

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**First Regular Session**

beginning December 3, 2014

beginning at page H-1

LEGISLATIVE RECORD - HOUSE, April 23, 2015  
 ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
 FIRST REGULAR SESSION  
 34th Legislative Day  
 Thursday, April 23, 2015

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

Prayer by Diane Wentworth, Program Manager, Girl Scouts of Maine, South Portland.

Colors presented by Boy Scout Troop 603 and Cub Scout Pack 684, Augusta.

National Anthem by Oxford Hills Comprehensive High School String Quartet, South Paris.

Pledge of Allegiance by Maureen Grant, Girl Scout Troop 3038, Westbrook.

Doctor of the day, Marshall Chamberlin, M.D., Sanford.

The Journal of April 21, 2015 was read and approved.

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To License Outpatient Surgical Abortion Facilities" (H.P. 890) (L.D. 1312)

**REFERRED** to the Committee on **JUDICIARY** in the House on April 16, 2015.

Came from the Senate **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

Representative SANDERSON of Chelsea moved that the House **RECEDE AND CONCUR**.

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

Representative SANDERSON: Thank you, Mr. Speaker, this bill does not belong in the Judiciary Committee. This is about the licensing of a medical facility, which again falls under the Department of Licensing and Regulatory Services, under the jurisdiction of the Department of Health and Human Services.

We have 16 joint standing committees assigned to oversight of specific departments. The reason: for proper oversight and a focused area of expertise. I move that we keep this, that we Recede and Concur, send it to the proper committee, not a committee that does not have oversight of this licensing practice, and that I also request a roll call please.

The same Representative **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: The Chair recognizes the Representative from Glenburn, Representative Guerin.

Representative GUERIN: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I would like to support Representative Sanderson in the Recede and Concur motion. Judiciary, of whom I am the Republican Lead, does not have jurisdiction over licensing of medical facilities.

The SPEAKER: 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. 33**

YEA - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Davitt, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Kinney J, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nadeau, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott,

Reed, Sanderson, Sawicki, Seavey, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, White, Winsor, Wood.

NAY - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Stuckey, Tepler, Tipping-Spitz, Tucker, Warren, Welsh, Mr. Speaker.

ABSENT - Kinney M, Sherman.

Yes, 72; No, 77; Absent, 2; Excused, 0.

72 having voted in the affirmative and 77 voted in the negative, with 2 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, Representative McCABE of Skowhegan moved that the House **INSIST**.

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: 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. 34**

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Stuckey, Tepler, Tipping-Spitz, Tucker, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Kinney J, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nadeau, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Kinney M, Sherman.

Yes, 78; No, 71; Absent, 2; Excused, 0.

78 having voted in the affirmative and 71 voted in the negative, with 2 being absent, and accordingly the House voted to **INSIST**.

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

**COMMUNICATIONS**

The Following Communication: (H.C. 124)

**STATE OF MAINE  
CLERK'S OFFICE**

**2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

April 23, 2015

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 Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Health and Human Services

L.D. 474 An Act To Improve Access to Dental Care in Maine

L.D. 517 Resolve, To Reconcile Conflicts between the Home and Community-based Waiver Program for the Elderly and Adults with Disabilities and the Requirements of the Department of Health and Human Services and the Department of Public Safety (EMERGENCY)

L.D. 605 Resolve, To Provide Certain Dental Services to Pregnant Women Enrolled in the MaineCare Program

L.D. 771 An Act To Promote Dental Services for Prenatal and Postpartum Women

L.D. 812 An Act To Prevent Drug Overdose Deaths by Enhancing Access to Opioid Antagonists

Inland Fisheries and Wildlife

L.D. 907 An Act To Reduce Milfoil Infestations (EMERGENCY)

L.D. 959 An Act To Amend the Membership of the Maine Outdoor Heritage Fund Board

Taxation

L.D. 169 An Act To Amend the Laws Governing Groundwater Rights

L.D. 226 An Act To Promote Efficiency in Food Pantry Operation

L.D. 278 An Act To Encourage the Use of Fuel-efficient Vehicles

L.D. 332 An Act To Exempt from Sales Tax Sales to Certain Nonprofit Corporations That Provide Home Rehabilitation and Modification Services to Low-income Individuals

L.D. 497 An Act To Provide a Sales Tax Rebate for Certain Organizations Providing Services to Disabled Veterans

L.D. 499 An Act To Create Jobs in the Forest Products Industry

L.D. 501 An Act To Amend the Estate Tax Laws

L.D. 502 An Act To Repeal the Service Provider Tax on Private Nonmedical Institutions and To Offset That Revenue Loss

L.D. 519 An Act To Allow Telecommunications Infrastructure Investment in Development Districts for Municipalities and Plantations

L.D. 541 An Act To Promote Sustainability in Home Ownership for First-time Home Buyers

- L.D. 565 An Act To Authorize Municipalities To Impose Service Charges on Tax-exempt Property Owned by Certain Nonprofit Organizations
- L.D. 759 An Act To Establish a Sales Tax Holiday
- L.D. 769 An Act To Reduce Tax Expenditures
- L.D. 859 An Act To Improve Camping Opportunities in Maine
- L.D. 871 An Act To Provide for Cooperation between Municipalities with Tax Increment Financing Districts
- L.D. 922 An Act To Provide an Income Tax Exemption for Pension or Retirement Plans for Veterans Who Are Totally Disabled
- L.D. 932 An Act To Designate a Sales Tax Holiday
- Transportation
- L.D. 32 An Act To Amend the Laws Regarding Signs on Interstate Highways in Maine
- L.D. 73 An Act To Increase Weight Allowances for Farm Trucks
- L.D. 363 An Act Regarding Learner's Permits for Driver's Licenses
- L.D. 903 An Act To Allow in Certain Circumstances Two-wheeled Vehicles To Proceed through Red Lights and Make Right Turns on Red in Contravention of Posted Prohibitions
- L.D. 1122 An Act Regarding the Use of Vehicles on Monhegan Island

Sincerely,

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bill and Resolution were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

**HEALTH AND HUMAN SERVICES**

Bill "An Act Regarding Licensed Children's Programs" (H.P. 927) (L.D. 1365)

Sponsored by Representative MALABY of Hancock.  
Cosponsored by Senator BRAKEY of Androscoggin and Representative: SANDERSON of Chelsea.  
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

**TAXATION**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Eliminate the Income Tax (H.P. 928) (L.D. 1367)

Sponsored by Representative FREDETTE of Newport. (GOVERNOR'S BILL)  
Cosponsored by President THIBODEAU of Waldo and Representative: ESPLING of New Gloucester, Senators: CUSHING of Penobscot, MASON of Androscoggin.

