

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
53rd Legislative Day
Wednesday, June 3, 2015

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

Prayer by Reverend Effie E. McClain, Oakland-Sidney United Methodist Church, Oakland.

National Anthem by Honorable Christine S. Burstein, Lincolnville, Honorable Deane Rykerson, Kittery and Honorable Joan W. Welsh, Rockport.

Pledge of Allegiance.

Doctor of the day, David Edsall, M.D., Ellsworth.

The Journal of yesterday was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Require the Prevailing Wage To Be Paid on All Public Works Projects for Which State Funding Is Used"

(S.P. 50) (L.D. 117)

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-140)** in the House on June 1, 2015.

Came from the Senate with that Body having **INSISTED** on 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 Require Large Employers To Report Compensation Information"

(S.P. 355) (L.D. 1015)

Report "A" (6) **OUGHT TO PASS AS AMENDED** 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-141)** in the House on June 1, 2015.

Came from the Senate with that Body having **ADHERED** to its former action whereby Report "B" (6) **OUGHT NOT TO PASS** 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 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)

Bill and accompanying papers **COMMITTED** to the Committee on **MARINE RESOURCES** in the House on June 1, 2015.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Bill was **PASSED TO BE ENACTED** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Bill "An Act To Establish Primary Energy Goals for the State"
(H.P. 892) (L.D. 1314)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY READ and ACCEPTED** in the House on June 1, 2015.

Came from the Senate with the Minority (6) **OUGHT TO PASS** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Authorize a Revenue Bond for a Student Loan Reduction Plan"

(H.P. 533) (L.D. 784)

Majority (12) **OUGHT TO PASS AS AMENDED** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-228)** in the House on June 1, 2015.

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

COMMUNICATIONS

The Following Communication: (H.C. 184)

TOWN OF MONMOUTH

PO BOX 270

MONMOUTH, MAINE 04259

Proposal to the Legislature: A Resolution Endorsing a Fair Budget

Whereas, public education and the intellectual and physical development of children and young adults is essential to Maine's future; and

Whereas, the voters of Maine in 2004 overwhelmingly approved a referendum requiring the State of Maine to fully fund 55% of the cost of public education in order to ensure a strong public school system; and

Whereas, the commitment to fund 55% of the cost of public education has never been met, forcing local communities to shoulder most of the costs of maintaining Maine's schools, often through increases in local property taxes:

Now therefore, be it resolved that:

The Monmouth Board of Selectmen calls on the Maine legislature and governor to recognize the will of the voters as expressed by statewide referendum and fully fund the state's commitment of 55% of the cost of public education.

Signed: On 27th day of May, 2015

S/C. Douglas Ludewig, Chair

S/Harold W. Jones III

S/Timothy A. McDonald

S/Darlene G. Sanborn

S/Dianna J. Boisvert

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 178)

**STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006**

May 29, 2015

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333
Honorable Amy Volk, Senate Chair
Honorable Erin D. Herbig, House Chair
Committee on Labor, Commerce, Research and Economic
Development
Honorable David Woodsome, Senate Chair
Honorable Mark Dion, House Chair
Committee on Energy, Utilities and Technology
Re: 2015 Attorney General Report to the Legislature Under the

Petroleum Market Share Act

Dear President Thibodeau, Speaker Eves, Senators Volk and Woodsome, and Representatives Herbig and Dion:

I am pleased to make this report in accordance with the Petroleum Market Share Act (P.M.S.A.), 10 M.R.S. §1677. The P.M.S.A. requires the Attorney General to make a report to the Legislature describing the concentration of retail outlets in the State, including a recommendation as to whether additional legislation is needed to further limit or curtail the activity of refiners operating retail outlets.

Enclosed is a report describing concentration of retail outlets in the State. The report, which is based on data collected from wholesalers of both motor fuel oil and home heating oil, includes maps depicting relative concentration in designated markets throughout the State. This report is also available on the Attorney General's website at: <http://www.maine.gov/ag/consumer/antitrust.shtml>.

Since no refiners of petroleum products operate retail outlets in this State, we recommend no legislation to limit or curtail such operations.

I appreciate this opportunity to provide this information and hope it is useful.

Sincerely,
S/Janet T. Mills
Attorney General

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

The Following Communication: (H.C. 185)

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

June 3, 2015

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

Dear Speaker Eves:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Energy, Utilities and Technology

L.D. 1399 An Act To Improve Natural Gas Price Competitiveness for Maine's Manufacturers

Health and Human Services

L.D. 1258 An Act To Amend the Maine Medical Use of Marijuana Act with Regard to Good Business Practices

Judiciary

L.D. 252 An Act To Increase Transparency of Entities Receiving Substantial Amounts of Public Funding

L.D. 513 An Act To Clarify the Protections of Court Appointed Special Advocate Workers under State Law

L.D. 642 An Act To Amend the Laws Regarding the Best Interest of the Child Standard

L.D. 953 An Act To Implement Changes in the Family Division To Improve the Experience of Pro Se Litigants

L.D. 1031 An Act To Improve the Unclaimed and Abandoned Property Laws

Sincerely,
S/Robert B. Hunt
Clerk of House

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

The Following Communication: (S.C. 398)

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

June 2, 2015

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

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Majority Ought Not to Pass Report from the Committee on Education and Cultural Affairs on Bill "An Act To Change the Individualized Education Program Notice Requirements" (H.P. 742) (L.D. 1081), in non-concurrence.

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Health and Human Services on Resolve, Directing the Department of Health and Human Services To Hire Health Inspectors (H.P. 491) (L.D. 715), in non-concurrence.

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.**

Representative McCABE of Skowhegan assumed the Chair.
The House was called to order by the Speaker Pro Tem.

