatic cancer may cause vague symptoms that could indicate many different conditions, including abdominal or back pain, weight loss, jaundice, loss of appetite and nausea; and

WHEREAS, surgical removal is the best possible treatment option in less than 20% of patients diagnosed and chemotherapy or radiation is typically offered to patients whose tumors cannot be removed surgically; and

WHEREAS, the National Cancer Institute spent an estimated \$105.4 million on pancreatic cancer research in 2012, which represents only 1.8% of their approximate \$5.8 billion cancer research budget for that year, which shows that more research funds are necessary to fight pancreatic cancer; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, recognize that November 2014 is Pancreatic Cancer Awareness Month in order to make our citizens more aware of this prevalent disease; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Governor of Maine, the Honorable Paul LePage, and to the Department of Health and Human Services.

Came from the Senate, **READ and ADOPTED.**

**READ and ADOPTED** in concurrence.

**COMMUNICATIONS**

The Following Communication: (H.C. 416)

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

April 11, 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 1594, "Resolve, To Review and Make Recommendations on Challenges, Gaps and Inefficiencies in Maine's Emergency Crisis Hotline and 'Warm Line' Services."

This resolve requires the Department of Health and Human Services to convene a working group to do work that has already been done. The Department, through the Request for Information process, has already reviewed the emergency crisis hotline and the costs and benefits of consolidating warm line services into a triaged telephone line. As part of this process, the Department considered the "Peer and Crisis Services" report prepared by the Consumer Council System of Maine and heard from the consumer perspective. This resolve would be duplicative of the work that has already been conducted. For these reasons, I return LD 1594 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 Review and Make Recommendations on Challenges, Gaps and Inefficiencies in Maine's Emergency Crisis Hotline and "Warm Line" Services

(H.P. 1165) (L.D. 1594)  
(H. "A" H-745 to C. "A" H-683)

The SPEAKER PRO TEM: The Chair recognizes the Representative from Norridgewock, Representative Domey.

Representative **DORNEY**: Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move that we vote to override this veto. I'd like to speak to my motion.

The SPEAKER PRO TEM: The Representative may proceed.

Representative **DORNEY**: Thank you, Mr. Speaker. I want to tell people what this bill is all about. There basically is a series of emergency hotlines and warmlines in the State of Maine for mental health emergencies. Let me just give an example. Let's say someone in this chamber had a mental health emergency right now. What would people do? I would guess that they would call 911. That's actually not a good idea because what happens when you call 911 is the police get involved. There's an ambulance called. They take you to the emergency room. There's lots of cost that's involved. If you actually call one of the behavioral hotlines then there's a triage system that happens. The problem is that most people do not know what the emergency mental health hotline is. It's not an easy number. I would guess that almost everyone in my county would have absolutely no idea which number to call, how to deal with the system. So this basically would allow an easily recognized number to be accessed so that people would stay out of the emergency room system. It could save money for the state. It could actually help our behavioral health emergency system and get people the care they actually need. This would actually allow consumers who are using the system to have input into developing the system as well. Thank you very much.

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

Representative **SANDERSON**: Thank you, Mr. Speaker. Ladies and Gentlemen of the House, though I appreciate the intent of this bill, we already have a system in place which provides consumers across this state with one particular number that they can call in order to access hundreds and hundreds of services in this state. It's called 211, very similar to 911 for emergency services. 211 actually has a fully supplied staff 24/7 and this can help people, direct people where they need to go. I mean, I'm sure this bill is well intended, but it's already something that we do have in place. So, I urge you consider that and uphold the veto. 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 PRO TEM: 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.

**ROLL CALL NO. 705V**

YEA - Beaudoin, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Peoples, Peterson, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Winchenbach, Mr. Speaker.

NAY - Beaulieu, Bennett, Black, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Winsor, Wood.

ABSENT - Ayotte, Chapman, Johnson D, McElwee, Noon, Wilson.

Yes, 92; No, 53; Absent, 6; Excused, 0.

92 having voted in the affirmative and 53 voted in the negative, with 6 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 417)

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

April 11, 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 1252, "An Act To Improve Maine's Economy and Energy Security with Cost-effective Technologies."

The bill imposes a new tax on residential and commercial electric bills to force Efficiency Maine Trust to continue a solar program, which was suspended last fall after it was determined the program was not cost-effective.

First, residential electric bills have increased this year by more than 11 percent in Central Maine Power's service area, more than 13 percent in Emera Maine's Bangor Hydro Electric's service area and 16 percent in Northern Maine. This is a particularly painful time to impose an additional tax on electricity. Energy taxes are regressive and disproportionately hurt our low-income households. This bill would impose the tax on thousands of hardworking families just to provide the few who have the

means to purchase a \$20,000 solar system with a rebate of an estimated \$2,000.