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

**ORDERS**

On motion of Representative POULIOT of Augusta, the following Joint Resolution: (H.P. 926) (Cosponsored by Representative: PRESCOTT of Waterboro)

**JOINT RESOLUTION PROCLAIMING APRIL AS FINANCIAL LITERACY MONTH**

WHEREAS, according to recent statistics, the average American credit card debt is \$15,611, the average mortgage debt is \$155,192 and the average student loan debt is \$32,264; and

WHEREAS, the United States consumer debt in January of this year was \$3.328 trillion and, of this, \$2.44 trillion was nonrevolving debt and \$887.9 billion was credit card debt; and

WHEREAS, a household debt crisis occurs when a family starts falling behind on monthly payments, and any sudden loss of income, or increase in costs, can cause a household debt crisis; and

WHEREAS, approximately 13% of Americans do not have health insurance, which increases financial hardship for everyone; and

WHEREAS, one of the biggest reasons for debt is medical expenses, which cause half of all bankruptcies in the United States; and

WHEREAS, foreclosure filings for 2013, including notices of default, scheduled auctions and bank repossessions, were reported on 1.36 million properties; and

WHEREAS, financial education, which makes our State more financially literate, is important to improve the financial capability of Maine residents, from kindergarten to college and beyond; and

WHEREAS, financial education efforts are a key element in preventing future debt and financial difficulties and in developing in our citizens a better understanding of basic personal and business financial matters; and

WHEREAS, the Finance Authority of Maine offers a variety of statewide initiatives and education workshops and programs to the public and to schools on financial literacy and is committed to helping people manage their money; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, urge the residents of the State to become more financially literate, and, in order to raise public awareness about the need for increased financial literacy education, we support naming April as Financial Literacy Month.

**READ and ADOPTED.**

Sent for concurrence.

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 20)

ORDERED, that Representative Paul Chace of Durham be excused April 21 for personal reasons.

**READ and PASSED.**

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Mary Allen Lindemann, of Portland, who has received the 2015 Merle Nelson Women Making a Difference Award for her public service. The award was given by the Maine Centers for Women, Work and Community. Ms. Lindemann has been a passionate spokesperson for Maine communities and businesses and has made countless donations to nonprofits throughout the

State as well as to young entrepreneurs starting businesses. We extend to Ms. Lindemann our congratulations and best wishes; (HLS 239)

Presented by Representative HANINGTON of Lincoln. Cosponsored by Senator HASKELL of Cumberland, Senator ALFOND of Cumberland, Representative HARLOW of Portland, Representative FARNSWORTH of Portland, Representative MOONEN of Portland, Representative RUSSELL of Portland, Representative CHIPMAN of Portland, Representative JORGENSEN of Portland, Representative STUCKEY of Portland, Representative DION of Portland.

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

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Lincoln, Representative Hanington.

Representative **HANINGTON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise before you today to recognize Mary Allen Lindemann of Coffee By Design in Portland.

This past February at an event at the Senator Inn I first met Mary Allen. In 1989 Mary Allen and her husband Alan left Maine. After returning to the east coast, they were told that this type of business could not work here in Maine, so they travelled New England for two years.

They moved back to Maine in hopes to start a business and employ maybe one part time person. They started Coffee By Design in Portland. Today, they employ over 60 people. Since starting Coffee By Design, they received over a dozen awards for her accomplishments in giving back to the community and to the state.

Within the business, they have a roasting facility in Portland, five coffee houses—four in Portland, one in Freeport. Coffee By Design supplies coffee throughout Maine and all over the United States. Coffee By Design's work spans the globe, and they work with several farmers in South America, Africa, and Indonesia for their supply of fine coffee beans. Coffee By Design most recently collaborated with a pioneering women's chapter in Burundi, Africa. This was through the International Women's Coffee Alliance for aiding in the recovery of the war torn country. Solid relationships and ongoing purchases of Burundi's green coffee beans makes Coffee By Design successful on the world stage. July 1st will mark the 21st year in business.

I feel strongly that if you treat people the way that you want to be treated, the Lord will bless you. I rise today and recognize Mary Allen, her husband and business partner, Alan, and their wonderful daughter Alina, in order to present this sentiment to you on behalf of the 127th Maine State Legislature. Thank you, Mr. Speaker.

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

**Recognizing:**

Noah Tibbetts, of Brewer, who was recently named the Children's Miracle Network Hospitals State of Maine Champion Child, for his and Brewer Community School's fund-raising campaign, Nickels with Noah. The campaign encouraged Noah's classmates to donate their coins in the month of October. The campaign raised \$2,353.40, which was matched by Bangor Federal Credit Union for a total of \$4,706.80, to donate to Children's Miracle Network. We extend to Noah our appreciation for his efforts and our best wishes;

(HLS 243)

Presented by Representative VEROW of Brewer.  
Cosponsored by Senator ROSEN of Hancock, Representative LYFORD of Eddington, Representative WARD of Dedham.

On **OBJECTION** of Representative VEROW of Brewer, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Verow.

Representative **VEROW**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Noah Tibbetts is here today with his brother.

The Children's Miracle Network Champion Program honors remarkable children from throughout the United States and Canada who have triumphed despite serious medical challenges. For his courage and perseverance, Noah was selected ambassador for Maine hospitals treating children for serious illness.

He and his brother, Gabe, organized a Halloween fundraiser called "Dare to Scare" and the family has followed that with another fundraiser called "Nickels for Noah." Both fundraisers have been successful in generating generous support for the Children's Miracle Network in the state of Maine, and so I'm pleased to present this sentiment. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Dedham, Representative Ward.

Representative **WARD**: Thank you, Mr. Speaker, this young man that Representative, my good friend Representative Verow was just mentioning is quite a young man, indeed. In fact, before I go any further, with the Speaker's permission, I would request that Noah Tibbetts come down and stand directly in front of the Speaker's podium so that you can all get a look at him with his brother. Noah, can you come down front for us, honey? Thank you, Mr. Speaker.

About a little over a year ago I received a call at my business, Nickerson and O'Day, from the Children's Miracle Network. They're a wonderful organization and they recognize a lot of effort that goes on in the greater Bangor area, and indeed across the state. And they explained to me that there was this young man, his name was Noah Tibbetts. They said that when he was a baby, he nearly died of meningitis. And his favorite team is the Boston Red Sox and he loves baseball more than anything.

Now, those of you might not know, I run an indoor baseball and softball training facility. It's what I call a "less than non-profit." You can figure that one out. It's called Sluggers, and they said, "Can we get him in there maybe for some free time at Sluggers?" I looked on the computer, and I could see that not only was he a member of the Sluggers family, but he was there all the time. I said, "You know what? I know some people at Cross Insurance," where I serve on the Board of Trustees in their Worker's Comp Division. It just so happens that Cross Insurance just began insuring the Boston Red Sox, which just happens to be Noah's favorite team, and mine by the way. I said, "Let me make a phone call and see what we can do."