SCHNECK of Bangor

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Representative SHAW for the **Joint Standing Committee on Inland Fisheries and Wildlife** on Bill "An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County" (EMERGENCY)

(H.P. 985) (L.D. 1442)

Reporting **Ought to Pass** pursuant to Joint Order 2015, H.P. 953.

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

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

Refer to the Committee on Education and Cultural Affairs Pursuant to Joint Order

Report of the **Joint Standing Committee on Education and Cultural Affairs** on Bill "An Act To Establish the Public Higher Education Systems Coordinating Committee"

(S.P. 543) (L.D. 1441)

Reporting that it be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** pursuant to Joint Order 2015, S.P. 185.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill and accompanying papers **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Report was **READ** and **ACCEPTED** and the Bill and accompanying papers were **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Divided Report

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Allow Retail Liquor Licensees To Sell Alcoholic Beverages for On-premises and Off-premises Consumption at One Location"

(S.P. 464) (L.D. 1289)

Signed:

Senators:

- CYRWAY of Kennebec
- COLLINS of York
- PATRICK of Oxford

Representatives:

- LUCHINI of Ellsworth
- DILLINGHAM of Oxford
- GOLDEN of Lewiston
- HANINGTON of Lincoln
- KINNEY of Limington
- LONGSTAFF of Waterville
- MONAGHAN of Cape Elizabeth
- SAUCIER of Presque Isle

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

Signed:

Representative:

TURNER of Burlington

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

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

CONSENT CALENDAR

First Day

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

(S.P. 280) (L.D. 782) Bill "An Act To Improve the Quality of Life of Persons with Serious Illnesses" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(S.P. 370) (L.D. 1044) Bill "An Act To Ensure That Collection Facilities Can Participate in the Architectural Paint Stewardship Program" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-157)**

(S.P. 398) (L.D. 1129) Resolve, To Support Home-based Care Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-158)**

(H.P. 910) (L.D. 1338) Bill "An Act Regarding Legal Representation in Certain Eviction Actions" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 267) (L.D. 401) Bill "An Act To Create Transparency in the Mortgage Foreclosure Process" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-257)**

(H.P. 429) (L.D. 616) Bill "An Act Regarding the Sale of Hard Cider" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-265)**

(H.P. 497) (L.D. 721) Resolve, To Establish the Commission To Strengthen and Align the Services Provided to Maine's Veterans (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-255)**

(H.P. 614) (L.D. 895) Resolve, To Establish the Advisory Committee on Real Estate License Law (EMERGENCY) Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-256)**

(H.P. 632) (L.D. 912) Bill "An Act To Allow the Establishment of Regional Municipal Utility Districts To Support Telecommunications, Broadband Communications and Energy Infrastructure" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-267)**

(H.P. 730) (L.D. 1061) Resolve, To Create the Commission To Study a Stable Continuum of Care for Persons with Intellectual Disabilities and Autism Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-259)**

(H.P. 785) (L.D. 1147) Bill "An Act To Clarify the Mortgage Foreclosure Sale Process" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-258)**

(H.P. 856) (L.D. 1256) Bill "An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-268)**

(H.P. 878) (L.D. 1292) Bill "An Act To Allow for Super Cribbage Tournaments" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-266)**

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

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

(H.P. 743) (L.D. 1082) Bill "An Act To Ensure Equitable Support of Education for Maine Students in School Administrative District No. 6 and School Administrative District No. 44" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-261)**

On motion of Representative SHAW of Standish, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

The same Representative moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

Representative ESPLING of New Gloucester moved that the Bill be **TABLED** until later in today's session pending the motion of Representative SHAW of Standish to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

Representative SHAW of Standish **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending his motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is to Table until later in today's session pending Indefinite Postponement of the Bill and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 142

YEA - Austin, Bates, Battle, Beck, Beebe-Center, Black, Blume, Buckland, Campbell J, Campbell R, Chace, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Farrin, Fecteau, Foley, Frey, Gattine, Gerrish, Gideon, Gillway, Ginzler, Golden, Grant, Greenwood, Guerin, Hamann, Hanington, Hanley, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hubbell, Hymanson, Jorgensen, Kinney M, Kruger, Kumiega, Lockman, Long, Lyford, Maker, Malaby, Mastraccio, McCabe, McClellan, McCreight, McElwee, Melaragno, Moonen, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Rotundo, Russell, Sanborn, Sanderson, Sawicki, Schneck, Seavey, Sherman, Short, Sirocki, Stearns, Stetkis, Sukeforth, Tepler, Theriault, Timberlake, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood.

NAY - Alley, Beavers, Bickford, Brooks, Bryant, Burstein, Chapman, Chenette, Chipman, Doore, Evangelos, Fowle, Gilbert, Goode, Harlow, Hogan, Kinney J, Kornfield, Lajoie, Longstaff, Luchini, Marean, Martin J, Martin R, Morrison, Nadeau, Noon, Peterson, Powers, Rykerson, Saucier, Shaw, Skolfield, Stanley, Stuckey, Verow.

ABSENT - Babbidge, Farnsworth, Fredette, Grohman, McLean, Monaghan, Timmons, Mr. Speaker.

Yes, 107; No, 36; Absent, 8; Excused, 0.

107 having voted in the affirmative and 36 voted in the negative, with 8 being absent, and accordingly the Bill was **TABLED** until later in today's session pending the motion of Representative SHAW of Standish to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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

ENACTORS

Acts

An Act To Help Municipalities Prepare for Changes in Sea Level

(H.P. 274) (L.D. 408)
(C. "A" H-68)

An Act To Remove Limitations on Reciprocity for Concealed Handguns Permits

(S.P. 313) (L.D. 868)

An Act Relative to the Escheat of United States Savings Bonds

(S.P. 320) (L.D. 929)
(C. "A" S-155)

An Act To Allow Certificate of Approval Holders under the Liquor Licensing Laws To Donate Alcohol to Nonprofit Organizations

(S.P. 424) (L.D. 1197)
(C. "A" S-152)

An Act To Expand the Educational Opportunity Tax Credit

(S.P. 504) (L.D. 1374)
(C. "A" S-151)

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

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.

