

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

ONE HUNDRED AND TWENTY-SEVENTH MAINE
LEGISLATURE
FIRST REGULAR SESSION
44th Legislative Day
Tuesday, May 19, 2015

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

Prayer by Reverend David Garnett, Open Door Bible Church, Lisbon.

National Anthem by Monmouth Middle School 5th and 6th Grade Chorus.

Pledge of Allegiance.

Doctor of the day, Rebecca Chagrasulis, M.D., Otisfield.

The Journal of May 14, 2015 was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Amend the Workers' Compensation Laws as They Pertain to Employee Representation"

(S.P. 29) (L.D. 81)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** READ and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-79)** in the House on May 13, 2015.

Came from the Senate with that Body having **ADHERED** to its former action whereby the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Improve Insurance Coverage for First Responders Answering a Call to Duty"

(S.P. 116) (L.D. 301)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** READ and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-77)** in the House on May 13, 2015.

Came from the Senate with that Body having **ADHERED** to its former action whereby the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 154)

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

May 15, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th 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 824, "An Act Regarding Ethanol Motor Fuel."

I fully appreciate the intent of this bill and have been a strong supporter of moving away from ethanol fuel because I do not support this heavily subsidized fuel additive that seems to only cause frustration for small engine owners. This bill moves in the right direction by prohibiting distributors, franchisors and refiners from contractually limiting the sale of ethanol-free fuel in Maine.

I do, however, have serious concerns regarding the application of this bill. As the bill is drafted, it applies to existing contracts. The Federal Constitution in Article I, section 10, clause 1, prohibits states from passing any laws "impairing the obligation of contracts." Moreover, the Maine Constitution includes a similar prohibition in Article I, Section 11, stating that "[t]he Legislature shall pass no . . . law impairing the obligation of contracts." While I understand the interpretation of these Constitutional prohibitions will be left to the courts, I do not support inviting litigation and its attendant costs to determine the validity of this law.

Given these Constitutional questions, I return LD 824 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 Regarding Ethanol Motor Fuel

(H.P. 558) (L.D. 824)

(C. "A" H-74)

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I received that veto notice from the Chief Executive on my ethanol bill. I've been working hard on this for about six years...

Unfortunately, the Chief Executive is correct on this bill...

The SPEAKER: The Chair would ask the Representative to defer. I apologize, it appears that the microphones are not working, which also records the deliberations for our records. So if you will pause, Representative O'Connor, that would be greatly appreciated.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, let's try this again. I am standing to speak on my ethanol bill and the Chief Executive's veto. As I said earlier, the Chief Executive is correct.

As written, this bill was unconstitutional. I tried to amend this bill. Unfortunately, the other body adjourned and there was no time left, so the Chief Executive vetoed it. In the meantime, there is another bill in the Revisor's Office, exactly the same bill with the Constitutional Amendment, so it will be a wonderful bill that will come to the floor and I hope that I will have unanimous support on it from this body and the other body, and today I urge you to sustain the Chief Executive's veto. If you can't do that, I understand it because we all hate ethanol in our fuel. Thank you, and thank you all for your support.

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

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

ROLL CALL NO. 82V

YEA - Alley, Bates, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chipman, Daughtry, Davitt, DeChant, Devin, Duchesne, Dunphy M, Evangelos, Farnsworth, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Mastraccio, McCabe, McCreight, McLean, Monaghan, Moonen, Nadeau, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Short, Stanley, Stuckey, Tepler, Tipping-Spitz, Tucker, Tuell, Warren, Welsh, Mr. Speaker.

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

ABSENT - Dion, Hymanson, Martin R, Sawicki, Sherman, Sukeforth.

Yes, 66; No, 79; Absent, 6; Excused, 0.

66 having voted in the affirmative and 79 voted in the negative, with 6 being absent, and accordingly the Veto was **SUSTAINED**.

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

The Following Communication: (H.C. 155)

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

May 19, 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 Committee on Labor, Commerce, Research and Economic Development has approved the request by the sponsor, Representative Malaby of Hancock, to report the following "Leave to Withdraw":

L.D. 1403 An Act To Require Licensed Mental Health Professionals To Receive Training in Suicide Risk Assessment

Sincerely,
S/Robert B. Hunt
Clerk of the House

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

The Following Communication: (H.C. 156)

**STATE OF MAINE
OFFICE OF THE STATE AUDITOR
66 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0066
LETTER OF TRANSMITTAL**

Honorable Michael D. Thibodeau
President of the Senate
Honorable Mark W. Eves
Speaker of the House
Honorable Paul R. LePage
Governor of Maine

I am pleased to submit the State of Maine Management Letter for the year ended June 30, 2014. In the course of conducting the Single Audit of the State of Maine, we became aware of matters that offer opportunities for our government to improve its operations. Audit findings and recommendations on these matters accompany the Management Letter as Management Letter Comments.