Second, I am discouraged that after a colder than usual winter the Legislature has not worked to help people stay warm. I have proposed using existing funds from the harvest of timber on Maine's public land to support efficiency and make it more affordable for Mainers to use natural gas, heat pumps, wood pellets or high-efficient oil systems, all of which have enormous potential to actually keep them warm at a lower cost. This could make a difference in the energy challenges that Mainers are facing and should not be a partisan debate. I acknowledge that this bill does propose a new low-income heat pump program that could cut down energy bills. However, this should be considered under existing funding at Efficiency Maine Trust or could have been funded with the harvest of public lands.

We have the 12th highest energy rates in the nation. Our energy challenges are massive and were acutely illustrated this winter. We need to reduce our energy rates, not add to them. This bill overrules a policy decision made by Efficiency Maine Trust, taxes Mainers by \$1 million and unilaterally selects solar above other solutions that have proven to be more cost-effective. This is bad energy policy.

For these reasons, I return LD 1252 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 Improve Maine's Economy and Energy Security with Cost-effective Technologies

(H.P. 886) (L.D. 1252)  
(H. "C" H-744 to C. "A" H-650)

The SPEAKER PRO TEM: The Chair recognizes the Representative from South Portland, Representative Morrison.

Representative **MORRISON**: Thank you, Mr. Speaker, and good morning Ladies and Gentlemen of the House. I'm going to ask you to support me in a bipartisan fashion that you did last time and help me override this veto. I want to thank everyone first for their bipartisan support. The good Representative from Farmington and I worked hard together to come up with an amendment, a floor amendment, that added heat pumps to our solar rebate program for those who qualify for LIHEAP, which I think was a great compromise on both sides. Again, I appreciate everyone's bipartisan support.

I'm just going to recap what this bill does really quickly for everyone to refresh your memory. This million dollar fund is for a solar rebate program and a person can apply to it and get a \$2,000 rebate. That also applies to folks under the heat pump program if you qualify for LIHEAP as well. Also, this particular fund is funded by a 5 cent a month surcharge per ratepayer or 60 cents a year per ratepayer. That's the basic recap. It's really simple, and again, for those who were with us before, I'd appreciate that again. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise to ask you to override the veto. I, like the CEO, could not support the bill as it originally stood because I did feel that if it was merely a solar program that this was a tax upon all Mainers, and it was very unlikely that a low-income individual could receive that assistance because the upfront costs for a solar project is very steep.

I worked with the good Representative from Portland to put this together where there would be a piece of it that would apply to heat pumps for low-income people because the current crisis

that we faced in this winter, that maybe, finally, seems to be wanting to end, was far more upfront than the solar program. We put this together; we received a large bipartisan vote upon this the first time around.

It is a rate increase. I never tried to hide this. But the reality is that it probably is an overall savings to the taxpayer and that is because currently we fund low-income heating and heating assistance with our fuel that is about \$3.50 a gallon, whereas a heat pump would make that fuel the equivalent of about \$1.50 a gallon. It would stretch our dollars a lot farther in that direction. And if the worst thing that we do is we achieve more money for Efficiency Maine to affect the low-income heating assistance, if that's the worst thing we've done with this, then it probably still is money well served.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative **MacDONALD**: Thank you, Mr. Speaker. Men and Women of the House, I just wanted to put before you the experience we've had in the Boothbay peninsula where CMP is trying to save \$18,000,000 by not having to put a main line down on the peninsula to cover the higher energy uses in our August tourism season. CMP has proposed that, on the peninsula, we develop renewable energy sources including solar or wind or heat pumps or whatever, even generators, that would be able to generate electricity locally down on the peninsula and save \$18,000,000 worth of investment that CMP would otherwise have to make. I would not have been able to participate in that program had it not been for the rebate that we received from Efficiency Maine. But, I was able, with that Efficiency Maine rebate, to put up a 3.2 kilowatt array on the roof of our house so we can participate in a program that's trying to help reduce a major cost that CMP will have to make if we can't generate electricity locally.

So, I submit to you that this kind of investment is a smart investment and if we can do enough of this, we can forgo a lot of the capital investments that might have to be made for more centrally located electricity. So, that experience, Mr. Speaker, makes me want to vote yes to override this veto and I hope others will join me in doing so.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Embden, Representative Dunphy.

Representative **DUNPHY**: Thank you, Mr. Speaker. Mr. Speaker, 1252 reinstates the solar and wind rebates. From the floor speeches, here, the last time the bill was brought up, I understand that solar installations are up 30 percent, I think the number was, and the cost of solar equipment is dropping and business is booming as it is for the heat pumps. That being said, why do we need to continue funding these programs?

The increase of energy costs is 5 cents, and that's peanuts but it's still, nonetheless, a regressive tax. I believe that solar potentially is a very good energy source. In fact, I use solar in my own home. But again, as this illustrious body did with wind, we're picking winners and losers.