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)

TABLED - June 2, 2015 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - RECONSIDERATION (Returned by the Governor without his approval).

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

Representative **BROOKS**: Thank you, Mr. Speaker, Women and Gentlemen of the House, I wanted to rise to speak on this bill. I feel so strongly that this matter of life and death is so important to teach at the earliest possible age. I, as many of you know, I went to medical school and, I'm ashamed to say, that that's where I learned CPR. So I was in my twenties, I didn't know CPR, and thank goodness that I didn't have the experience of somebody losing consciousness in front of me up until that point.

I have a good friend that works at L.L. Bean. She had the experience where she didn't know CPR and she had somebody become unconscious in front of her, and fortunately there were other people that did know CPR there. But she had such a helpless feeling, and I've been in the hospital setting where people have lost consciousness, or they didn't have consciousness and learning the techniques of, and I would say CPR and I was fortunate enough to know advanced cardiac resuscitation at that time.

It saves lives and I just can't say how passionately I feel about the subject. It is a matter of life and death. People's lives are saved and the earlier we can teach this, the better it could possibly be. And it does save so many lives and to know it, it's proven that the quicker one can initiate CPR, the better the chances to save that life. And, so I don't think one needs to be a medical trained professional and that everybody should have that knowledge—that basic CPR knowledge. And if we could start early in education and have it in schools, I would really encourage that. So, I would recommend that people override this veto and do the commonsense measure that would really, really save lives.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Bangor, Representative Kornfield.

Representative **KORNFIELD**: I just want to say there really is not a milder bill than this. Having taught 37 years, I do not like any mandates that tell teachers what they should teach. Believe me.

This one, however, does tell teachers what they should teach. But, it takes less than an hour. It costs nothing. They can use deflated soft soccer balls. Annie Graham came to our caucus, our committee, two years ago and showed us—I will never forget. I actually learned on a soft soccer ball—showed the caucus this morning all you have to do is sing "Staying alive. Staying alive. (hummed tune) Staying alive. Staying alive." So, if I could learn that in 15 minutes and maybe save someone's life, I think that this is definitely worth it.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, this, to me, is a no-brainer. It's a very important bill and I say follow my light. Thank you.

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

Representative **DUNPHY**: Thank you, Mr. Speaker. Mr. Speaker, I'm a firm believer in local control and I think it's essential that schools make the determination to have control over what they manage. However, that being said, I agree with the Representative from across the aisle who said this is a no-brainer.

CPR is simple. It takes a minimal amount of time. It could be taught in a Phys Ed class rather than skip roping or jumping jacks or whatever. I just think that it's something that if you learn it and you save a life, it's just astounding that we're even discussing

this. Schools should be doing it on their own. But, I will be supporting this bill and I would ask that you follow my light. I do think it's critical. Thank you.

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

Representative **DAUGHTRY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'll be quick. As everyone before me has said, this is a very important bill. We've seen it, this is the second session in a row. I was absolutely heartbroken, no pun intended, when it didn't go through last session. So, I really hope we can all band together and pass this important bill.

But I did want to mention that we've heard that most of the cost of this program can be absorbed within schools. This is not a fiscal mandate and this is something very important. I actually started learning CPR for the first time at the age of 11. A group of us who were babysitters started banding together and doing a class that we renewed every year. For the past two years we've been going and doing the training and it'd be great if this were available in our schools. So, I hope you all will follow my light and overturn this veto.

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

Representative **SHORT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I feel an obligation to speak on this issue and I'd be in favor of the veto override. In the year 2000, there was a 17-year-old boy, during a basketball rally, singing the school song. And the gym was full of the high school kids—there were over 200 of them in there—and this 17-year-old boy collapsed from heart failure. There was no defibrillator in the school, no one there that knew what to do, and of course the end result was that he passed away.

That 17-year-old boy was my nephew and what my family went through and what those students went through as the result of nobody being prepared for a situation like that was absolutely terrible. So, I would ask members of this chamber to vote in favor of the override. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Mr. Speaker. Thank you, Ladies and Gentlemen of the House, for several years I was an instructor in CPR and the use of the AED. They're very simple to use, very easy to train on and very easy to get an ability to train others on. I will, as Representative from my left mentioned earlier, that I'm against mandates in general, but I think this is a logical one to do. And, in fact, Mr. Speaker, I would suggest that with the copious amounts of down time that we find ourselves in this chamber, that the members of this body also take the 20 minutes and learn CPR.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Augusta, Representative Pouliot.

Representative **POULIOT**: Thank you, Mr. Speaker, as the sponsor of this I just want to thank all those who've spoke today positively about this. This is something that truly can and will help save lives, and I'm hopeful that the other body will do the same, we'd see passage of this, and really help many families across the state, in the future, avoid tragedy. So, thank you all for your support.

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

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

ROLL CALL NO. 143V

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, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgcomb, Evangelos, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Hamann, Hanington, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Malaby, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, Melaragno, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Schneck, Seavey, Shaw, Sherman, Short, Sirocki, Skolfield, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Crafts, Espling, Gerrish, Guerin, Hanley, Hymanson, Lockman, Long, Lyford, Reed, Sawicki, Stetkis, Theriault, Timberlake, Wallace.

ABSENT - Farnsworth, Grohman, McLean, Monaghan, Timmons.

Yes, 131; No, 15; Absent, 5; Excused, 0.