In September of last year, we created a dream come true and a dream day for Noah and his little brother, Gabe, and his entire family. His mother, Julie, is up in the and she's videotaping right now. With the help of the Boston Red Sox and the Red Sox Nation, we were able to bring Noah to Fenway Park. He got to go down on the field, he got to meet his favorite players, he even got an autograph baseball. We got to go inside the clubhouse and the restaurant. We had seats on the Green Monster for the entire game—best seats in baseball, trust me. And, in the 7th inning, he got a surprise tap on his shoulder and he was led up into the radio broadcast booth, and the WEEI Red Sox Radio

Network, he sat beside Joe Castiglione and read the entire Red Sox line up in the 7th inning.

I got to witness all of that. And for this 52-year-old, it was a dream day for me, and I have to imagine that is equally so for 9-year-old Noah. Noah is a special kid. Noah understands what it's like to give back to community. Noah's using his story to provide benefit for many, many other young children through the Children's Miracle Network. And, Mr. Speaker, it's my proud moment to be able to recognize Noah here in the House of Representatives, and I wanted to introduce him all to you. Thank you, Mr. Speaker.

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

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**REPORTS OF COMMITTEE**  
**Divided Reports**

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Elect 2 Senators from Each County

(S.P. 234) (L.D. 641)

Signed:

Senator:

LIBBY of Androscoggin

Representatives:

MARTIN of Sinclair

BABBIDGE of Kennebunk

BEEBE-CENTER of Rockland

BRYANT of Windham

DOORE of Augusta

EVANGELOS of Friendship

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-43)** on same RESOLUTION.

Signed:

Senators:

WHITTEMORE of Somerset

WILLETTE of Aroostook

Representatives:

GREENWOOD of Wales

PICKETT of Dixfield

TUELL of East Machias

TURNER of Burlington

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

**READ.**

Representative MARTIN of Sinclair moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Mr. Speaker, Ladies and Gentlemen of the House, I rise today in opposition to the pending motion, and in support of LD 641, a "Resolution Proposing an Amendment to the Constitution of Maine To Elect 2 Senators from Each County."

Two hundred and twenty eight years ago, the Founding Fathers of this great nation gathered in Philadelphia to discuss, debate, and deliberate over the future of a loosely assembled confederation of states that had been clinging on to some semblance of a nation since emerging from the Revolutionary War, ten years previous.

Much has been written of those tense, feudal days when large states and small states jockeyed for advantage in the political arena. Much as I may add, if you read the pages in the newspaper today about small towns and large ones. Much has also been written of the men, their motivations and machinations as they tried to forge a Republic great enough to withstand all enemies—all enemies—foreign and domestic.

I bring all of this up because this discussion is echoed throughout the annals of history and has defined our nation and our state at every critical juncture. Madison and his contemporaries foresaw that. They saw that the big urban states like Massachusetts in the 1780's, and California today would, by might of numbers, seek to overwhelm small rural states. And so they crafted the Senate, giving each state two Senators, so that all states regardless of population were on an equal footing in one chamber of Congress. Yet, they also saw that smaller, rural states could hold the urban centers hostage if there was no balance. So they created the House, and based its membership on population, giving larger, more populous states sway in that chamber.

That is how our system was designed 228 years ago. And slowly, ever so slowly, we have gotten away from the original intent, the core concept, the point of our Constitution, to the point where most don't even understand why we ever did it in the first place. Which brings me to why I'm standing here chattering on today, knowing full well that this bill is doomed before you, Mr. Speaker, can bang the gavel.

Senator Davis' bill attempts to do at the state level what the Founders established at the federal. It attempts to bridge the rural/urban divide at a time when Mainers increasingly see the state as splitting in two. There, I've said it. There are two Maines. There is an urban Maine that feels like it is carrying rural regions like my district in Washington County; and there is a rural Maine that is consumed by the belief that its communities are being devoured by an insatiable, unsatisfiable, unquenchable, urban colossus.

Members of this body may argue that I am being melodramatic, and maybe I am. Yet all one needs to do is look at the discussion around school funding, economic development, local control, revenue sharing, healthcare, gun rights, on and on down the list we can go. This bill attempts to level the playing field, giving both rural Mainers and urban Mainers an equal voice in state government by balancing that government. This bill puts Lubec and Lewiston on the same playing field. It starts the proposed process of bridging the gap between the two Maines in a structural way as opposed to a partisan way; and it requires each of us to come to the table and figure things out in a balanced, measured way instead of a north versus south, or urban versus rural way.

I proudly support this legislation, Mr. Speaker. I know the die is cast, but I'm going to swing as big a stick for Washington County as I can while I'm here, and while I don't have the muscle, to borrow Representative Ward's analogy earlier, while I don't have the muscle of Pablo Sandoval or David Ortiz, I owe it to the folks back home to put every ounce I have into muscling that ball, this bill, into the Green Monster seats.

In closing, I urge my colleagues in this chamber, whether a firm believer in what the Founding Fathers set in motion nearly 230 years ago, a rural Representative or someone from the rural

caucus, or someone who wants to end the "Tale of Two Maines," to vote this bill Ought to Pass and hit the big red button. Thank you very much, Mr. Speaker.

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

Representative **BABBIDGE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, it is important that we consider this bill in some context. Two and a half centuries ago, we did have 13 very separate and disparate colonies, very different with different origins. And when we became one nation, as a result of the war, the Revolution, we set up a weak government that you're all familiar with the Articles in which each state was represented with a single vote.

When the Constitutional Convention did convene, people like James Wilson, a person from Pennsylvania and a delegate to the Constitutional Convention, looked at the status quo and said, and looked at New Jersey having equal votes with Pennsylvania. Pennsylvania had three times the population, and he said, "Are we not of equal value? Does it take three Pennsylvanians to equal one citizen of New Jersey?" And, of course what I know you are familiar with is that the Virginia Plan in 1787 came out with a major reform, and that would be choice according to population. And the Virginia Plan proposal was that the lower house be represented according to population, and that the upper house be chosen by the lower house.

Now, we didn't dare to go quite that far, so the compromise, the Great Compromise, Connecticut Compromise that we're all familiar with, ended up with making a major reform toward representation by the people, but sticking with a more traditional status quo in the Senate. Now, I'm not one to criticize Maine's place in the last 200 years with regard to the Senate. We have population representation in Washington that has been far more influential than our population would show.

And, in the 20th century, well, we had William Pitt Fessenden in the 1860's, a Senator from Maine who dared to go against his party and not vote for impeachment on trivial grounds, on political grounds. A century later we had another Republican, Margaret Chase Smith, who dared to oppose her party, or an important and powerful person in her party, when she gave the Declaration of Conscience speech in 1950. We've had Ed Muskie and George Mitchell, we've had Bill Cohen and Olympia Snowe, we have a proud tradition in Washington, I understand that.

But in 1868, the national Legislature, the Congress began the first of three major amendments to the Constitution, and the 14th amendment provided for equal protection of the laws. And that meant something back then but it came to mean more and more in the 20th century as the courts applied that to our lives. And in the 1960's, it was the Warren Court that came out with the *Baker vs. Carr* decision in 1962 that basically said, 1 person, 1 vote, established that principle. And *Reynolds vs. Sims* two years later addressed state legislatures, bicameral state legislatures.

