

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
52nd Legislative Day
Tuesday, June 2, 2015

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

Prayer by Reverend Leo R. Locke, Jr., East Wilton Union Church.

National Anthem by Maranacook Community Middle School Chorus, Readfield.

Pledge of Allegiance.

Doctor of the day, Honorable Geoffrey M. Gratwick, M.D., Bangor.

The Journal of yesterday was read and approved.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Assist Persons with Breast Cancer"
(H.P. 246) (L.D. 359)

PASSED TO BE ENGROSSED in the House on April 29, 2015.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "B" (S-144)** in **NON-CONCURRENCE**.

Speaker EVES of North Berwick moved that the House **RECEDE AND CONCUR**.

Representative ESPLING of New Gloucester **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 Wells, Representative Foley.

Representative **FOLEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the pending motion for the amended version of LD 359. After our initial vote, I was able to work with a Senate colleague on the Committee of Insurance to draft the amended language before us that requires notice by the provider to the patient of their options under the law regarding the length of stay in the hospital.

This bill, and the current law, has always been about providing a woman the necessary time to recover in the hospital after breast surgery, and to make sure that the decision remains between the patient and her doctor. This amendment requires that the patient be notified of those rights under the law. The requirement improves this bill and I hope that you will follow me in support of the amended version of LD 359. I did speak with Representative Longstaff, who is the sponsor of this bill, and he's agreed to the amendment. I thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Longstaff.

Representative **LONGSTAFF**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I will be very brief. I am the sponsor of this bill. It's one that I care deeply about. I put it in on behalf of one of my constituents. I do think that the other body worked very hard on this bill. I have talked to the constituent for whom I put in this bill. She and I agree that it's a very good bill; that it moves us forward in a good way. And I ask you, if you will please join me and others in voting that this, in voting in favor of this motion, to Recede and Concur. Thank you.

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

ROLL CALL NO. 133

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, 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, Herbig, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Rykerson, Sanborn, Sanderson, Saucier, Schneck, Seavey, Shaw, Sherman, 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 - Buckland, Devin, Dion, Head, Herrick, Monaghan, Russell, Sawicki, Timmons.

Yes, 142; No, 0; Absent, 9; Excused, 0.

142 having voted in the affirmative and 0 voted in the negative, with 9 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Bill "An Act To Restore Farmlands and Improve Watersheds"
(S.P. 367) (L.D. 1041)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-128)** in the House on May 29, 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 **AGRICULTURE, CONSERVATION AND FORESTRY** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Provide Enhanced Mental Health Services to the County Prison Population"
(H.P. 438) (L.D. 657)

Minority (3) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-222)** in the House on May 29, 2015.

Came from the Senate with the Majority (10) **OUGHT NOT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion of Representative GIDEON of Freeport, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 179)

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

June 1, 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 556, "An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator."

As I wrote to the 125th Legislature regarding LD 1139 and to the 126th Legislature regarding LD 1366, CPR is an important, life-saving technique. I encourage all Maine citizens to undertake training so they are prepared in an emergency. Automated External Defibrillators have saved a number of lives over the years and should be at the ready during large public gatherings.

However, I regularly hear from community members who work and teach in our schools and from parents who serve on our school boards, pleading for relief from burdensome, unfunded mandates and the intrusion of Augusta into the classroom.

This bill is no exception. Supporters argue that all that is required for this training is a few deflated soccer balls, but they neglect the cost of our most valuable school resource: our teachers. Mandating that teaching time be diverted to implement a statewide program is costly to our schools and subverts the control of our local school boards.

If the Legislature truly believes this policy is necessary and requires a state law, the bill should be resubmitted with a reasonable estimate of total cost to our schools. Otherwise, I encourage them to work with each community rather than pass a new state law.

For these reasons, I return LD 556 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To 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)

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

The Following Communication: (H.C. 180)

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

June 1, 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 699, "An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations."