131 having voted in the affirmative and 15 voted in the negative, with 5 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass** - Minority (6) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve Program Integrity Activities within the Department of Health and Human Services"

(H.P. 288) (L.D. 421)

TABLED - May 14, 2015 (Till Later Today) by Representative GATTINE of Westbrook.

PENDING - ACCEPTANCE OF EITHER REPORT.

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

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

Representative **GATTINE**: Thank you, Mr. Speaker, Men and Women of the House, I rise in support of the pending motion. I'm not going to dance or sing, but I do feel very strongly about this. This bill is a commonsense measure that will help us to prevent and detect fraud throughout programs managed by the Department of Health and Human Services. It's the right approach to improving the integrity of programs that help struggling Mainers get back to work and get back on their feet.

The purpose of this bill is to ensure that the state manages public dollars in a way that is comprehensive and well-coordinated. We have an obligation as stewards of public funds to make sure that taxpayer dollars are dispensed for the purpose for which they're allocated and deliver the best value for the people and programs they support. DHHS manages multiple programs designed to deliver public benefit to Maine citizens and the integrity of those programs must be maintained through efforts that are comprehensive, fair and based on facts.

We talk about these programs frequently on the floor of this House and they include TANF, SNAP, and of course our \$2.7 billion MaineCare program. Preventing and detecting fraud and waste in these programs is an essential responsibility of Maine

government and we owe an obligation to the people who sent us here to take these responsibilities seriously. Fraud and waste has a negative impact on everyone involved in the system, including the recipients of services; the taxpayers who pay the bill; and providers who work hard in partnership with the state to provide quality care. A failure to maintain program integrity undermines program functioning and diverts scarce and valuable resources from their mission. It can seriously diminish public trust in the ability of the Department to deliver taxpayer-funded assistance in an accountable and transparent manner.

Now, states that lead the way in fighting fraud and abuse move beyond just traditional law enforcement and auditing activities. This is more than just a police function. States take a comprehensive and broad view, focusing not only on payments that have already gone out the door but also on front end activities such as provider and member enrollment activities, computer system flaws and policy inconsistencies. They invest in smart technology that flags suspicious claims before they're paid and potentially unscrupulous providers before they are even enrolled. They use data and facts to drive their decisions and they measure the effectiveness and return on investment just like any other well run business. And unfortunately, Maine does very little of this.

This bill is an important step in bringing Maine into alignment with these best practices. It requires the Department to account annually to the Maine people on all of its program integrity activities, including its overpayment recoveries, referrals to law enforcement, system issues and the work being undertaken by department vendors. It looks not only at MaineCare, the largest of the state's benefit programs, but also at TANF and Food Assistance, which are much smaller programs and receive very few General Funds, but still must be monitored to make sure they are spending allocated funds correctly.

This bill would shine the light on fraud. It would give the Legislature and the Maine people ongoing visibility into the flaws and defects within the Department's systems and policies that have, in the past, cost Maine taxpayers millions. It would require the Department to proactively identify to the Legislature what the problems have been identified and what the Department is doing to fix them.

You know, when it comes to fraud we get a lot of talk from the Department, but we need more than just the tough talk. It is disappointing that the Department has opposed these commonsense reforms to shed light on how it's protecting the taxpayers' money. The taxpayers expect results and this bill will allow us to do our job as a Legislature by making sure we have the information that we need to provide oversight and support to the Department's efforts. So, if you believe that the fight against fraud is important and that we have a responsibility to do our best to protect the investment in these programs I hope you'll support this motion and vote green. Thank you, Mr. Speaker.

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

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

Representative **SANDERSON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I would like to share with you parts of the letter from Herb Downs, who is the Director of the Division of Audit from the Department of Health and Human Services, regarding this bill.

He says that, "While the Department supports the basic principles of the bill, which requires reporting on a vital function of

the Department's programs, namely program integrity, the Department believes that it's important that the Legislature and the public have the opportunity to view the work that they are undertaking and it is essential that public welfare dollars be managed and free from waste and fraud." I believe we all agree on that in this chamber.

"The work outlined in the bill is substantive and requires a gathering of significant information that resides in a variety of data bases. Some of the information requested is already provided to the Legislature as part of other reporting by the Department. The Department has worked on improving their reporting capabilities over the past year and some preliminary reports they would be happy to openly share with our committee and this Legislature. The reports cover a number of the cases reviewed, investigated, as well as the overpayments identified. They can also identify the number of cases that have been referred for investigation, prosecution to the Attorney General's office. They would also be able to report on the number of staff working on program integrity and the associated cost for those units. The Department would need clarification on what time period the reports are to cover and what exactly is considered 'fraudulent overpayment.'

"Additionally, the Department can also share results of all federal audits of the program integrity efforts. The MaineCare Program Integrity Unit is reviewed every three years already. The Fraud Investigation and Recovery Unit is reviewed on an annual basis."

The Department also wanted to point out that the MaineCare program Integrity Unit does not investigate fraud. If they identify potential fraud in the course of their reviews they are required to report the information to the Healthcare Crimes Unit within the Office of the Attorney General, who conducts the, yes, investigations on fraud. They also add, to undertake the reporting at the depth outlined in LD 421, they would likely require additional full-time employees to coordinate and compile the required information. But, they would be happy to give us reports on more limited scopes that may be possible within existing resources.

The Department is already providing much of what this bill would like to present to us. Also, this is actually, I'm sorry I just lost my complete train of thought. The Department is already providing a lot of this stuff. The full-time employee, because we have such a myriad of different systems, would have to be fully trained in all of our systems in order to fully gather what information is available. This is a micromanaging of our Department at this time, when all of this information, if we ask, already needs to be made available to us. I urge you to vote Ought Not to Pass on this. Thank you.