And at the time, there was disparities all over the country. California, Tennessee, Florida had big disparities in the representation of the different delegates. In New Hampshire and Vermont, there were disparities where one Representative would actually represent a thousand times more people than another Representative.

So, in *Reynolds vs. Sims*, the Supreme Court of the United States declared that all bicameral legislature, both houses, of state legislatures be apportioned, or districts be abide by equal populations. And since that time, of course, the nation has abided by that. There's an evolution that has gone from tradition to popular sovereignty, representation by the people. It was Earl Warren who said, "Legislators represent people..."

The SPEAKER: Will the Representative defer.

Representative **BABBIDGE**: Yes.

The SPEAKER: The Chair would remind the Representative to address the Speaker through debate.

The Chair reminded Representative **BABBIDGE** of Kennebunk to address his comments toward the Speaker.

Representative **BABBIDGE**: I apologize.

The SPEAKER: The Representative may proceed.

Representative **BABBIDGE**: And the majority speaks to be to my left, so I apologize to the people over here as well. Mr. Speaker, I just want to say that, a famous quote from Earl Warren that does apply here is that, "People represent," excuse me, "Representatives represent people, not trees or acres." And, although I am a proud former resident of Greenville for seven or eight years and have great affection for my friends in Piscataquis County, the fact of the matter is, should we go to this, should we go to this two Representative per county then a Senator from Piscataquis would represent an equal amount to a Representative, about 9,000 thousand people, a little less. And meanwhile, Cumberland, take the opposite, would represent 144,000.

So, I think it's important that we take this in context and although we respect our national legislature, the fact that we have two from each state was not a reform, it was part of a compromise to attend to the traditional status quo. And that finally, over the last 250 years we have come to proportional representation, "one man, one vote", and I think we should adhere to that. I urge you to vote with the majority Ought Not to Pass report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sinclair, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, LD 641 is, in fact a constitutional resolution; it's an amendment. It would, in fact reduce the size of the Maine Senate from 35 to 32.

Those that have spoken in opposition to the majority Ought Not to Pass Report might have had valid arguments prior to 1964. But here's what happened in 1964. In 1964 the U.S. Supreme Court ruled that representation in elected bodies had to be done by population and not by county. As a matter of fact, the *Baker vs. Carr*, the court ruled that representation had to be based on population. Again, this would be in clear violation of the Maine Constitution and I urge all members of this body to please support the majority Ought Not to Pass report.

The SPEAKER: The Chair recognizes the Representative from Friendship, Representative Evangelos.

Representative **EVANGELOS**: Thank you, Mr. Speaker, I rise to support the motion of the good Representative from Sinclair, the "one man, one vote" principle. Also want to clear up for the record for misconceptions, our Founding Fathers did not codify the direct election of Senators. That was done in 1913 with the adoption of the 17th amendment. Prior to that, U.S. Senators were elected by the respective state legislators. I also feel that this is more or less a bill that mirrors the House of Lords peerage system, which they've done away with in Great Britain.

Cumberland County has 285,000 people. Piscataquis County has 17,000 people and under the provisions of this bill they would both have two Senators. I might add that York County has 200,000 people and Penobscot County 153,000. And the "one man, one vote" provision has been solidly described by Representative Martin and I'll be following his lead on this. Thank you, Mr. Speaker.

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

Representative **SIROCKI**: Thank you, Mr. Speaker, I hadn't intended on rising to speak on this issue, but I had brought the same bill forward in the 125th, and I stand in opposition to the pending motion, and do support this idea.

And, I thought it was interesting that prior to the 1960's and the *Baker v. Carr* vote, that states were allowed the flexibility to mirror their state governments after the federal system and it was called the "little federal system," whereby the House of Representatives was apportioned by population and their Senate could be apportioned by region or geography, therefore both chambers really reflected a difference and I thank the Representative from Washington County for bringing this forward. Thank you.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I would just like to remind folks that it's "one person, one vote." Half the folks in this chamber aren't a man, so if we could just talk about it that way, that'd be awesome because I'd like to be reminded that I can vote. Thanks.

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

#### ROLL CALL NO. 35

YEA - Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

NAY - Alley, Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgcomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Kinney J, Lockman, Long, Lyford, Maker, Malaby, McClellan, McElwee, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Short, Sirocki, Skolfield, Stearns, Stetkis, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Hanley, Kinney M, Sherman.

Yes, 83; No, 65; Absent, 3; Excused, 0.

83 having voted in the affirmative and 65 voted in the negative, with 3 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.



Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-77)** on Resolve, To Implement the Recommendations of the Commission To Continue the Study of Long-term Care Facilities (EMERGENCY)

(H.P. 70) (L.D. 87)

Signed:

Senator:

HASKELL of Cumberland

Representatives:

GATTINE of Westbrook

BURSTEIN of Lincolnville

HAMANN of South Portland

HYMANSON of York

PETERSON of Rumford

STUCKEY of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-78)** on same Resolve.

Signed:

Senators:

BRAKEY of Androscoggin

McCORMICK of Kennebec

Representatives:

HEAD of Bethel

MALABY of Hancock

SANDERSON of Chelsea

VACHON of Scarborough

#### READ.

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

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

Representative **GATTINE**: Thank you Mr. Speaker, Men and Women of the House, those of us were members of the 126th Legislature can be proud of what we were able to do to support older Mainers who rely on nursing homes to meet their critical needs. And I'm glad we were able to come together to support health care businesses that employ thousands of Mainers throughout the state, including nursing homes in rural Maine.

LD 87, the motion before you, continues the bipartisan work we started last year and I think it's time to finish the job. LD 87 implements several unanimous recommendations of the Long Term Care Commission. That commission met over the past two summers to improve the way that we deliver and pay for nursing home services.

Now, when I say that those recommendations of the commission were unanimous that means that they had the support of members from both parties, members from both bodies, nursing home providers and advocates for the elderly. Mr. Speaker, I would hope each member, as we consider this bill, remembers the circumstances that lead to the creation of this commission and made the work of the commission pressing and urgent. Over the past several years the nursing home funding crisis has had dire consequences across the state, especially so in rural Maine. Facilities have closed in Calais, Lubec, Penobscot and Pittsfield. Residents have been forced to move away from their families and away from the communities where they lived for their entire lives. Jobs have been lost in towns where jobs are already scarce. Important economic engines in

rural Maine have been shut down. The impact has been devastating and the human toll has been real.

The specific measures in this bill will have real impact. They will provide real help to nursing homes across the state but they provide important support specifically to nursing homes in rural areas. This bill will provide relief from antiquated billing rules that don't make sense anymore given the years of chronic underfunding of Maine's nursing homes. It will provide targeted relief to rural facilities that face unique challenges and have struggled to survive.

The Long Term Care Commission did important work that can provide real help to our most vulnerable seniors. This work was bipartisan and unanimous and it deserves the support of this body.