Please feel free to contact me with any questions that you may have. Like you, we are committed to improving our State government for the benefit of our citizens. Healthy discussion of problems found, and solutions considered, are part of a dialogue that aims at improvement. I welcome your thoughts and inquiries on these matters.

Respectfully submitted,
S/Pola A. Buckley, CPA, CISA
State Auditor
May 7, 2015

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills, Resolve and Resolutions 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:

AGRICULTURE, CONSERVATION AND FORESTRY

Resolve, Authorizing Certain Land Transactions by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands

(H.P. 970) (L.D. 1424)

Sponsored by Representative HICKMAN of Winthrop. (GOVERNOR'S BILL)

Bill "An Act To Allow Maine Residents To Personally Import Medications as Permitted under the Federal Food, Drug, and Cosmetic Act" (EMERGENCY)

(H.P. 968) (L.D. 1422)

Sponsored by Representative MARTIN of Eagle Lake. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative McCABE of Skowhegan, **TABLED** pending **REFERENCE** and later today assigned.

STATE AND LOCAL GOVERNMENT

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Selection Process for the Attorney General

(H.P. 964) (L.D. 1417)

Sponsored by Representative STETKIS of Canaan. (GOVERNOR'S BILL)

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for a Lieutenant Governor and Change the Line of Succession for Governor

(H.P. 965) (L.D. 1418)

Sponsored by Representative STETKIS of Canaan. (GOVERNOR'S BILL)

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Selection Process for the Treasurer of State

(H.P. 966) (L.D. 1419)

Sponsored by Representative STETKIS of Canaan. (GOVERNOR'S BILL)

Bill "An Act To Establish a Tax-free Savings Program for Individuals with Disabilities"

(H.P. 967) (L.D. 1421)

Sponsored by Representative POULIOT of Augusta.

Cosponsored by Senator LIBBY of Androscoggin and Representatives: BICKFORD of Auburn, CHACE of Durham, Speaker EVES of North Berwick, GOODE of Bangor, MOONEN of Portland, SEAVEY of Kennebunkport, TEPLER of Topsham, Senator: DAVIS of Piscataquis.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative BRYANT of Windham, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

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

ORDERS

On motion of Speaker EVES of North Berwick, the following Joint Resolution: (H.P. 969) (Cosponsored by President THIBODEAU of Waldo)

JOINT RESOLUTION CONCERNING THE RIGHTS OF PERSONS WITH INTELLECTUAL DISABILITIES AND AUTISM TO TECHNOLOGY AND INFORMATION ACCESS

WHEREAS, twenty-eight million United States citizens have cognitive disabilities such as intellectual disabilities, autism and severe, persistent mental illness or cognitive disabilities resulting from brain injury, stroke or neurodegenerative disorders such as Alzheimer's disease; and

WHEREAS, persons with cognitive disabilities are entitled to inclusion in our democratic society under federal laws such as the Americans with Disabilities Act of 1990, the Developmental Disabilities Assistance and Bill of Rights Act of 2000, the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, as well as under state and local laws; and

WHEREAS, the convergence of computing and communication technologies has substantially altered how people acquire, use and disseminate knowledge and information; and

WHEREAS, access to comprehensible information and usable communication technologies is necessary for all people in our society, particularly for persons with cognitive disabilities, to promote self-determination and to engage meaningfully in major aspects of life such as education, health promotion, employment, recreation and civic participation; and

WHEREAS, the vast majority of persons with cognitive disabilities have limited or no access to comprehensible information and usable communication technologies; and

WHEREAS, persons with cognitive disabilities must have access to commercially available devices and software that incorporate principles of universal design such as flexibility and ease of use for all; and

WHEREAS, technology and information access by persons with cognitive disabilities must be guided by standards and best practices such as personalization and compatibility across devices and platforms and the application of innovations, including automated and predictive technologies; and

WHEREAS, ensuring access to technology and information for persons with cognitive disabilities in the United States will create new markets and employment opportunities, decrease dependency on public services, reduce health care costs and improve the independence, productivity and quality of life of persons with cognitive disabilities; 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, take this opportunity to affirm our commitment to equal rights for persons with cognitive disabilities to technology and information access and we call for implementation of these rights with deliberate speed; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Governor Paul LePage and to each member of the Maine Congressional Delegation.