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

Representative **GATTINE**: Thank you, Mr. Speaker, I apologize for rising a second time. I'll be very brief. Sat on the committee now for three years. The information asked for in this bill is pretty specific and it is not provided by the Department. And, I guess, having had this debate with the Department now for a couple years, basically the Department's argument distills down to they want us to pay them more money for them to tell us how they're spending our money. So, I mean, I hope that is an argument that this body will reject, and I hope that people will support this bill. Thank you very much.

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

ROLL CALL NO. 144

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, Melaragno, 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.

NAY - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, 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, Sirocki, Skolfield, Stearns, Stetkis, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Farnsworth, Fredette, Grohman, McLean, Monaghan, Timmons, Mr. Speaker.

Yes, 78; No, 66; Absent, 7; Excused, 0.

78 having voted in the affirmative and 66 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass Report was ACCEPTED.**

The Bill was **READ ONCE.**

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass** - Minority (6) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Feed Rural Citizens of the State"

(H.P. 721) (L.D. 1052)

TABLED - May 21, 2015 (Till Later Today) by Representative GATTINE of Westbrook.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS Report.**

Subsequently, Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass Report.**

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

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

Representative **VACHON**: Mr. Speaker; Ladies and Gentlemen of the House, the old adage: "Give a man a fish and he'll eat for a day; teach him to fish and he'll fish for a lifetime" speaks to me today. This bill holds people back and brings people down.

It suggests: There are no real jobs in rural Maine; We can't go to school and learn a new trade; We can't even volunteer. My goodness, you would think that rural Maine was a wasteland.

Nothing could be further from the truth. In life, there's always more to learn; people worse off than ourselves that could use some volunteer help; there are always small jobs to be done. If, after receiving benefits in rural Maine for three months, you still can't find anything to do; it is time to move.

In her book, The Gift of Suffering, author Polly Young Eisendrath tells inspiring stories of hardship that led to renewed creativity, compassion, and purpose. The words tough and love can go together. Please follow my light and vote "no" on LD 1052. Thank you.

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

Representative **SANDERSON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this bill seeks to reverse some of the requirements, the work and volunteer requirements, that were implemented last year under the SNAP program, Supplemental Nutrition Assistance Program.

What this does is, the requirements were: you must start, you have three months, work 20 hours per week, or volunteer 24 hours per month. What's interesting about this bill is it would like to roll back those requirements for what we consider the "rim counties." Those are Hancock County, Washington County, Aroostook County; all of the counties that are around the outside, the more rural, less urban areas of this state. What I find very interesting about this is Hancock County, Washington County—these counties have the highest level of compliance with the work and the volunteer requirements. I urge you: do not reverse this. I hope you'll vote "no" on the pending motion. Thank you.

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

Representative **HAMANN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, first things first. We should all be able to agree that true welfare reform puts people on a pathway toward prosperity and independence. After all, the best anti-poverty program is a good job. It's quite another thing to pull the rug out from under rural Maine and tout it as a policy success. LD 1052 partially reverses a new DHHS policy that penalizes people by taking away their food assistance if they can't find a job. Since January, over 9,000 Mainers have already lost their needed food assistance under this policy, and more are losing their help every day.

So, here's what happened: Federal law limits SNAP benefits to three months in a 36 month time period. To receive benefits longer than that, an adult without minor kids in the home or a disability must be able to find employment, and that job must provide them with a minimum of 20 hours every week. However, during times of high unemployment—when jobs are scarce—the federal government has waived this requirement for states as an acknowledgment that when jobs are not available, we shouldn't limit food access for a person who is unemployed or underemployed due to economic conditions beyond their control.

Since 2008, Maine has received this waiver on a statewide basis. This year 41 states—including all other New England states—accepted the waiver. Maine's Department of Health and Human Services, however, rejected it. As a result, food pantries and soup kitchens throughout the state are facing more demand from hungry people than they can meet. Maine already has the fourth highest rate of "very low food insecurity" in the nation—that's real hunger. Fourth highest rate in America. This policy makes that shameful statistic even worse.

LD 1052 partially reverses that policy decision, to continue food assistance in certain rural areas of Maine where unemployment is still extremely high. Since January of this year, over 9,000 unemployed Maine people have lost their food assistance under this policy. These 9,000 Mainers are not

magically back on their feet. These 9,000 Mainers have not suddenly found a job now that they're threatened with starvation. These 9,000 Mainers have simply had their food assistance taken from their hands by a new DHHS policy that punishes people because they can't find a job.

These 9,000 people, they want to work, but there simply are not adequate job opportunities available to them where they live. They'd far rather get a weekly paycheck than a food stamp benefit that provides about a buck thirty per meal. If they happen to live in an area where the unemployment rate has spiked to 12 percent, that's not their fault. It's one thing to tell a person they have to work 20 hours a week to receive food assistance, but if there's a lack of a sufficient number of jobs available where they live then that's not really a realistic expectation. Rural Mainers shouldn't suffer in hunger because their local economy is still clawing its way out of the deepest recession in a generation.

When this policy was announced, DHHS said that they made the decision because of a lowering statewide unemployment rate. It's true, employment is improving statewide, but every community is different. If you live in the greater Portland area where unemployment is hovering around 4 percent, that's one reality. But if you live in a rural community like Lincoln, or Milo, or Medway, or Mexico, or Livermore Falls, or Old Town, or Amherst, it really doesn't matter that Portland is hiring. This bill acknowledges that regional reality. It's unconscionable to tell a laid off mill worker in Millinocket, where unemployment is over 15 percent, that he has to find a job that can give him 20 hours a week in order to be eligible for food assistance because "there are plenty of jobs down in Portland."

To be clear: LD 1052 directs the Department to seek a waiver to allow Mainers otherwise subject to a three month limit on SNAP to continue to receive these benefits only if they reside in a specific area of the state that is still experiencing high unemployment. We all know about those rural Maine communities where plants have been closing leaving so many workers unemployed—places like Millinocket, Bucksport, Pittsfield and Rumford. People in those communities would get needed food under this bill.