The meddling of the federal government into Maine government is increasing at an alarming rate. These conformity laws do nothing more than add red tape and behold us to the bureaucratic mess that is Washington, D.C. The rigidity of these rules does not provide our agencies the flexibility they need to do the work for the people of Maine.

Additionally, our state agencies should be looking to operate effectively and efficiently without the reliance on federal dollars. We have become addicted to these funds and need to break the cycle of dependency as the federal government is broken and dysfunctional.

Quite simply, the ability of our state government to function has become restricted by the federal government. I return LD 699 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations (EMERGENCY)

(H.P. 475) (L.D. 699)
(C. "A" H-132)

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

Representative **HERBIG**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise just to clarify. LD 699 was a bill that I put in on behalf of the Department of Labor. Basically, this is a simple housekeeping bill. It has huge implications for Maine businesses, however. This is for the Safety Education Training Fund for workers. We would be accepting \$400 thousand from the federal government, that if we don't accept this money with this bill, Maine employers will have to pay this. So, this is a really anti-business, vetoing this would have some serious implications for Maine businesses that I don't think we want to be asking Maine businesses to pick up, to pay this when the federal government is willing to do it. Thank you.

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

The **SPEAKER**: 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. 134V

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, Daughtry, Davitt, DeChant, Dillingham, Doore, Duchesne, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Grohman, Guerin, Hamann, Hanington, Harlow, Hawke, Herbig, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Rykerson, Sanborn, Sanderson, Saucier, Schneck, Shaw, Sherman, Short, Sirocki, Skolfield, Stanley, Stearns,

Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Winsor, Mr. Speaker.

NAY - Crafts, Dunphy L, Farrin, Greenwood, Hanley, Long, Pierce J, Timberlake, Turner, Wallace, Wood.

ABSENT - Devin, Dion, Head, Herrick, Monaghan, Russell, Sawicki, Seavey, Timmons.

Yes, 131; No, 11; Absent, 9; Excused, 0.

131 having voted in the affirmative and 11 voted in the negative, with 9 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 181)

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

June 1, 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 1210, "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."

I veto this bill not because I disagree with where the Legislature aims to go, but because of how it intends to get there. This resolve requires the Commissioner of Professional and Financial Regulation or her designee to study and recommend changes to the Dental Practice Act by February 15, 2016. Rather than command the Executive Branch to perform this work, the Legislature need only have asked, and I would have agreed to help. Rather than recommending legislative changes through a report that would reach the Legislature not long before the April 2016 statutory adjournment, it makes far more sense for us to simply propose a bill to amend the Dental Practice Act. It would be less work for the Legislature, less work for the Executive Branch, and most likely will be available for committee work sooner than what this resolve dictates.

As is often the case, less is more. For these reasons, I return LD 1210 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item Resolve, 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 (EMERGENCY)

(H.P. 828) (L.D. 1210)
(C. "A" H-129)

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

Representative **SIROCKI**: Thank you, Mr. Speaker, this is a bill that I had sponsored and after communicating with the Chief Executive, discovered that the bill was really unnecessary. And, without the bill, he has instructed this to take place now, which

actually expedites the process. So, I am in support of sustaining the veto. Thank you.

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

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

ROLL CALL NO. 135V

YEA - Babbidge, Beavers, Beebe-Center, Bickford, Blume, Brooks, Burstein, Chapman, Chipman, Cooper, Evangelos, Grant, Kornfield, Mastraccio, Melaragno, Powers, Shaw, Short, Tipping-Spitz.

NAY - Alley, Austin, Bates, Battle, Beck, Black, Bryant, Buckland, Campbell J, Campbell R, Chace, Chenette, Corey, Crafts, Daughtry, Davitt, DeChant, Dillingham, Doore, Duchesne, Dunphy L, Dunphy M, Edgcomb, Espling, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Hawke, Herbig, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kruger, Kumiega, Lajoie, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, Martin R, McCabe, McClellan, McCreight, McElwee, McLean, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Rotundo, Rykerson, Sanborn, Sanderson, Saucier, Schneck, Seavey, Sherman, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

ABSENT - Devin, Dion, Head, Herrick, Monaghan, Russell, Sawicki, Timmons.