READ and ADOPTED.

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Honorable Anne Haskell, of Portland, who is retiring as a Director of Gorham Savings Bank. Senator Haskell was first elected as a corporator of the bank in 1987 and was elected as a director in 1990. When she was first elected as a corporator, the bank had just under \$124,000,000 in assets and 2 branches. Today, the bank has just under \$1,000,000,000 in assets and 11 branches. We extend to Senator Haskell our congratulations and best wishes;

(HLS 279)

Presented by Representative HOBBS of Saco. Cosponsored by Representative HARLOW of Portland, Senator ALFOND of Cumberland, 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, Senator VOLK of Cumberland, Representative SANBORN of Gorham, Representative McLEAN of Gorham.

On **OBJECTION** of Representative JORGENSEN of Portland, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **JORGENSEN**: Thank you Mr. Speaker. Mr. Speaker, Colleagues in the House, normally legislative sentiments afford us an opportunity to honor our constituents rather than our fellow members, and at the end of the day, that's exactly what this is. Anne Haskell is a very special constituent—she is my neighbor, my advisor on all things legislative, and she's my Senator.

But today we are not focusing on her many years of service in this building; rather we are honoring her for the more than 25 years of service she's provided to Gorham Savings Bank, as a corporator and more recently as a member of its Board of Directors.

During her tenure at the bank, the bank has gone from a sleepy \$124 million entity with three local branches to a much stronger, larger bank with 11 branches around southern and central Maine and nearly a billion dollars in assets. Gorham Savings is now a force in Maine's economy and its business community.

Senator Haskell takes her service in this private sector job every bit as seriously as she takes her service in this building, and we all benefit from her expertise whether it's on issues of banking or something she's picked up from her years in this room, from her service in the other body, from her time with FAME, or her time with the King administration, just to name some of the things that she brings to work with her every day. Thank you, Anne, for your work and for your service, and congratulations on this well-deserved honor. Thank you, Mr. Speaker.

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 feel amazed at the opportunity to stand and recognize the good Senator Anne Haskell, on her retirement from the board of the bank. She has been, just such an amazing mentor to me personally, and I know to many women and men in the State House.

There is nothing like Senator Haskell's calming presence in the midst of fury to remind you, not just to bring out the better angels of who you are, but also just how important the work that we do happens to be. She's been just a phenomenal individual, she's a phenomenal resident of Portland, and she's just been one of the most amazing people and friends that I could possibly have had.

It's very difficult as a young woman to run for office, to win, and then to have the audacity to have interesting and unique positions on public policy, and Anne has always been there to remind me to trust my own voice, to remind others to trust their voice, and to stand up for what it is that they believe in, even if your voice shakes. So, on her retirement, I just want to wish her well and let her know that we really appreciate her work and her friendship to me has meant the world.

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

In Memory of:

Michael Kucsma, of Buxton, in the line of duty while serving as Deputy Chief for the Gorham Fire Department. Deputy Chief Kucsma joined the Gorham Fire Department in 1991 and was promoted to Deputy Chief in 2002. He also served with the Portland Fire Department as Captain of Engine 6 Company at the Bramhall Station. His passion in his firefighting career was for training and safety, and he was well known as an instructor

throughout Maine and New England and contributed many articles on training to fire service publications. Deputy Chief Kucsma will be greatly missed and long remembered by his loving family, friends and colleagues in the fire service;

(HLS 395)

Presented by Representative McLEAN of Gorham.

Cosponsored by Representative SANBORN of Gorham, Senator VOLK of Cumberland, Representative HARLOW of Portland, Senator ALFOND of Cumberland, Senator HASKELL of Cumberland, 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, Representative MAREAN of Hollis, Senator VALENTINO of York, Representative KINNEY of Limington.

On **OBJECTION** of Representative McLEAN of Gorham, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative McLean.

Representative **McLEAN**: Thank you, Mr. Speaker. Mr. Speaker, as the son and brother of a firefighter, I know firsthand the daily sacrifice and dedication of those in the fire service. There are times, though, when that sacrifice and dedication cost firefighters their lives. They say that the most noble and selfless acts one can commit is to give your life to save another's. For this reason, they call firefighting the most noble of professions.

In the spring of 2014, Deputy Chief Mike Kucsma died in the line of duty, shortly after returning from a call. Mike Kucsma began serving in the Gorham Fire Department in 1991 working his way up eventually becoming Deputy Chief. He also served as Captain on Engine 6 in Portland. Mike was an exceptional firefighter, mentor, and leader; but beyond that, he was an exceptional human being, who had a passion for living life to its fullest in all areas.