We all know that parts of the state are still struggling to recover from the recession. Maine still trails New England and the nation in economic recovery and rural areas are hardest hit. Counties like Washington, Piscataquis, Somerset, and Hancock have unemployment rates nearly double those in southern Maine. People in these communities would get needed food under this bill.

Refusing to accept this federal waiver has stripped these rural Maine communities of a vital anti-poverty tool. The mill closes down, they lose their job, their property value plummets, and when these long-time taxpayers turn to the social safety net for food assistance, it is not there for them. We are failing rural Mainers if we turn our back on them in their time of need.

Would I prefer to seek a statewide waiver, as we have since 2008? Yes, absolutely. The worst thing you can do to handicap a person trying to get back on their feet is cut off a lifeline to a fundamental human need like food. So while I would prefer to see the Department seek a statewide waiver next year, this bill is a reasonable and non-political proposal to continue food assistance in communities that are still struggling.

Mr. Speaker, Men and Women of the House, if we're going to cut SNAP benefits, we could at least have the courtesy of using a scalpel instead of an axe. And this bill is that scalpel; the tool to carefully look at each individual labor market area in Maine, look at each community, and assess whether or not there is a sufficient number of jobs available to the SNAP recipient. Not whether there's a job down in Cumberland, or Kittery, or Freeport,

or Falmouth, but in the labor market area where the individual lives. Because that is their reality. If I'm unemployed—suppose I live in Corinna—I could not care less what the statewide unemployment rate is, or whether some bureaucrat in Augusta tells me I should be able to find a job because the economy is improving in a more affluent urban area of the state. No. I live in Corinna. Unemployment's over 11 percent in Corinna. And that's my job search reality. Don't tell me I can't find a job for any reason other than the fact that the economy is still struggling in my community and no one's hiring.

This bill respects and honors Maine's rural communities, and the unique challenges rural Mainers face in a labor market area with tragically high unemployment. That is why I will be voting in favor of the pending motion, and Men and Women of the House if you represent a rural community I urge you to follow my light regardless of how you think this issue might poll in your district. Because if LD 1052 becomes law, people in your community will get needed food under this bill. You can be proud of that vote. And that is truly putting people before politics. Thank you, Mr. Speaker.

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

Representative **RUSSELL**: Thank you, Mr. Speaker, Men and Women of the House, there are three things that humans needs to survive: one being water, one being shelter and clothes, and one being food. I find it really disturbing that we might end up not being able to see this LD 1052 passed into law because, if nothing else, people should be able to eat.

And it brings me back to an article, a story that was on WABI TV last fall. Quote, "We have clients that used to donate to us that are now in need of services. And it's so hard for them. I hate to see it. Their eyes—they're so defeated," says Pamela Hitchcock who has maintained the food bank in Canaan since the mid-1990's. The Great Recession may technically be over, but its tentacles continue to grow. When we talk about, and you hear about, Portland being the economic engine of the state, you can like it, you can hate it, but it is a fact. What's also a fact is that that is my district.

Most of the economics in Portland are centered in the downtown area of the city; that happens to be my district. It does not mean that I should not care about people in rural Maine. When you look for volunteer opportunities or part-time jobs, when you talk about how Maine has those available, you are talking about my district. You are not talking about the regions of the state where you can barely get to without a car, and sometimes without four-wheel drive. I will be voting in support of the pending motion because every member of this state, every person who lives here, should have water, they should have a place to live, and they should have food. It is unconscionable that we might not end up seeing this go into law. But I will be voting and standing strongly in support of it, and strongly in support of the people all across the state—not just those who have the privilege of living and working in downtown Portland, where there is economic opportunity.

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

Representative **SANDERSON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, pardon me for rising twice. However, when we hear about an axe being used rather than a scalpel, I have to reiterate: the individuals starting October 1 last year were given three months to obtain, and to also take advantage of four opportunities to keep these benefits—20 hours a week work; 24 hours a month, a month in volunteering; you could participate in training; or, you could participate in education.

If you had done one of those four things, you would've kept your benefits.

Another thing that I heard was the word "family" over there. So, I want to make sure that everybody in this chamber understands this does not include people with children. This is not about families. This only includes able-bodied, non-disabled adults without children. So there's no "family" involved. We're talking single, adults without children. And if they can't find the time to volunteer 24 hours a month, the barest of minimums, if they're not able to help themselves—I leave that open-ended. Thank you.

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

Representative **GILBERT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, after more than 20 years as a job service manager in Franklin and Oxford counties, serving an area that goes from Stratton down in New Vineyard over to Byron and Andover, and over to Gilead and Newry, I rise in support of LD 1052 and the residents of rural Maine. As a career center manager I oversaw and approved training programs and the career centers where I worked still do.

DHHS says that people who can't find work can enroll in a training program to continue getting help. But there are only training programs for one out of every nine people who are impacted. Even worse, those programs provide only half of the hours needed to continue to qualify for help. And most are only available within a 30-mile radius of Portland, Lewiston, Augusta, and Bangor, again leaving rural Mainers out in the cold.

Our rural residents' volunteer opportunities are few and far between that would comply with DHHS rules to qualify for food assistance. The waiver that this bill supports is certainly needed by people in need in rural Maine. This bill would direct the DHHS to apply for a federal waiver for people living in rural counties of Maine, the "rim counties" from Oxford County in western Maine east to Washington County.

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

Representative **TUELL**: Thank you, Mr. Speaker, I apologize for not standing up. I'm not sure I can fully get there today. I want to respond to several points that were made today, and I want to do so respectfully. But I also have to say, right up front, on behalf of the people in Washington County: We are not, we are not victims. We are not victims.