Yes, 19; No, 124; Absent, 8; Excused, 0.

19 having voted in the affirmative and 124 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 391)

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

June 1, 2015

Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Senate Paper 287, Legislative Document 420, "An Act To Amend the Law Regarding Filing Fees for Proposed Transmission Line Projects," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

16 voted in favor and 18 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,
S/Heather J.R. Priest
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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

ORDERS

On motion of Representative POULIOT of Augusta, the following Joint Resolution: (H.P. 984)

JOINT RESOLUTION RECOGNIZING MAINE'S REALTORS

WHEREAS, the Maine Association of REALTORS® has nearly 4,000 members actively involved in the business of real estate and it has approximately 400 affiliate members, including lenders, appraisers, title companies, building inspectors, surveyors and insurance providers; and

WHEREAS, the not-for-profit association provides each member with an equal voice and representation in the real estate profession, serving members in all 16 Maine counties and in their communities; and

WHEREAS, the benefit that the Maine Association of REALTORS® provides to Maine's economy includes not only the money spent and reinvested in the sale price of a property, but all those services and expenditures that occur in relation to a property transaction, both for a buyer and a seller; and

WHEREAS, according to national statistics, it is estimated that one job is generated for every 2 home sales and that each home sale contributes about \$60,000 to the economy; and

WHEREAS, the real estate market in Maine is recovering, as evidenced by the number of home sales increasing by 7.9% in 2014; and

WHEREAS, home ownership has been enhanced by the work in Maine of the public and private sectors to provide housing opportunities; and

WHEREAS, expanding home ownership will strengthen our State and its families and communities, enhance our economy and create jobs; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, take this opportunity to recognize the Maine Association of REALTORS® and its members for their positive contributions to and the significant role they play in the lives of Maine citizens and their communities and that their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Association of REALTORS® and its 12 local association boards.

READ and ADOPTED.

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Ruth Stearns, of Hampden, on the occasion of her 100th Birthday. Mrs. Stearns was born in Monticello on August 9, 1915 and attended Monticello schools, Ricker Classical Institute, Husson College and the University of Maine. She married Louis C. Stearns III and was a teacher of business practice and a guidance counselor at Hampden Academy for many years. She has always been active in her community, volunteering with the

Girl Scouts, Bangor Junior League and the Republican Party. We extend to Mrs. Stearns our congratulations and best wishes on the centennial celebration of her life;

(HLS 541)

Presented by Representative STEARNS of Guilford.

Cosponsored by Senator CUSHING of Penobscot, Representative DAVITT of Hampden.

On **OBJECTION** of Representative STEARNS of Guilford, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, it's certainly with a great deal of honor and pride that I have two guests today. One younger Mrs. Stearns, who resides with me, and an older Mrs. Stearns who I used to reside with. We have a lot of business to do, and I don't want to take a lot of the House's time, but I would ask you to reflect back on what it might have been like in Monticello, Maine, in 1915 and growing up through the Depression, and the changes in technology that this lady has seen. She continues to email with us and has managed to keep up. I'm very proud to recognize my mother, Ruth Stearns.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Increase the Penalties for Vandalizing a Cemetery"

(S.P. 374) (L.D. 1071)

Signed:

Senators:

- ROSEN of Hancock
- BURNS of Washington
- GERZOFSKY 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 "A" (S-100)** on same Bill.

Signed:

Representatives:

- CHENETTE of Saco
- NADEAU of Winslow

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

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-237)** on Bill "An Act Providing a Good Samaritan Defense to Individuals Reporting a Drug Overdose"

(H.P. 486) (L.D. 710)

Signed:

Senators:

ROSEN of Hancock
GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
LAJOIE of Lewiston
NADEAU of Winslow
WARREN of Hallowell

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

Signed:

Senator:

BURNS of Washington

Representatives:

GERRISH of Lebanon
LONG of Sherman
THERIAULT of China
TIMMONS of Cumberland

READ.