And again, I think the Maine people can be proud of the work we have done in a bi-partisan way to support elderly Mainers and Maine's nursing homes. Let's continue to that work today, and I would urge everyone to support the motion on the floor. Thank you, Mr. Speaker.

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

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

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

Representative **VACHON**: Thank you, Mr. Speaker. Mr. Speaker; Ladies and Gentlemen of the House, I oppose the pending motion, and want you all to know that our Health and Human Services Committee is not very far apart on this issue. In fact, we are aligned on all pieces except one.

Who among us here in the chamber doesn't like to get a bigger bang for their buck; take nothing away from our seniors, but save our taxpayers money? Now I ask you, who among us here really understands crossover payments? The amendment before us concerns crossover payments, which are the costly gaps between Medicare Part A and Part B, and are costing taxpayers a lot of money. As a licensed health insurance agent that works with low income seniors, I understand crossover payments, and want you to know that I believe there are alternatives and better ways to fill these gaps.

I have asked the Department of DHHS to explore a Managed Care Waiver, so that Medicare part C plans could possibly close these crossover gaps. This would mean that private health insurance plans pay much of the crossover, so that taxpayers don't have to.

I urge you to vote against the pending motion and support the minority report, as the only difference is that it asks the department to explore exactly what I just talked about. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Stuckey.

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, two years ago, the 126th Maine Legislature created the Commission to Study Long Term Care Facilities. Last year, that Legislature supported the Commission's recommendations and passed LD 1776. That bill took major steps to address the terribly underfunded reimbursement system for nursing facilities. But it also recognized that the system was still badly broken, and continued the commission for a second year.

With strong support from the second floor, the funding recommended by the commission was initiated in the current biennial budget, and has been added to the baseline for the proposed FY16 and 17 budget. This Resolve is one of two

unanimous verbatim recommendations from the Long Term Care Commission's 2nd year report. It directs the DHHS to amend the MaineCare benefit rules covering the principles of reimbursement for nursing facilities in four ways, all with an eye toward strengthening and stabilizing MaineCare's support for this important component of our state's long-term care continuum.

So here we go, Mr. Speaker, into the weeds: First, decreasing the occupancy percentage threshold in the rules will more accurately, and fairly reflect operational realities relative to the fixed costs component of reimbursement. Second, staff development expenses for direct care workers logically belong in the direct care cost component. Third, the elimination of crossover payments for Qualified Medicare Beneficiaries when Medicare payments stop before appropriate discharge can be arranged costs nursing facilities as much as \$152 a day, and should be restored in the rules. And fourth, to help ensure access to services for some more remote parts of the state, a "Critical Access" designation for nursing facilities should be added to the rules, with a higher reimbursement rate, similar to Critical Access Hospitals.

Mr. Speaker, in its report to our Health and Human Services Committee earlier this year, the commission has asked that the committee work with the Department of Health and Human Services over the next two years to address a number of issues related to the health and stability of an appropriately sized and geographically balanced network of long-term care facilities, and do that in the context of the larger continuum of care. However, the commission felt these four concerns are critical and straightforward, should begin to be addressed immediately. So please, Mr. Speaker, and Men and Women of the House, join me in supporting their unanimous recommendations, and vote Ought to Pass on this resolution.

And Mr. Speaker, in response to the good Representative from Scarborough, I agree with her recommendation to ask the Department of Health and Human Services to study the possibility of an alternative way to cover these crossover payments. But the alternative is not yet in place, and every day, every week, every month, more and more nursing facilities struggle with an inadequate reimbursement, and this CRIMBY problem is one that was universally recognized as something that should be addressed immediately. And if we're successful in the other strategy, it can always be changed when that is in place. Thank you, Mr. Speaker.

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

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

**ROLL CALL NO. 36**

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Higgins, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn,

Saucier, Schneck, Shaw, Short, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Hilliard, Hobart, Kinney J, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Sirocki, Skolfield, Stearns, Stetkis, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Kinney M, Sherman.

Yes, 84; No, 65; Absent, 2; Excused, 0.

84 having voted in the affirmative and 65 voted in the negative, with 2 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Resolve was **READ ONCE. Committee Amendment "A" (H-77)** was **READ** by the Clerk and **ADOPTED.** The Resolve was assigned for **SECOND READING** Tuesday, April 28, 2015.

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Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-76)** on Bill "An Act Regarding Retrieving Wounded Bear"

(H.P. 214) (L.D. 320)

Signed:

Senators:

DAVIS of Piscataquis  
CYRWAY of Kennebec  
DUTREMBLE of York

Representatives:

SHAW of Standish  
ALLEY of Beals  
COREY of Windham  
CRAFTS of Lisbon  
HILLIARD of Belgrade  
LYFORD of Eddington  
MARTIN of Sinclair  
REED of Carmel  
WOOD of Greene

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

Signed:

Representative:

SHORT of Pittsfield

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-76)** Report.

**READ.**

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

The Bill was **READ ONCE. Committee Amendment "A" (H-76)** was **READ** by the Clerk and **ADOPTED.** The Bill was assigned for **SECOND READING** Tuesday, April 28, 2015.

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Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Stimulate the Economy and Invigorate the Hunting Industry by Establishing a Pilot Project To Allow Hunting on Sundays in Limited Areas"

(H.P. 548) (L.D. 799)

Signed:

Senators:

DAVIS of Piscataquis  
CYRWAY of Kennebec  
DUTREMBLE of York

Representatives:

SHAW of Standish  
ALLEY of Beals  
COREY of Windham  
HILLIARD of Belgrade  
LYFORD of Eddington  
MARTIN of Sinclair  
REED of Carmel  
SHORT of Pittsfield  
WOOD of Greene

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representative:

CRAFTS of Lisbon

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not to Pass** Report.

**READ.**

On motion of Representative SHAW of Standish, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Prevent Bad Faith Assertions of Patent Infringement"

(H.P. 117) (L.D. 159)

Signed:

Senators:

BURNS of Washington  
VOLK of Cumberland

Representatives:

HOBBINS of Saco  
GINZLER of Bridgton  
GUERIN of Glenburn  
HERRICK of Paris  
MONAGHAN of Cape Elizabeth  
SHERMAN of Hodgdon  
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

JOHNSON of Lincoln

Representatives:

EVANGELOS of Friendship  
McCREIGHT of Harpswell  
MOONEN of Portland

**READ.**

Representative HOBBINS of Saco moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Newcastle, Representative Devin.

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

The SPEAKER: The Representative may pose his question.

Representative **DEVIN**: Thank you very much, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, this bill is about closing the loophole for the pharmaceutical industry, which is one of the most profitable in the United States. Maine, in the 126th Legislature, this Legislature implemented a law which essentially outlaws frivolous patent suits. And my question to the Legislature today is, why does the pharmaceutical industry need this exemption? Thank you very much, Mr. Speaker.