Gorham Fire Chief Bob Lefebvre said that Mike was "one of the finest firefighters and leaders" who he's had the privilege of knowing. "Mike had a real desire to learn, always has, ever since he was a recruit, and also had a real desire to pass that knowledge on to others.

He was always was looking to improve the health and safety and ability of firefighters to be of service to their citizens. An outstanding man and whose death is an incredible loss to friends and family and the fire service as a whole."

Mike was not only a firefighter but he was part of the family. His colleagues said of him that, "As a firefighter we spend 24 hours a day with each other. It truly becomes a second family. We eat with each other, work with each other, drive each other nuts, and make each other happy. And Mike was part of that."

Portland Fire Chief Lamontagne said "He just had such incredible passion, for his wife, Marcia, the fire service, fishing and life as a whole."

John Brooks, president of Local 740 of the International Association of Fire Fighters in Portland and a colleague of Mike's, recalled responding to a fire a few years ago from the Munjoy Hill Station—a fire on Congress Street that had spread to a second building. He was searching for occupants in the hallway of one of the burning buildings when Mike, a member of Engine 6 out of Bramhall Station, showed up with a fire hose to help.

"Hearing him coming, you knew everything was going to be OK. Mike Kucsma knew his job and came to work every day to make a difference. To know him was a good thing."

While Mike's love and commitment to the fire service was obvious, he had many other things that he loved, especially his

wife Marcia. Chief Lefebvre described Marcia as one of the strongest people he knows. Mike and Marcia enjoyed travelling and did so extensively. The couple met while members of the Gorham Fire Department many years ago. Chief Lefebvre said that he, "can truly say he doesn't know of another couple more suited to each other." They loved traveling and spending time together. And Mike also loved spending time fishing for salmon on Sebago Lake, striped bass in Portland Harbor and sport fishing in the Caribbean. Many of his friends joked that they thought he had fished more lakes than the average person will in a lifetime.

Mike was a man who treated everyone the same, regardless of their place in life. It was this attribute that enabled him to make friends so easily. The number of people his life touched is innumerable. And More than 800 people attended his service, where attendees had to stand outside the church because inside was full to capacity—a true testament to the difference he made in so many lives.

Deputy Chief Kucsma leaves a legacy. And In his eulogy, Chief Bob Lefebvre charged all brothers and sisters of the Fire Service to continue to honor and pay tribute to him by doing exactly what he did himself: "Continue to learn, strive to be the best in everything you do, make sure you pass your knowledge and skills on to others, take pride and ownership in your departments and in everything that you do."

Mr. Speaker, they call firefighting the most noble of professions and truly, Mike was one of the most of noble of these professionals. There's a special prayer that was written for firefighters many years ago. And if I may indulge I would like to share it with you:

*When I am called to duty, God,
wherever flames may rage,
give me the strength to save a life,
whatever be its age.
Help me embrace a little child
before it is too late,
or to save an older person from
the horror of that fate.
Enable me to be alert,
and hear the weakest shout,
quickly and efficiently
to put the fire out.
I want to fill my calling,
to give the best in me,
to guard my friend and neighbor,
and protect his property.
And if according to Your will
I must answer death's call,
bless with your protecting hand,
my family one and all.*

Deputy Chief Kucsma, thank you for your service to our communities and to his wife, Marcia, we are deeply sorry for your loss but so very thankful for his life, love, friendship and service. Thank you.

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

In Memory of:

William Richard Bourbon, of North Berwick, a prominent member of the community. Mr. Bourbon was born in Dover-Foxcroft and grew up in Orono. He graduated from John Bapst High School and briefly worked at the Eastern Corporation paper mill in South Brewer before enlisting in the United States Marine Corps. After his military service, Mr. Bourbon obtained his

bachelor of science in education at the University of Maine and became a teacher at North Berwick High School, where he also served as a coach and athletic director. Mr. Bourbon also worked at Noble High School in Berwick, earned his master's degree in educational administration as well as a certificate of advanced study and became the principal of Mattanawcook Academy in Lincoln and later of Noble High School. He retired as the Superintendent of School Administrative District 60 in Berwick. In addition to his professional endeavors, he served the local community in various capacities and participated in sports, fraternal, church and professional organizations. Mr. Bourbon will be long remembered and sadly missed by his family, friends and colleagues;

(HLS 396)

Presented by Representative VEROW of Brewer.

Cosponsored by Speaker EVES of North Berwick, Representative O'CONNOR of Berwick, Senator COLLINS of York, Representative GERRISH of Lebanon.