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

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-248)** on Bill "An Act To Expand Access To Lifesaving Opioid Overdose Medication"

(H.P. 98) (L.D. 140)

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
PETERSON of Rumford
STUCKEY of Portland
VACHON of Scarborough

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

Signed:

Representative:

SANDERSON of Chelsea

READ.

On motion of Representative GATTINE of Westbrook, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-239)** on Bill "An Act To Strengthen the Right of a Victim of Sexual Assault or Domestic Violence To Take Necessary Leave from Employment"

(H.P. 640) (L.D. 921)

Signed:

Senator:

PATRICK of Oxford

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-240)** on same Bill.

Signed:

Senators:

VOLK of Cumberland
CUSHING of Penobscot

Representatives:

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

READ.

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

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

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

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

ROLL CALL NO. 136

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, 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, Moonen, Morrison,

Nadeau, Noon, Peterson, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Sherman, Short, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

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

ABSENT - Bickford, Devin, Dion, Head, Herrick, Monaghan, Sawicki, Timmons.

Yes, 83; No, 60; Absent, 8; Excused, 0.

83 having voted in the affirmative and 60 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-239)** 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-239)** and sent for concurrence.

Seven Members of the Committee on **HEALTH AND HUMAN SERVICES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-243)** on Bill "An Act To Strengthen the Economic Stability of Qualified Maine Citizens by Expanding Coverage of Reproductive Health Care and Family Services"

(H.P. 213) (L.D. 319)

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

Three Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-244)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

HEAD of Bethel
MALABY of Hancock

Three Members of the same Committee report in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Senator:

McCORMICK of Kennebec

Representatives:

SANDERSON of Chelsea

VACHON of Scarborough

READ.

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

The same Representative moved that the Bill be **TABLED** until later in today's session pending his motion to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, it seems to me, as June 17th is fast approaching and we continue to table matters on the docket here, I continue to questions...

The SPEAKER: Will the Representative defer? I believe the Chair understands the point. We can't make debate during a Tabling motion.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending the motion of Representative GATTINE of Westbrook to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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 Table until later in today's session pending Acceptance of Report "A" Ought to Pass as Amended. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 137

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, 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, Nadeau, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Stanley, Stuckey, 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, Higgins, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Seavey, Sherman, Short, Sirocki, Skolfield, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Devin, Dion, Head, Herrick, Sawicki, Timmons.

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

79 having voted in the affirmative and 66 voted in the negative, with 6 being absent, and accordingly the Bill was **TABLED** until later in today's session pending the motion of Representative GATTINE of Westbrook to **ACCEPT** Report "A" **Ought to Pass as Amended**.

Six Members of the Committee on **HEALTH AND HUMAN SERVICES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-245)** on Bill "An Act To Stop the Abuse of Electronic Benefits Transfer Cards"

(H.P. 420) (L.D. 607)

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

HEAD of Bethel

MALABY of Hancock

PETERSON of Rumford

SANDERSON of Chelsea

VACHON of Scarborough

Five Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-246)** on same Bill.

Signed:

Senators:

HASKELL of Cumberland

McCORMICK of Kennebec

Representatives:

GATTINE of Westbrook

BURSTEIN of Lincolnville

HYMANSON of York

Two Members of the same Committee report in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Representatives:

HAMANN of South Portland

STUCKEY of Portland

READ.

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

The same Representative moved that the Bill be **TABLED** until later in today's session pending his motion to **ACCEPT** Report "B" **Ought to Pass as Amended.**

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending the motion of Representative GATTINE of Westbrook to **ACCEPT** Report "B" **Ought to Pass as Amended.**

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 Table until later in today's session pending Acceptance of Report "B" Ought to Pass as Amended. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 138

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, 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, Nadeau, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Stanley, Stuckey,

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, Higgins, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Seavey, Sherman, Short, Sirocki, Skolfield, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Devin, Dion, Head, Herrick, Sawicki, Timmons.