The SPEAKER: The Representative from Newcastle, Representative Devin, has posed a question through the Chair to anyone who may care to respond.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Allow Certain Businesses To Be Open on Easter Day, Thanksgiving Day and Christmas Day"

(H.P. 426) (L.D. 613)

Signed:

Senators:

VOLK of Cumberland  
PATRICK of Oxford

Representatives:

HERBIG of Belfast  
BATES of Westbrook  
FECTEAU of Biddeford  
GILBERT of Jay  
MASTRACCIO of Sanford

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

CUSHING of Penobscot

Representatives:

AUSTIN of Gray  
CAMPBELL of Newfield  
LOCKMAN of Amherst  
STETKIS of Canaan  
WARD of Dedham

**READ.**

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

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

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, when this bill came up before, I voted against it. And the reason was that the people that own Renys was there and they very nice people and they kind of convinced me, but it turned out to be a dog in a manger that they didn't want to be open on those days, and this bill doesn't make them open.

The summary of this bill is that current law prohibits stores with more than 5,000 square feet of interior customer selling space from being open on Easter, Thanksgiving, and Christmas Day. The bill prohibits stores with more than 10,000 square feet of interior customer selling space from being open on Easter Sunday, Thanksgiving Day, Christmas Day, but this bill allows such a store to be open on these holidays if the store is operated and staffed only by the owner of an immediate family member of the owners.

The time has come to allow this business and others like them to be open on these holidays as a convenience for small town rural Maine. The bill was submitted by a local family market that started with a small variety store and is now a modern self-service convenience market. This will allow the owners of the family to work, which is what they did before they expanded their store over 10,000 square feet, Mr. Speaker.

Maine is one of three states that still prohibits retail activity on these days other than Sunday. The current law gives small owners the chance to make up additional earnings on these specific days. We want to try to bring jobs to the State of Maine and maintain them, yet we try to tie the hands of these people. LL Bean's open 365 days they so, but they're grandfathered. Well let's look to the small guy that wants to expand and be an LL Bean and let them be open.

There's nobody going to be forced to work on this bill. It's for people that own the market will be working and their relatives. I support this bill and I hope that the rest of the chamber will too. Thank you, Mr. Speaker.

Representative **WARD** of Dedham **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The SPEAKER: The Chair recognizes the Representative from Jay, Representative Gilbert.

Representative **GILBERT**: Mr. Speaker, Ladies and Gentlemen of the House, I stand in support of the motion Ought Not to Pass on LD 613. When the law went into effect allowing retail stores under 5,000 square feet of retail space to open on Sundays and holidays, many retailers made a business decision to reduce their selling space to less than 5,000 square feet by converting some of their sales floor to store rooms. The owners of a store that I managed at the time did this. Our business and many others did this to comply with the law to open on Sundays.

Today, the current law does not apply to Sundays, but to only three days in the year: Easter, Thanksgiving, and Christmas. Now, we have one or two retailers that made a business decision to increase their retail space beyond 5,000 square feet. That's fine. It was their decision and they knew the result of doing this, but now this bill is submitted to make the law comply with their decision.

This will not only affect those two businesses, but it will hurt small retailers, the mom-and-pop stores, the small retailers across the state who chose to comply with existing law. By the way, on a similar bill allowing another retailer, auto dealerships, to open on Sundays, the LCRED Committee voted unanimously Ought Not to Pass. I urge you to vote in support of small

business retailers, by supporting the Majority Report, Ought Not to Pass.

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

Representative **BABBIDGE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I'm going to talk about encroachment on family time, actually. I'm old enough to remember when there was no shopping on Sundays. And then we passed a law permitting shopping from noon to five o'clock.

Now, that was the beginning. The proverbial foot in the door. We've expanded already far beyond that. There are those who would support this bill for religious reasons, there are those who would support this bill to advocate for mom-and-pop stores, but I would say in the modern day, workers do not have the freedom to change jobs as easily as one might say. And the reason I say that is obviously we have monthly bills, we have sometimes accumulated, hopefully controlled, but accumulated debt, and so we can't change jobs just because they may make demands on us to work at certain times.

So, for the mom-and-pops, for religious reasons, if you wish, but to be family friendly, I'm going to vote Ought Not to Pass and hope you'll join me. Thank you.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker, I'm sorry about rising a second time, but I repeatedly and repeatedly hear about Sunday, which is the Christian holy day. But no one has mentioned about being open on Saturdays or Fridays when it's the Muslim or the Jewish holy days. So, we ought to take the religion bit out of this. That has nothing to do with religion.

On motion of Representative **FREDETTE** of Newport, **TABLED** pending the motion of Representative **HERBIG** of Belfast to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned. (Roll Call Ordered)

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## CONSENT CALENDAR

### First Day

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

(S.P. 145) (L.D. 377) Bill "An Act To Continue the Visual and Digital Media Loan Program and the Visual and Digital Media Loan Fund" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(S.P. 188) (L.D. 520) Bill "An Act To Amend the Requirement for a Certificate of Title for Junk and Scrap Automobiles and Vehicles" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-37)**

(S.P. 260) (L.D. 730) Bill "An Act To Make Technical Changes to Maine's Marine Resources Laws" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-41)**

(S.P. 125) (L.D. 310) Bill "An Act To Prevent Organized Retail Crime" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-30)**

(S.P. 147) (L.D. 379) Bill "An Act To Create the Sex Offender Management and Risk Assessment Advisory Commission" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-31)**

(S.P. 222) (L.D. 629) Bill "An Act Regarding Community Paramedicine Pilot Projects" Committee on **CRIMINAL JUSTICE**

**AND PUBLIC SAFETY reporting Ought to Pass as Amended by Committee Amendment "A" (S-32)**

(H.P. 324) (L.D. 485) Bill "An Act To Allow Licensed Foresters To Use Mechanics Liens" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 636) (L.D. 916) Bill "An Act To Establish a Private Support Organization for the Maine Commission for Community Service" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(H.P. 378) (L.D. 554) Bill "An Act Concerning Commercial Vehicles at Canadian Weight Limits Traveling to Certain Points in the State" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-85)**

(H.P. 396) (L.D. 572) Bill "An Act To Ensure Appropriate Health Insurance Coverage for Prescription Eye Drops" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-81)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

(S.P. 99) (L.D. 261) Resolve, To Initiate the Procedures To Request the United States Congress's Joint Committee on the Library To Replace a Statue in the National Statuary Hall Collection Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-34)**

On motion of Representative DeCHANT of Bath, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

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

Representative **DeCHANT**: Thank you, Mr. Speaker. Mr. Speaker, have you read this bill? It is, I know you're busy, so I have read it. I have noticed it is about allocating \$3 thousand to move a statue. And, I also noticed that moving to explore moving said statue.

The statue is of William King, the first Governor of Maine, who is a adopted son of Bath, and so that caught our attention. So the idea that there is a bill that is, again using limited resources of \$3 thousand to just explore what it would be like to bring the statue back, and then send it back. For us, in the City of Bath, we make it pretty simple—keep the Governor's statue there.