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, I am pleased to have this opportunity to say a few words about my good friend and mentor, Bill Bourbon. It was my good fortune to play high school football for the team that Bill played for, John Bapst High School in Bangor.

I recall the game against cross-town rival and power house Bangor High School. As an anxious sophomore, I was in position to receive the kickoff. Bill pulled me aside. He said, "Archie, just three things to remember: Don't fumble the ball; Don't drop the ball; don't lose the ball." I said, "Bill, isn't that just one thing: Hold on to the ball?" He smiled and said, "You're paying attention. That's important." I like to think that that might have been the start of his long and outstanding career as a coach and educator.

After high school, Bill joined the Marine Corps and after that he enrolled in the education program at the University of Maine. During summer breaks from college, Bill and I worked in the wood pulp yard at Eastern Fine Paper Corporation in South Brewer. Again, Bill demonstrated his coaching and teaching insight skills to demonstrate safe ways of handling the often dangerous work in the mill yard.

It came as no surprise to me at all that his passion, knowledge, and caring would lead him to a long and outstanding career as both an educator and a man who contributed much in the way of public service to his community. Thank you, Mr. Speaker.

The Speaker : The Chair is pleased to also add a few words. Bill Bourbon, North Berwick is a better town and better community for his presence and his family's presence. Not only was he all the things that Representative Verow had said, and the things that are outlined in the legislative sentiment, he was our Town Moderator for a number of years, he was a mentor to many, he was a proud father, he was a pillar of our community. You have Bill Bourbon's in your community. North Berwick is better off because we had Bill Bourbon in ours.

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

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

CONSENT CALENDAR

First Day

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

(H.P. 476) (L.D. 700) Bill "An Act Regarding the Industry Partnership Assistance Collaborative's Grant Program" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(H.P. 529) (L.D. 776) Bill "An Act To Update the Validation of Miscellaneous Defects and Defective Acknowledgments in the Conveyance of Real Estate" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 882) (L.D. 1296) Bill "An Act To Repeal Authorization for Smelt Fishing in Mud Brook in Aroostook County" (EMERGENCY) Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass**

(H.P. 132) (L.D. 174) Bill "An Act To Restrict the Raising of Money by Maine Clean Election Act Candidates" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-147)**

(H.P. 682) (L.D. 987) Bill "An Act To Suspend the Right of an Out-of-state Toll Violator To Operate a Motor Vehicle on Maine Roads" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-148)**

(H.P. 803) (L.D. 1172) Resolve, Regarding Legislative Review of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a Late-filed Major Substantive Rule of the Department of Transportation (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-149)**

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

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

ENACTORS

Emergency Measure

An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations

(H.P. 475) (L.D. 699)

(C. "A" H-132)

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 Permit Hair Braiding without a Barbering or Cosmetology License

(S.P. 296) (L.D. 847)

(C. "A" S-82)

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. 133 voted in favor of the same and

2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding the Board of Dental Examiners

(H.P. 794) (L.D. 1156)

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. 134 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

Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley

(S.P. 413) (L.D. 1161)

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

Emergency Measure

Resolve, Directing the Department of Professional and Financial Regulation To Study the Dental Practice Laws and Recommend Changes To Streamline the Licensure and Scope of Practice Provisions

(H.P. 828) (L.D. 1210)

(C. "A" H-129)

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. 128 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.

Pursuant to the Constitution

Public Land

An Act To Release a Restriction on 2 Parcels of Former State Land in Greenbush Currently Owned by Anita P. Haskell

(H.P. 847) (L.D. 1247)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 133 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Pursuant to the Constitution

Public Land

Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey the Parcel of Land in Kittery Known as John Paul Jones Memorial Park to the Town of Kittery

(S.P. 278) (L.D. 780)

(C. "A" S-80)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section

23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 136 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Authorize Snowmobile Registration Reciprocity with the Provinces of New Brunswick and Quebec

(H.P. 71) (L.D. 88)

An Act To Amend the Laws Governing Pine Tree Development Zone Benefits for the Town of Berwick and the City of Sanford

(H.P. 76) (L.D. 93)

(C. "A" H-128)

An Act Extending Workers' Compensation Benefits to Certain Employees of the Office of the State Fire Marshal Who Contract Cancer

(S.P. 59) (L.D. 125)

(C. "A" S-76)

An Act To Preserve the Integrity of Maine's Shellfish Industry by Increasing the Penalty for Interfering with Permitted Harvest

(S.P. 93) (L.D. 255)