There are a lot of folks down home who have worked hard all their lives. There are a lot of folks who have worked hard all their lives, and my good friend from Beals knows this to be true, who have worked on the lobster boats and digging clams and raking blueberries and doing whatever they've had to do. They've tipped brush, they've gone out, they've done it. I know; I've done it myself. Growing up as a kid you learned how to work. And I know everybody in rural Maine, on both sides of the aisle here ought to be able to agree on that. And if we can't, we're in a truly sad state of affairs.

This motion, I will be following the Representative from Chelsea, and some of my other good friends here because we aren't victims. We do need to break the cycle, and actually, we are breaking the cycle. Earlier in the week, you might've seen a MaineBiz circulating around the chamber here. And there are two local businesses in my district that are rebuilding and regrouping. One is rebuilding, one is actually open last summer—Millennia Marine in Eastport—they're hiring folks and they're training folks to do boat building. They're giving people downeast hope. And I think it's pretty insulting to the people of Washington County, it's pretty insulting, to say that we have no

hope. I reject that and I'll be voting with my colleagues here on this one. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I come from a rural county. I grew up in a small town of around 400 people. As a young man, I realized that I had two choices in life: I could go to school and try to make something of myself or I could stay there and work, you know, in the woods, a good profession, or I could work in a mill. And neither one of those choices I wanted to do.

Now, the mill jobs are gone. And folks are leaving because they have to. You follow the work. I did that. I followed the work. I left my small town and I think that that's what you have to do. You have to look around and see where the jobs are. And these single, unfamiliar people need to do that.

The other thing I want to bring out is that when I ran for this office, in that very rural, poor county, the number one question that folks asked me about was, "How do you feel about providing this sort of thing to people who are single and who are unmarried and don't have children?" Because, they were definitely against it. These are the very people that some of us want to try to help. They did not want this kind of help. As Representative Tuell said, we're not victims, we don't want to pretend to be victims, and we won't be victims. So, please follow my light on this regard. Thank you, Mr. Speaker.

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

Representative **GATTINE**: Thank you, Mr. Speaker. Again, Men and Women of the House, very briefly, in response to some of the things we heard today. You know, we keep hearing, we heard it on the floor today, we heard it from the Department during the work session public hearing, that, you know, it's really easy to meet this requirement because there are volunteer opportunities; you can do volunteering.

Well, you know, one of the things that we learned during the work session is that volunteer agencies have been flooded with calls and have a hard time with keeping up with the requests from the 9,000 people who have lost their benefits as a result of the refusal of the Department to accept the waiver that was offered to us. And one of the things the Department said during that conversation is that there are a couple of websites that they point people to, to look for these volunteer opportunities. And when you go to those websites, one of them is volunteermaine.org and others, currently there are 14 volunteer opportunities in all of Washington County and four opportunities in Aroostook County. So, again, you know, 20 or 18 opportunities between those two counties to support a portion of the 9,000 people who lost their benefits because the Department refused to accept this waiver. I just want to put that into context for folks. Thank you.

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

Representative **VACHON**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I apologize for rising again, but I just wanted to clarify on the website that listed only 14 volunteer opportunities. Typically when there is a nonprofit organization that needs a specific person to volunteer to do a specific thing they will post that on the website. Contrary to what you've heard, that is not the only volunteer opportunities available in such a county. While we were at the work session, I did happen to ask the Department if somebody were to come into the town office or come into public safety say, in the middle of a snow storm, and ask if they could dig out fire hydrants, the answer was yes, they could pull weeds at a town building. So, there are

ample amounts of volunteer opportunities available. They're just not going to appear on the website. Just wanted to clarify.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Hallowell, Representative Warren.

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

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

Representative **WARREN**: So this bill, LD 1052, has no fiscal note, while increasing access to food assistance. Could someone illuminate how this proposal doesn't cost the state money?

The SPEAKER PRO TEM: The Representative from Hallowell, Representative Warren, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from South Portland, Representative Hamann.

Representative **HAMANN**: Thank you, Mr. Speaker, food stamps are actually paid back 100 percent by the federal government, and the state only pays to administer a portion of the cost to administer the food stamp program. So, there is no cost of the change in benefit to the state. So this didn't save the state any money by limiting access to food stamps.

In fact, during the work session, a representative from the Department testified that it's actually more expensive to administer SNAP benefits under this policy, the one that went into effect this year. So, it's actually costing us, as a state, more money to take food out of poor people's hands. And that food stamp benefit is a cost to the state, to Maine grocers, of about \$12 million per year. So, as a state, we made a decision to spend money to keep food out of poor people's hands, to keep money out of grocers and other small businesses around the state. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Dexter, Representative Wallace.

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

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

Representative **WALLACE**: Thank you. I was just curious if anybody could tell me of the 9,000 people who have lost food stamps, how many of these people have actually gone to work and that's why they lost their food stamps? Or how many of these people have actually gone out and applied for a job? I mean, I keep hearing this number, but I know people even in my town who have no longer on stamps because they've gone out and they've got work. And so that comes off that total of 9,000. So, I really am curious.

The SPEAKER PRO TEM: The Representative from Dexter, Representative Wallace, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from South Portland, Representative Hamann.

Representative **HAMANN**: Thank you, Mr. Speaker, I'd like to answer the question. According to the Department, very few have actually been able to find jobs, which I think speaks to the value of this bill. Even when faced with losing their food stamp benefits, that wasn't motivation for them to move to a town where there are jobs available for them. There still aren't jobs where they live, as evidenced by the fact that they lost their food stamps and they're not employed.

The SPEAKER PRO TEM: The Chair reminds all Members to direct comments through the Chair. Thank you.