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

79 having voted in the affirmative and 66 voted in the negative, with 6 being absent, and accordingly the Bill was **TABLED** until later in today's session pending the motion of Representative GATTINE of Westbrook to **ACCEPT** Report "B" **Ought to Pass as Amended.**

ENACTORS

Emergency Measure

An Act To Add Acetylfentanyl and Methylfentanyl Derivatives to the List of Schedule W Drugs

(S.P. 259) (L.D. 729)

(C. "A" S-145)

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 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 Implement the Recommendations of the Task Force To End Student Hunger in Maine

(S.P. 324) (L.D. 933)

(C. "A" S-147)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 132 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

Emergency Measure

An Act To Create a Digital Content Library for Education

(S.P. 435) (L.D. 1230)

(C. "A" S-146)

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

Acts

An Act To Refund the Sales Tax Paid on Fuel Used in Commercial Agricultural Production and Commercial Wood Harvesting
(S.P. 104) (L.D. 290)
(C. "A" S-138)

An Act To Extend to Certain Fruit and Vegetable Growers the Sales Tax Exemption for Fuel
(S.P. 208) (L.D. 592)
(C. "A" S-136)

An Act To Authorize Free Samples of Liquor by a Restaurant
(H.P. 514) (L.D. 761)
(C. "A" H-225)

An Act To Better Inform the Public of Election Results
(S.P. 302) (L.D. 858)
(C. "A" S-130)

An Act To Create Community Schools
(S.P. 336) (L.D. 956)
(C. "A" S-131)

An Act Regarding the Electronic Monitoring Program
(H.P. 697) (L.D. 1002)
(C. "A" H-220)

An Act To Prohibit the Sale and Possession of Powdered Alcohol in the State
(H.P. 808) (L.D. 1176)
(C. "A" H-226)

An Act To Clarify the Laws Governing the Bureau of Rehabilitation Services
(S.P. 426) (L.D. 1199)

An Act To Amend the Laws Relating to Motor Vehicles
(H.P. 898) (L.D. 1320)
(C. "A" H-224)

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 State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory
(S.P. 479) (L.D. 1327)
(C. "A" S-133)

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

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-215)** - Minority (6) **Ought Not to Pass** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Earned Pay"

(H.P. 456) (L.D. 675)

TABLED - May 29, 2015 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

ROLL CALL NO. 139

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, 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, Maker, 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, Tepler, Tipping-Spitz, Tucker, Turner, Verow, Warren, Welsh, Mr. Speaker.

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

ABSENT - Devin, Dion, Head, Herrick, Sawicki, Timmons.

Yes, 84; No, 61; Absent, 6; Excused, 0.

84 having voted in the affirmative and 61 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-215)** 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-215)** and sent for concurrence.

An Act To Move a Township from House District 150 to House District 151

(H.P. 616) (L.D. 897)

(C. "A" H-188)

TABLED - May 29, 2015 (Till Later Today) by Representative MARTIN of Eagle Lake.

PENDING - **PASSAGE TO BE ENACTED.**

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker and Members of the House, I'd like, first of all before I go through the motions of what I'm going to do, is have you take a look at what has been distributed to you so you have a little better understanding of what took place.

And I'll start you off first with the county distribution that has the layout for what we refer to as the "western section" of Aroostook County in blue if you have the colored one. And on the right-hand side is the rest of central, for example, the central part of the unorganized territory and various sections throughout it. If you draw your attention to Township 14 Range 6, that happens to be in blue but it's over in the yellow side, if I'm describing it now.

If you turn the page now, and you'll find how the confusion took place. When the lines were subsequently drawn there, instead of using Township 14 Range 6, and more appropriately put it in northwestern Aroostook County, they split the township along the use of Route 11 as I was describing to you, which resulted in the confusion where the township, in effect, was split in half and should've been entirely located within the western part of the county in that particular unorganized territory section of the county.