(C. "A" S-84)

An Act To Authorize a Temporary Medical Transfer of an Elver Individual Fishing Quota

(H.P. 240) (L.D. 353)

(H. "A" H-133 to C. "A" H-63)

An Act To Eliminate Certain Fees for Security Freezes and Allow Security Freezes for Minors

(S.P. 150) (L.D. 382)

(S. "A" S-83 to C. "A" S-38)

An Act Regarding the Sick Days of an Employee Who Is Terminated While on Sick Leave

(S.P. 174) (L.D. 445)

(C. "A" S-78)

An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator

(H.P. 380) (L.D. 556)

(C. "A" H-122)

An Act To Allow B.Y.O.B. Function Permit Holders To Hold Multiple Events at the Same Location

(S.P. 228) (L.D. 635)

(C. "A" S-75)

An Act To Provide Consumers of Health Care with Information Regarding Health Care Costs

(S.P. 229) (L.D. 636)

(C. "A" S-74)

An Act To Modify Unemployment Insurance Successor Law

(H.P. 477) (L.D. 701)

(C. "A" H-120)

An Act To Sustain Maine's Primary Care Professional Workforce

(S.P. 270) (L.D. 740)

(C. "A" S-56)

An Act To Assist Victims of Crime To Obtain Restitution

(H.P. 527) (L.D. 774)

(C. "A" H-135)

An Act To Address Unmet Public Transportation Needs

(H.P. 579) (L.D. 845)

(C. "A" H-121)

An Act To Amend the Public Accountancy Laws

(H.P. 634) (L.D. 914)

An Act Regarding Travel Insurance in the Maine Insurance Code

(H.P. 672) (L.D. 975)

(C. "A" H-119)

An Act To Promote Patient Choice and Access to Health Care

(H.P. 675) (L.D. 978)

(C. "A" H-118)

An Act To Enhance Funding Opportunities for the Youth Conservation Corps

(S.P. 366) (L.D. 1040)

(C. "A" S-86)

An Act To Penalize Legislators for Excessive Absences

(S.P. 372) (L.D. 1046)

(C. "A" S-66)

An Act To Support Transparency in Government through the Maine Capitol Connection Channel Program

(H.P. 830) (L.D. 1212)

(C. "A" H-127)

An Act To Make the Law Regarding Critical Incident Stress Management Teams More Beneficial and Effective

(S.P. 448) (L.D. 1243)

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, Authorizing the Bureau of General Services To Offer Certain Property to Kennebec County for 6 Months Prior to Listing the Property with Private Real Estate Brokers

(S.P. 47) (L.D. 114)

(C. "A" S-52)

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

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 Thursday, May 14, 2015, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

SENATE DIVIDED REPORT - Majority (11) **Refer to the Committee on INSURANCE AND FINANCIAL SERVICES** - Minority (2) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Recovery of Emergency Response Costs Related to an OUI Offense"

(S.P. 335) (L.D. 944)

- In Senate, Majority **REFER TO THE COMMITTEE ON INSURANCE AND FINANCIAL SERVICES** Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

TABLED - May 12, 2015 (Till Later Today) by Representative FOWLE of Vassalboro.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, on motion of Representative FOWLE of Vassalboro, the Majority **Refer to the Committee on Insurance and Financial Services** Report was **ACCEPTED**.

Subsequently, the Bill was **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

"An Act To Direct the Department of Public Safety To Establish a Public Safety Answering Point for the Passamaquoddy Indian Reservation at Indian Township"

(H.P. 412) (L.D. 599)

- In House, Majority (11) **REFER TO THE COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on May 7, 2015.

- In Senate, Minority (2) **OUGHT NOT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

TABLED - May 13, 2015 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, the House voted to **INSIST**.

Bill "An Act Regarding the Disposition of Certain Funds Received by the Attorney General Pursuant to a Court Order or Settlement" (EMERGENCY)

(H.P. 961) (L.D. 1414)

(Committee on **JUDICIARY** suggested)

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

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, ordered printed and sent for concurrence.

An Act To Define Prosthetic and Orthotic Devices for Purposes of the Sales Tax Law

(H.P. 695) (L.D. 1000)

(C. "A" H-110)

TABLED - May 14, 2015 (Till Later Today) by Representative GIDEON of Freeport.

PENDING - **PASSAGE TO BE ENACTED**.

Representative GIDEON of Freeport **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

ROLL CALL NO. 83

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, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, 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, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, 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, Saucier, Schneck, Seavey, Shaw, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Dion, Hymanson, Martin R, Sawicki, Sherman, Stuckey.