And in that token, I would like to enter into record the Resolution by the City Council of the City of Bath Supporting the Continued Commemoration of Maine's First Governor, William King, in the U.S. Congress' National Statuary Hall.

"WHEREAS, the Maine State Legislature had before the bill seeking to replace the statue of Maine's first governor, William King, of one of the Civil war heroes, as a governor in the United States National Statuary Hall;

WHEREAS, the bill was amended in the Legislature's Education and Cultural Affairs Committee to the legislative resolve directing the Maine State Museum Commission, the Maine Historic Preservation, (thank you, preservation, takes a village), and the Arts Commission to study the key areas pertaining to the statue replacement and report back to the Committee;"

And I would submit here, that perhaps that \$3 thousand could go to many other uses. In Bath, we could buy some more books. In Bath, we could buy some more lunches. In Bath, heck, you know, last week we could even support part of the sales tax exemption for performing arts centers.

"WHEREAS, the resolve further directed the Commission determined how much the public interest there is in replacing one or more the Maine statues in National Statuary Hall, to determine the public interest in returning King statue to stain"...I'll stop.

"WHEREAS, the City Council in the City of Bath strongly feels that William King is one of, if not, the key features in the history of the City of Bath and the State of Maine, and that following accomplishments of William King was set forth in Governor LePage's annual Proclamation naming March 16, 2014 as Governor William King Day, warrant continued recognition for the State."

Now, in the interest of time, Mr. Speaker, I will save you those seven additional bullet points that we point out how esteemed an accomplishment of William King is. Such as the leader of the Separation Movement from Massachusetts and presided over the convention that wrote the Maine State Constitution. The people of Maine, as you know, Mr. Speaker, rewarded King's efforts by nearly unanimously electing him to the State's first Governor in 1820. Governor King was set a high standard of governors of Maine who would follow in his footsteps, demarked by hard work, honesty, integrity, and doing what the best interest of the people in Maine.

So I conclude that,

"NOW, THEREFORE, IT BE RESOLVED, by the City Council in the City of Bath that the continued historical importance and significance of William King of the State of Maine and the City of Bath be emphasized and recognized that the statue of said William King, Maine's first Governor, be retained in the U.S. Congress' National Statuary Hall." Thank you, Mr. Speaker.

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

Representative **DAUGHTRY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the pending motion. This bill came before the Education Committee, as those of you who know me, you know I'm quite passionate about art. I was a Photography and Sculpture major, and I'm also very passionate about history, as that was another part of my major.

I just want to stand up and address that I completely understand the sentiment being mentioned by the good Representative from Bath, and also from her City Council. I want to be clear that the amendment recognized that, you know, maybe we should keep Governor King where he is in the Hall of Flags, in the Statuary Hall of Fame, and the reason this bill came about is in celebration of Maine's upcoming bicentennial. Senator Mason wanted to find a way to honor Joshua Chamberlain, from Brunswick, and maybe possibly have a sculpture of him down there.

But what we realized is that there needed to be a greater conversation as a state about who we want representing us in the Hall of Sculptures in D.C., so what this amendment does is it's going to put it up to a vote. You can say who you'd like to have down there. North Carolina's actually going through this right now. There's a group of North Carolinian legislators who are trying to get Billy Graham to be one of the sculptures replaced in there.

The only purpose of this amendment is to ask the various arts and cultural events to poll the state and see if we want to either replace Governor King or Vice President Hamlin in the Sculpture Hall of Flags, so I urge you to support this. It doesn't automatically say that we're taking Governor King out of D.C.

Subsequently, the Unanimous Committee Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-34)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-34)** in concurrence.

(S.P. 231) (L.D. 638) Bill "An Act To Authorize the Transfer of State-owned Real Estate to the City of Belfast" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-33)**

On motion of Representative McCABE of Skowhegan, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-33)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-33)** in concurrence.

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

**CONSENT CALENDAR  
Second Day**

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

(S.P. 157) (L.D. 428) Bill "An Act To Amend the Powers and Duties of the State Board of Education"

(S.P. 176) (L.D. 447) Bill "An Act To Repeal Outdated Statutory Sections Relating to Regional Ride Share Programs"

(S.P. 197) (L.D. 528) Bill "An Act To Amend the Laws Regarding the Maine Organ and Tissue Donation Fund" (EMERGENCY)

(S.P. 30) (L.D. 82) Bill "An Act Concerning the Salary of Elected Sheriffs" (C. "A" S-25)

(S.P. 35) (L.D. 98) Bill "An Act Amending the Trap Limit for the Swans Island Lobster Conservation Area" (EMERGENCY) (C. "A" S-24)

(S.P. 84) (L.D. 215) Bill "An Act To Improve Student Retention in Maine's Postsecondary Institutions" (C. "A" S-21)

(S.P. 126) (L.D. 311) Bill "An Act To Improve Attendance at Public Elementary Schools" (C. "A" S-22)

(S.P. 202) (L.D. 586) Bill "An Act To Amend the Maine Economic Development Venture Capital Revolving Investment Program" (C. "A" S-26)

(S.P. 246) (L.D. 688) Bill "An Act To Amend the Laws Related to the Bolduc Correctional Facility" (C. "A" S-23)

(H.P. 244) (L.D. 357) Resolve, To Study Options for a State Demand Response Program (C. "A" H-75)

(H.P. 558) (L.D. 824) Bill "An Act Regarding Ethanol Motor Fuel" (C. "A" H-74)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

**BILLS IN THE SECOND READING  
Senate in Non-Concurrence**

Bill "An Act To Improve Public Sector Collective Bargaining Laws" (S.P. 199) (L.D. 530)

**House**

Bill "An Act To Amend the Maine Property Insurance Cancellation Control Laws" (H.P. 657) (L.D. 954)

Bill "An Act To Provide Additional Oversight over the Management of the Department of Health and Human Services" (H.P. 245) (L.D. 358)

**House as Amended**

Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities (EMERGENCY) (H.P. 73) (L.D. 90)

Bill "An Act To Help Municipalities Prepare for Changes in Sea Level" (H.P. 274) (L.D. 408)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Paper was **PASSED TO BE ENGROSSED** in non-concurrence and sent for concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

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

**ENACTORS**

**Emergency Measure**

An Act To Promote Industrial Hemp (H.P. 7) (L.D. 4) (C. "A" H-41)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of the same and 18 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act To Provide Options to Schools for Making Up School Days (H.P. 87) (L.D. 129) (C. "A" H-37)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 135 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act To Amend the Laws Related to Public Funding of Charter Schools

(H.P. 89) (L.D. 131)  
(C. "A" H-38)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 130 voted in favor of the same and 3 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act To Require Proper Notification of Life Insurance Cancellation

(H.P. 152) (L.D. 220)  
(C. "A" H-39)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 142 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act To Continue To Permit Persons 70 Years of Age and Older To Hunt with a Crossbow

(H.P. 266) (L.D. 400)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 145 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act To Correct an Error in the Law That Allows a Break in Control of Access on William L. Clarke Drive in the City of Westbrook