When the bill that I subsequently put in, the department simply decided that they would simply use Route 11 as the line and then move the line over to include Township 14 Range 6, which is where it was more appropriately placed, and was placed in the unorganized territory. So, after discussion with the person who was involved in reapportionment, even though there was no language which made it necessary, I basically said, "Look, just give me the sections which belong by the block numbers, and we'll move the entire township by blocks."

So the amendment, which I will be offering, will actually move the blocks over to make it comply with what was the original intent of the Apportionment Committee. So the problem did not arise in the Reapportionment Committee, it actually arose in the drafting of the lines. I hope that explains it. Mr. Speaker, I now move that rules be suspended for the purpose of Reconsideration.

The same Representative moved that the rules be **SUSPENDED** for the purpose of **RECONSIDERATION**.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **SUSPEND** the rules for the purpose of **RECONSIDERATION**.

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

Subsequently, Representative MARTIN of Eagle Lake moved to **WITHDRAW** his motion to **SUSPEND** the rules for the purpose of **RECONSIDERATION**.

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, as we've had this debate once before and had a vote on it, and I appreciate the description here. In my opinion, this still goes back to the fundamental issue that we talked about. And that is, if we're going to start redrawing districts, let's do it for all 151 districts; let's not just do it for one.

You know, there's some towns I might like to have moved in my district, and you know, there are people that have islands in their district completely dislocated from the mainland, and you certainly could make an argument that they would be better off represented by some other configuration than what's there. In my opinion, this isn't accommodation, this is redrawing the lines in a deviation from a constitutional process that I take seriously. I get the merits of the argument. I understand there's probably some unfairness in some of our districts where people have school districts, or they have children that attend school by a Representative, but their constituents live in another school district or maybe another county.

There's going to be inequity. There's going to be unfairness in some of these districts when you take 1.3 million people and try to divide it up 151 ways equally. But that is a constitutional process. And when we undertook that process, I took that process seriously. The people that I appointed to the Redistricting Commission took that process seriously. But it is still a constitutional process. We change this one, we open the flood gates, we all come back in here maybe in the 128th with 30 bills saying that we should have districts redrawn to accommodate a block, street. There's some people in here, the City of Portland, I don't know how many people in the City of Portland, Representatives—What are there? Eight? Nine? Ten? You have streets where, someone on this side of the street's in this district and someone on the other side of the street's in this district. Doesn't make sense, why are they over here and why are they over here?

But we did that, and we did that as a constitutional process. And that means something to me. This is not something where, you know, I stand to rise and speak on this because of I don't like Aroostook County. I was born in Aroostook County. I get this. But I also get the fact that I undertook an oath to a constitution. I take that process seriously. I will be voting against this measure.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Mr. Speaker, it is obvious that some people didn't hear what I was say when I was speaking, so I'll try again.

The SPEAKER: The Representative will defer. I would encourage all members to stick to the merits of the debate that the Chair has given wide latitude up to this point. We are getting into the season where we are in the last several weeks. We are going to be debating some very emotional issues. Apparently this is one of them. I will be making sure that we do stick to the merits of the bill and the motion before us. The motion before us is Suspension of the Rules.

The Chair reminded all Representatives to confine their debate to the question before the House.

The SPEAKER: The Representative may proceed.

Representative MARTIN: The pending question, Mr. Speaker, is not Suspension of the Rules.

The SPEAKER: The Chair would clarify that the motion to roll call the Suspension of the Rules was not withdrawn, therefore, the current motion is Suspension of the Rules and a roll call is in order.

The Chair recognizes the Representative from Eagle Lake, Representative Martin.

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

The SPEAKER: The Representative may pose his question.

Representative MARTIN: Mr. Speaker, I pose a question through the Chair to the Representative from Newport as to what purpose he would object to Suspension of the Rules.