Yes, 145; No, 0; Absent, 6; Excused, 0.

145 having voted in the affirmative and 0 voted in the negative, with 6 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Resolve, To Provide for Workforce Development in the Forest Products Industry

(H.P. 676) (L.D. 979)

Signed:

Senators:

CUSHING of Penobscot

PATRICK of Oxford

Representatives:

HERBIG of Belfast

BATES of Westbrook

CAMPBELL of Newfield

FECTEAU of Biddeford

GILBERT of Jay

LOCKMAN of Amherst

MASTRACCIO of Sanford

STETKIS of Canaan

WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-150)** on same Resolve.

Signed:

Representative:

AUSTIN of Gray

READ.

On motion of Representative HERBIG of Belfast, 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 to Pass as Amended by Committee Amendment "A" (H-139)** on Bill "An Act To Allow Dental Hygienists To Prescribe Fluoride Dentifrice and Antibacterial Rinse"

(H.P. 74) (L.D. 91)

Signed:

Senators:

VOLK of Cumberland

PATRICK of Oxford

Representatives:

HERBIG of Belfast
AUSTIN of Gray
BATES of Westbrook
FECTEAU of Biddeford
GILBERT of Jay
LOCKMAN of Amherst
MASTRACCIO of Sanford
STETKIS of Canaan
WARD of Dedham

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

Signed:

Senator:

CUSHING of Penobscot

Representative:

CAMPBELL of Newfield

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-139)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-139)** 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 Improve Access to Dental Care through the Establishment of the Maine Board of Oral Health"

(H.P. 364) (L.D. 540)

Signed:

Senators:

VOLK of Cumberland
CUSHING of Penobscot

Representatives:

HERBIG of Belfast
AUSTIN of Gray
BATES of Westbrook
FECTEAU of Biddeford
GILBERT of Jay
LOCKMAN of Amherst
MASTRACCIO of Sanford
STETKIS of Canaan
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-138)** on same Bill.

Signed:

Senator:

PATRICK of Oxford

Representative:

CAMPBELL of Newfield

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Eliminate Term Limits for Legislators"

(H.P. 140) (L.D. 182)

Signed:

Senators:

WHITTEMORE of Somerset
LIBBY of Androscoggin
WILLETTE of Aroostook

Representatives:

MARTIN of Sinclair
BEEBE-CENTER of Rockland
BRYANT of Windham
DOORE of Augusta
EVANGELOS of Friendship
GREENWOOD of Wales
PICKETT of Dixfield
TUELL of East Machias
TURNER of Burlington

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-140)** on same Bill.

Signed:

Representative:

BABBIDGE of Kennebunk

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-142)** on Bill "An Act To Provide a Minor with a Defense to Prosecution in a Situation That Involves Risk of Alcohol Overdose"

(H.P. 181) (L.D. 263)

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
LONG of Sherman
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-143)** on same Bill.

Signed:

Representatives:

CHENETTE of Saco
NADEAU of Winslow

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-142)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-142)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Create the Crime of Operating While Fatigued"

(H.P. 683) (L.D. 988)

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
LONG of Sherman
NADEAU of Winslow
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-144)** on same Bill.

Signed:

Representative:

CHENETTE of Saco

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-145)** on Bill "An Act To Restore Public Safety Programs in the Department of Public Safety and the Department of Professional and Financial Regulation" (EMERGENCY)

(H.P. 473) (L.D. 697)

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
NADEAU of Winslow
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-146)** on same Bill.

Signed:

Representative:

LONG of Sherman

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-145)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-145)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Reform Public Charter Schools"

(H.P. 850) (L.D. 1250)

Signed:

Senators:

LANGLEY of Hancock
EDGECOMB of Aroostook
MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
HUBBELL of Bar Harbor
MAKER of Calais
McCLELLAN of Raymond
PIERCE of Falmouth
POULIOT of Augusta
STEARNS of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-152)** on same Bill.

Signed:
Representative:
TIPPING-SPITZ of Orono

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-153)** on Bill "An Act To Allow Certain Active Duty Military Personnel To Pay the Resident Application Fee for a Concealed Handgun Permit" (H.P. 737) (L.D. 1068)

Signed:
Senators:
ROSEN of Hancock
BURNS of Washington

Representatives:
FOWLE of Vassalboro
CHENETTE of Saco
GERRISH of Lebanon
LONG of Sherman
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

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

Signed:
Senator:
GERZOFISKY of Cumberland

Representatives:
DAVITT of Hampden
LAJOIE of Lewiston
NADEAU of Winslow

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-153)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-153)** and sent for concurrence.