(H.P. 483) (L.D. 707)  
(C. "A" H-57)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 137 voted in favor of the same and 6 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police

(H.P. 101) (L.D. 143)  
(C. "A" H-42)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 143 voted in favor of the same and 2 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

Resolve, Regarding Legislative Review of Portions of Chapter 500: Stormwater Management, a Major Substantive Rule of the Department of Environmental Protection

(H.P. 105) (L.D. 147)  
(C. "A" H-45)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 138 voted in favor of the same and 3 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services

(H.P. 410) (L.D. 597)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 144 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

**ENACTORS  
Acts**

An Act To Authorize the Transfer of State-owned Real Estate to the City of Belfast

(S.P. 231) (L.D. 638)  
(C. "A" S-33)

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

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

**Acts**

An Act Regarding the Removal of Moorings and Floating Docks in Great Ponds During Ice-in Conditions

(H.P. 21) (L.D. 22)  
(C. "A" H-34)

An Act To Protect Students' Rights and Privacy Regarding Their School Records

(H.P. 53) (L.D. 59)  
(C. "A" H-55)

An Act To Reduce Commercial Shellfish License Fees for Persons under 18 Years of Age

(H.P. 154) (L.D. 222)  
(C. "A" H-33)

An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission

(H.P. 169) (L.D. 237)  
(C. "A" H-53)

An Act To Amend the Law Concerning Overwidth Farm Tractors on Public Ways

(H.P. 202) (L.D. 284)  
(C. "A" H-31)

An Act To Clarify That the Telephone Number 9-1-1 Is the Only Number Advertised or Promoted for Emergency Response Services

(H.P. 233) (L.D. 339)  
(C. "A" H-44)

An Act To Expedite MaineCare Payments for School Administrative Units

(S.P. 133) (L.D. 350)  
(C. "A" S-16)

An Act To Amend the Lobbyist Disclosure Procedures Law

(S.P. 138) (L.D. 370)  
(C. "A" S-14)

An Act To Clarify Storm Water Management Standards for Expansions of Existing Projects

(H.P. 261) (L.D. 395)  
(C. "A" H-46)

An Act Regarding Prerecorded Telephonic Political Communications

(H.P. 278) (L.D. 412)  
(C. "A" H-32)

An Act Regarding Measures To Ensure Support for Students' Financial Literacy

(H.P. 284) (L.D. 417)  
(C. "A" H-50)

An Act To Prohibit Deceptive Practices Regarding Negotiable Instruments

(S.P. 184) (L.D. 455)  
(C. "A" S-17)

An Act To Change the Notification Deadline for the Nonrenewal of a Teacher's Contract

(H.P. 300) (L.D. 461)  
(C. "A" H-51)

An Act To Make Minor Nonsubstantive Changes to the Laws Affecting the Office of the State Auditor

(H.P. 334) (L.D. 495)

An Act To Amend the Health Care Practitioner Transparency Requirements

(S.P. 190) (L.D. 521)  
(C. "A" S-19)

An Act To Achieve Regional Uniformity in Sulfur Standards for Heating Oil

(H.P. 416) (L.D. 603)  
(C. "A" H-47)

An Act To Clarify the Requirements for Notice of the Right To Cure a Mortgage Default

(S.P. 223) (L.D. 630)  
(C. "A" S-18)

An Act To Improve Access to Capital

(H.P. 453) (L.D. 672)  
(C. "A" H-58)

An Act To Clarify Filing Methods for Quarterly Payroll Reports

(H.P. 478) (L.D. 702)

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

**Resolves**

Resolve, Directing the Finance Authority of Maine To Convene a Stakeholder Group To Develop Solutions To Reduce the Negative Effect of Student Loan Debt on Home Ownership

(H.P. 230) (L.D. 336)  
(C. "A" H-30)

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

An Act Regarding Notice to the Public Pertaining to a Resident Person Deported from Canada to the United States for Committing a Sex Offense against a Child

(H.P. 871) (L.D. 1275)

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

On motion of Representative McCABE of Skowhegan, was **SET ASIDE**.

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

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

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Maker.

Representative **MAKER**: Mr. Speaker, Ladies and Gentlemen of the House, I want to express, I can't talk, I know I'm standing between you and lunch, so I'm going to try and hurry up here, expect my thanks to the Senate and the House for helping me with this bill. But, most of all, I would like to thank the Criminal Justice Committee.

This bill was brought about by the port director in Calais notifying me that he was aware of a person that had been charged with child sexual abuse of a minor in Canada, he was a U.S. resident, and he felt that this was something that should be on the register, so he notified Machias that, the Sheriff's Office, that this, he wanted to put him on the register. Well, he found out that Maine, at that point in time, didn't do that because the crime committed out of the country.

So, I've been fighting for this bill for a couple of years, and I really value the fact that finally, the children in our country will be heard by now they will be notified if a sex offender is going to live near them. So, I publically want to thank everybody for this bill and especially Criminal Justice, because this now is their bill, and I'm happy to be that they took this on. So thank you very much, Mr. Speaker.

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

**ROLL CALL NO. 37**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy M, Edgcomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kruger, Kumiega, Lajoie, Long, Longstaff, Luchini, Lyford, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Sawicki, Schneck, Seavey, Shaw, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Timberlake,



Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Dunphy L, Kinney M, Lockman, Malaby, Saucier, Sherman, Theriault.

Yes, 144; No, 0; Absent, 7; Excused, 0.

144 having voted in the affirmative and 0 voted in the negative, with 7 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, April 21, 2015, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Make Certain Local Primaries Nonpartisan"

(H.P. 822) (L.D. 1189)

- In House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** on April 1, 2015.

- In Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in **NON-CONCURRENCE**.

TABLED - April 14, 2015 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, the House voted to **RECEDE AND CONCUR**.

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**SENATE PAPERS**

The following Joint Order: (S.P. 500)

**ORDERED**, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 28, 2015 at 10:00 in the morning.

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

**READ** and **PASSED** in concurrence.

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Bill "An Act Concerning Membership on the Board of Directors of the Lewiston-Auburn Water Pollution Control Authority"

(S.P. 495) (L.D. 1362)

Bill "An Act To Secure the Maine Electrical Grid from Long-term Blackouts"

(S.P. 496) (L.D. 1363)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

**REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

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Bill "An Act To Promote Recycling Program Integration and Efficiencies"

(S.P. 498) (L.D. 1366)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

**REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Bill "An Act To Expand Opportunities for Economic Development in Maine"

(S.P. 497) (L.D. 1364)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

**REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

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

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On motion of Representative WARD of Dedham, the House adjourned at 12:38 p.m., until 10:00 a.m., Tuesday, April 28, 2015, pursuant to the Joint Order (S.P. 500) and in honor and lasting tribute to Rodney Rush, of Pittston, Steven G. Schafer, of Dedham, Michael Anthony Bryant, of Verona Island and Russell D. Lanpher, Sr., of Orland.