This amendment makes a provision for heat pumps. I think that's a heck of an idea too, but Efficiency Maine already has the authority and ability to fund heat pumps. We continue to talk about good paying jobs in Maine. We're 12th highest in the nation for energy costs, 12th highest in the nation. Good paying jobs are primarily industrial jobs and when you're 12th highest in the United States for energy costs, and adding another regressive tax, how are we going to entice business to come here.

The other question I have and I'd like to address it through the Chair to the floor, if I may, is what about the additional costs for T&D Maintenance for the infrastructure that's required? Even if

you have solar, the utilities are required, unless you are totally off the grid, to come straight to your home with these wires. Who's going to pay for that? Less electricity flowing over them; more costs per electron, if you will. So, I'm going to support the Governor's veto and I would request that you do the same. Thank you.

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

Representative **JONES**: Thank you, Mr. Speaker. Men and Women of the House, I'd like to call the House's attention to the fact that the first time we considered this there was a roll call, Roll Call No. 568, 109 of us voted in favor of the Ought to Pass on this bill. I'd like to pose a question through the Chair, Mr. Speaker.

The SPEAKER PRO TEM: The Representative from Freedom, Representative Jones has requested to pose a question through the Chair. The Representative may proceed.

Representative **JONES**: Thank you, Mr. Speaker. Is there any new information before the body that would suggest that any of us, under further consideration of this bill, should change our vote?

The SPEAKER PRO TEM: The Representative from Freedom, Representative Jones, has posed a question through the Chair to anyone wishing to answer. The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: I would suggest that the good Representative simply read the veto message from the Chief Executive. He'd have some new information in front of him.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, we heard today that this will support industrial wind. That is not accurate. This is about local people. This is about everyday folks who want to be able to reduce their expenses and to be able to contribute to a clean energy economy. This is a very good step. In fact, the solar rebates originally were supposed to be re-upped several years ago and then there was a mix-up in the language that got passed and it got left out, so this fixes that.

It also insures that we're looking at our heating crisis which is, I would argue, one of the biggest crises that this state faces and we, in light of the winter that we have just had, have to do something to make sure that low-income folks are able to move off of their expensive fossil fuels and be able to move toward a lower-cost form of energy. The heat pumps component to LD 1252 before us actually allows that to happen. It's a very cost efficient way to heat your home. I think it's something that we need to be taking a look at.

So, if we're serious about the clean energy economy that is growing in this state, it's one of the few growth areas in terms of economic development that we have. If we're serious about continuing that, then we need to be serious about the rebates. If we're serious about addressing the heating crisis, this is a great way to kick start that. And if we're serious about reducing our overall consumption of energy on the grid, this is one way to do it.

The one question that came up from my good friend from Embden was around T&D. I'd just like to remind folks that the MPRP has been in the process of being built. It may be completed by now, and that was a major build out of transmission in this state. So, they were already anticipating an increase of consumption and an increase of use. This is actually an alternative to transmission because it allows us to have localized energy right at the home.

So, this bill will actually reduce our need for transmission in the future, but for people who are concerned that there might be

some requirement for transmission development, that has already taken place. We are in a good position to do this and I will be voting, very strongly, to override the veto and I want to give, perhaps to the good Representative from South Portland who worked really hard on this, and to the good Representative from Farmington who really stood strong on making sure that our elderly can heat their homes, and this is one way that we can address that. So, thank you, Mr. Speaker.

The SPEAKER PRO TEM: 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 support the motion to override this veto. The answer to my good friend from Embden is the reason why we should continue to support this is because it is a growing business that is adding jobs, number one, and number two, I believe that for as long as we've been subsidizing the most profitable business in the world, oil and gas, that we should subsidize renewables. Thank you.

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 PRO TEM: 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. 706V**

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

NAY - Beaulieu, Bennett, Casavant, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Fitzpatrick, Fredette, Gifford, Guerin, Jackson, Johnson P, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Malaby, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Wallace, Weaver, Willette, Winsor, Wood.

ABSENT - Ayotte, Chapman, Johnson D, Noon, Wilson.

Yes, 105; No, 41; Absent, 5; Excused, 0.

105 having voted in the affirmative and 41 voted in the negative, with 5 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

Sent for concurrence.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Caribou, Representative McElwee, who wishes to address the House on the record.

Representative **McELWEE**: Had I been in my seat for LD 1594, I would have voted nay. Thank you.

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

On motion of Representative TYLER of Windham, the House adjourned at 12:21 p.m., until 9:00 a.m., Tuesday, April 15, 2014 in honor and lasting tribute to Harvey A. Chesley, Sr., of Clinton, the Honorable Ada K. Magnusson Brown, of Windham and Jeff Pert, of Brunswick.

**ORDERS**

On motion of Representative HOBBS of Saco, the following Joint Order: (H.P. 1350)

ORDERED, the Senate concurring, that Bill, "An Act To Amend the Law Governing Conflicts of Interest with Respect to the Public Utilities Commission," H.P. 1191, L.D. 1619, and all its accompanying papers, be recalled from the Governor's desk to the House.

**READ and PASSED.**