The SPEAKER: The Representative from Eagle Lake, Representative Martin, has posed a question through the Chair to the Representative from Newport, Representative Fredette. The Chair recognizes the Representative from Newport, Representative Fredette.

Representative FREDETTE: If I may request of the Speaker, if the Speaker may clarify for the entire body the purpose of the motion of the Suspension of the Rules and the effect thereby, so people understand what it is they're voting on.

The SPEAKER: So to reconsider our actions whereby this bill had previously been engrossed, we need to suspend the rules. To suspend the rules for the purpose of Reconsideration requires a two-thirds vote.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker, as a member of the Reapportionment Committee, I again thank the committee for their good work and I want to sort of get back to the merits of the original bill. And for that reason, and for clarification, I would like to ask that the Clerk read the Committee Report.

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

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, if I could just, again, just clarify. Mr. Speaker, my understanding is, is that on the motion before the body, it would require a two-thirds vote, is that correct?

The SPEAKER: Suspension of the Rules requires a vote of two-thirds of those present and voting. Thank you.

A roll call has been ordered. The pending question before the House is Suspension of the rules for the purpose of Reconsideration. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 140

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Doore, Duchesne, Dunphy M, Edgecomb, 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, Nadeau, Noon, Peterson, Powers, Rotundo, Russell, Sanborn, Saucier, Schneck, Shaw, Stanley, Stuckey, Tepler, Timberlake, Tipping-Spitz, Tucker, Verow, Warren, Welsh, White, Mr. Speaker.

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

ABSENT - Devin, Dion, Head, Herrick, Pierce T, Rykerson, Timmons.

Yes, 80; No, 64; Absent, 7; Excused, 0.

80 having voted in the affirmative and 64 voted in the negative, with 7 being absent, and accordingly the motion to **SUSPEND** the rules for the purpose of **RECONSIDERATION FAILED**.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Mr. Speaker and Members of the House, I would like to call the attention to the Chair and to everyone in this body to take a look again on the Aroostook County section. And what you will find is that the township in question is in the blue section of northwestern Aroostook County. And so, based on, all I was attempting to do was to lay out very distinctly what would be where. And so, in fact, if someone would bother to read the law and the reapportionment distribution that

was done, it is clear where that township lies. The only issue here was the drawing of the map. And so, basically, the map can be corrected without legislation. And so all we're going to do is manage to deal with that issue. And Mr. Speaker, I move Indefinite Postponement of the bill and all its accompanying papers.

Subsequently, on motion of Representative MARTIN of Eagle Lake, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

**REPORTS OF COMMITTEE
Divided Reports**

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-254)** on Bill "An Act To Create Corridor Districts for the Purpose of Funding Transportation and Transit Services"

(H.P. 179) (L.D. 247)

Signed:

Senators:

DIAMOND of Cumberland
ROSEN of Hancock

Representatives:

McLEAN of Gorham
BRYANT of Windham
FARRIN of Norridgewock
GILLWAY of Searsport
GOLDEN of Lewiston
HOBART of Bowdoinham
HOGAN of Old Orchard Beach
POWERS of Naples
VEROW of Brewer

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

Signed:

Senator:

COLLINS of York

Representative:

PARRY of Arundel

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-254)** 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-254)** and sent for concurrence.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Expand and Improve State-approved School Construction Projects"

(H.P. 866) (L.D. 1266)

Signed:

Senator:

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor

DAUGHTRY of Brunswick

FARNSWORTH of Portland

HUBBELL of Bar Harbor

PIERCE of Falmouth

POULIOT of Augusta

TIPPING-SPITZ of Orono

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-253)** on same Bill.

Signed:

Senators:

LANGLEY of Hancock

EDGEComb of Aroostook

Representatives:

MAKER of Calais

McCLELLAN of Raymond

STEARNS of Guilford

READ.

Representative KORNFIELD of Bangor 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 same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: The Chair recognizes the Representative from Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Mr. Speaker, I put in this bill after serving as a school superintendent for several years and watching the construction projects and watching the State of Maine slowly slip behind in being able to provide our students and our teachers with good facilities, up-to-date facilities, to work in despite our best efforts.