Eleven Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought Not to Pass** on Bill "An Act To Increase the Penalty for Failing To Carry Proof of Motor Vehicle Financial Responsibility" (H.P. 343) (L.D. 504)

Signed:
Senators:
ROSEN of Hancock
BURNS of Washington
GERZOFISKY of Cumberland

Representatives:
CHENETTE of Saco
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
LONG of Sherman
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

One Member of the same Committee reports in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-154)** on same Bill.

Signed:
Representative:
NADEAU of Winslow

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-155)** on same Bill.

Signed:
Representative:
FOWLE of Vassalboro

READ.

On motion of Representative FOWLE of Vassalboro, Report "A" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Limit the Use of Extended-release Hydrocodone Bitartrate" (H.P. 684) (L.D. 989)

Signed:
Senators:
BRAKEY of Androscoggin
HASKELL of Cumberland
McCORMICK of Kennebec

Representatives:
GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HEAD of Bethel
HYMANSON of York
MALABY of Hancock
SANDERSON of Chelsea
STUCKEY of Portland
VACHON of Scarborough

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

Signed:
Representative:
PETERSON of Rumford

READ.

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

SENATE PAPERS

Bill "An Act Regarding Participation by Private School Students in Extracurricular and Interscholastic Activities at Public Schools" (EMERGENCY)

(S.P. 531) (L.D. 1420)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Expand Access to Workforce Development at Brunswick Landing"

(S.P. 532) (L.D. 1423)

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.

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

COMMUNICATIONS

The Following Communication: (S.C. 320)

**MAINE SENATE
127TH LEGISLATURE
OFFICE OF THE SECRETARY**

May 15, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th 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 373 "An Act To Allow a Moose Permit To Be Transferred to a Family Member."

This bill would authorize a person who receives a moose permit to transfer this permit to a family member, with "family" being defined as a "spouse, child, stepchild, grandchild, parent, grandparent, stepparent, brother, sister, half-sister, half-brother or adopted child." I often hear complaints that Maine's hunting and fishing laws are too complicated and this bill simply compounds this problem by adding yet another wrinkle to our hunting laws. More to the point, I also hear complaints from constituents who are frustrated that after applying for years, they are never drawn in the moose lottery. This bill, however, opens up a brand new avenue for families to engage in new schemes concerning the moose lottery to try to game this system in new and innovative ways.

It is time we stop legislating for that one exceptional circumstance only to create a whole host of new, unintended consequences; and that is the only thing I see flowing from enactment of this bill. For this reason, I return LD 373 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

The accompanying item An Act To Allow a Moose Permit To Be Transferred to a Family Member

(S.P. 141) (L.D. 373)
(C. "A" S-42)

In Senate, May 19, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions 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?'

34 voted in favor and 0 against, and 0 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, this bill comes to us from the other body. My understanding of what this bill does is that it allows the Commissioner of IF&W, on a case-by-case basis, to allow a permit, a moose permit to be transferred in interfamily relationship. It's my understanding it was something that the Commissioner was on board with and I will be voting to override this veto. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Standish, Representative Shaw.

Representative **SHAW**: Thank you very much, Mr. Speaker. I, too, would recommend an override for most of the same reasons that the good Leader from Newport recommends. It's interfamily. Most of what we heard for testimony was sometimes when a permit holder gets sick, or whatnot, they'd be able to transfer the permit to a family member, like a son or daughter or whatever. So, thank you.

The **SPEAKER**: The Chair recognizes the Representative from Lisbon, Representative Crafts.

Representative **CRAFTS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also am going to vote to override. This really, this is going to happen very rarely. This is when somebody's in dire straits that is more likely not to live that long—a brother or sister that you have a moose permit that you can transfer it over. And so, this is, like I said, this is not going to happen very often, but it gives the Commissioner the power to look at the situation, to evaluate it, and so I urge you to override.

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

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

ROLL CALL NO. 84V

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, Doore, Duchesne, Dunphy L, 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, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, 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, Saucier, Schneck, Seavey, Shaw, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Dion, Hymanson, Martin R, Sawicki, Sherman, Timmons.

Yes, 145; No, 0; Absent, 6; Excused, 0.

145 having voted in the affirmative and 0 voted in the negative, with 6 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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

On motion of Representative VEROW of Brewer, the House adjourned at 12:18 p.m., until 10:00 a.m., Wednesday, May 20, 2015, in honor and lasting tribute to Michael Kucsma, of Buxton and William Richard Bourbon, of North Berwick.