Prior to the Essential Programs and Services law, it was customary and statutorily required that a local town would put some of their own money into a construction project based on their ability to pay. In other words, if you were a very poor community and didn't have a great ability to pay, the state might pay 90 percent, while locally, you would fund bond 10 percent of the cost of new construction, state-approved construction. And vice versa if you were a very affluent or low-receiving district.

By doing so, in my opinion, having some local skin in the game, would limit somewhat the Taj Mahals, in my opinion, that are being constructed as we move forward. We have one project on the books moving, that has already been approved, that is reaching \$100 million. That's a lot of money. And I'm not saying that the good folks in that area haven't put a lot of work into it, but

once you're approved, in my opinion, it then becomes, "Let's see how much we can get."

This is a jobs bill. And it's also a bill for students and teachers because if we were able to limit a little bit, take a few million from the top of each one of those projects, which would be a result of the natural process of local citizens coming in saying, "Wait a minute. This is going to hit me in the pocket book." This isn't just state money—that magic money that grows on trees from away. This is real money in my backyard. I think we can do without the ninth junior varsity lacrosse field at this time, and maybe put some money back to the property tax payer. By doing that, I'm not saying that we would spend less state money on schools. What we would do is extend the projects down the list so that another community, more communities, more teachers, would have the opportunity to move into new facilities.

The second part of the bill that is also critically important and is contrary to the way government exists and operates, that is that this bill would require if you had a state-approved project it would require you to put away one percent of the current value of that building. Once many of these towns and school districts receive this building, they say, "This is great. We don't have to worry about major capital improvements for a long time. We've got a brand new building." And everybody knows the time to start saving is now—early on in the process. This would require a one percent set-aside so that when that local school board got down to their tough budgetary times and it was a difference between maybe moving a classroom or adding a program or putting money aside for that new boiler and the new roof—major capital construction, not paint—then we would have made that choice for them.

Remember that with EPS now, it's the state putting up all of their dollars to literally give that building to the towns. And I don't mean to say 100 percent, because there are minor costs to the towns. So I would urge you to consider the Minority Report in this bill. I'll often speak on fairness as far as education and funding, and this is fairness the other way, fairness to the state I believe. They're making a huge investment and requiring the locals to put aside one percent in that great investment would get us out of the revolving door game if we could stick to that as an institution over a long time. Thank you.

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

Representative **FARNSWORTH**: Thank you, Mr. Speaker, this is an issue about which my good seatmate and I have discussed considerably. My concern is that for your major urban areas that it would represent a significant hardship, predominantly because of the high property value but also the high poverty levels that we have in those particular cities. And, I think that going in this direction would shift a considerable cost over onto the property tax, once again. And that's something that most of the urban centers are not in the position to absorb. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Tipping-Spitz.

Representative **TIPPING-SPITZ**: Thank you, Mr. Speaker, I just want to say really quickly I fully respect the Representative from Guilford. I've learned a lot from him on the committee and I see that he's trying to address a problem. I don't think the solution to that problem is a mandate that tells local school districts how they have to spend their already dwindling budgets on the local level. So, I'm going to stick with local control and support the pending motion. Thank you.

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. 141

YEA - Babbidge, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, 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, 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 - Alley, Austin, Bates, Battle, Bickford, Black, Buckland, Campbell R, Chace, Chapman, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Herrick, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Dion, Head, Higgins, Timmons.

Yes, 79; No, 68; Absent, 4; Excused, 0.

79 having voted in the affirmative and 68 voted in the negative, with 4 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

Representative **DEVIN**: On Roll Call No. 127, "Authorization Carrying of Concealed Handguns without a Permit", I had intended to vote "nay" and mistakenly voted "yea." Thank you.

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

On motion of Representative ESPLING of New Gloucester, the House adjourned at 10:59 a.m., until 10:00 a.m., Wednesday, June 3, 2015.