The Chair reminded all Representatives to address their comments toward the Speaker Pro Tem.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Mr. Speaker, earlier my hometown of Canaan was mentioned, of course I was happy to hear, as well as a lifelong friend, Pam Hitchcock, who runs our local food cupboard. If there is one person in Canaan that has lost their benefits, I would highly recommend that that person go and speak with Mrs. Hitchcock because she is an older lady in not very good health that could use some volunteer help. This is something she's asked for years. There's no excuse for any of those people to lose their benefits when they can go and volunteer and help this lady.

I do want to thank the Representatives here who are finally acknowledging the existence of the two Maine's. I would ask though, that we invest more time on jobs and less on welfare.

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

Representative **TUELL**: Thank you, Mr. Speaker, I apologize for speaking a second time, but I would like to talk briefly about the educational opportunities in Washington County. You know, as a native of East Machias, a fourth generation resident of Washington County plus, I was told as a high school kid, "You know, you have to go away. Get the big money, the big job."

I chose to go to UMM, University of Maine at Machias, it was the only college that I really wanted to go to. It was close to home. It was close to my family. I got a degree, graduated with honors, found a job—not a high-paying job, I wasn't rolling in it, but I lived where I wanted to live—and I worked that job for 15 years. And I'm very proud of that. And I know there are other folks in our county who go to UMM, who go to the Washington County Community College, who learn trades, who can even start their own businesses if they can't find a job.

You know, if you want to stay in Washington County, you have to do many different things. It's just a fact of it. You know, I wrote freelance, I worked in economic development, I did several different things at one time. None of them were big, high-paying, lucrative jobs, but I did what I had to do and I know many of my friends and neighbors and folks down home, all across the county, and I would dare say for the rest of rural Maine, but unlike some who... well, thank you, Mr. Speaker, I'll just stop there.

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

Representative **FECTEAU**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, this is not about victimization. I have never lived in rural Maine. But I have experienced welfare first hand and a time of need is a time of need whether you live in southern Maine or you live in northern Maine.

My mom received welfare benefits when she and my father divorced. She had never had a job in her life as a stay-at-home mom, did not graduate from high school, and had no savings of her own. On top of this, she had no vehicle. I recall very vividly the anxiety that this situation induced for her and the many emotional breakdowns that she experienced. I may not have understood the totality of the situation back then, but I certainly could sense the emotional anxiety and stress that it induced; the struggle, the everyday obstacles.

Being required to work immediately or volunteer in this situation would have been immensely burdensome and negligent—perhaps not to my mom, but to her two children, me and my sister. She was worried about so many things at that time, but at the very least she did not have to worry about putting food on the table for her children. When she finally got back on her feet, secured money for a car, she got a job and she eventually worked her way off welfare. It was not easy. But help

along the way was not wasted money and welfare benefits surely did not make the situation so great that there was a desire to never go off welfare.

So when I take a vote today, I understand the politics, and that this will be on a mailer in November, and there'll be campaign ads and all that good stuff. But I'm voting because I've experienced this. And I'm voting in favor of the pending motion because this is about people, not politics. Thank you.

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

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

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

Representative **SIROCKI**: Thank you. I would like to confirm that this bill is not affecting families; that this bill is limited to single individuals.

The SPEAKER PRO TEM: The Representative from Scarborough, Representative Sirocki, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker, that is correct. This is only for single, non-disabled individuals up to the age of, I believe, 45. And, the good Representative from Saco, Representative Fecteau: In a case of that situation, their benefits would certainly not have been affected because those are the families that we certainly do need to support.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Mr. Speaker Pro Tem, I only wish to add one thing to this clearly, very sadly, partisan debate. The word suffering has come up several times today and I just wish to add this thought: Suffering may, indeed, help grow our souls, but standing by and watching while someone else suffers, and in fact, perhaps even contributing to that suffering, does something else entirely to our souls. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I wasn't going to rise on this subject today, but after all I've heard, I feel I must. Right after I got out of high school and I got married, I lost my job. I had a job and I thought it was going to be my dream job, and I lost it within three months. I felt miserable because I couldn't land another job at that time. I would've loved to have the opportunity to volunteer some place. I would've loved to have the opportunity to get some training to do another job. I would've done anything for that because I had some pride, as I'm sure all people do that get in this situation.

When I was knocking on doors this past fall on my campaign, the topic of welfare came up a lot of times. And regardless of where we stand on that topic, the people in my district overwhelmingly said, "We need welfare reform." This is one part of it right here, as I see it. Because if a person that is single, able-bodied, and they are out of a job, if they can't find the opportunity with the four things that they're allowed to do to be able to keep their benefits, they're not looking as far as I'm concerned because there are jobs out there. There is volunteer out there. My community was mentioned—Mexico—and there are opportunities there. There is volunteerism there that they can be involved in.

I'm the first one to say if somebody is in need of assistance I want to help them, but I want to give them a hand up, not a hand

out, and I think that's what's wrong with our welfare system today. I would ask you, I would urge you to follow my light and vote "no" on this motion.

The **SPEAKER PRO TEM**: The Chair would remind all Members to direct comments through the Chair during debate and further commend everyone for their tone of debate today. Thank you.

The Chair reminded all Representatives to address their comments toward the Speaker Pro Tem.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Old Town, Representative Dunphy.

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

The **SPEAKER PRO TEM**: The Representative may pose her question.

Representative **DUNPHY**: Thank you. I would like to ask: If a person has the opportunity to volunteer, to get 24 hours a month, how are these hours tracked? How are they accounted for?

The **SPEAKER PRO TEM**: The Representative from Old Town, Representative Dunphy, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, there's a method of tracking that whoever they volunteer through is able to sign off on these hours and that is submitted to the Department.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, you know, Mr. Speaker, when I sat on the other side of the aisle for six years, I felt the same way as I do sitting over here for five. We got elected to take care of people whether you want to call it a hand up, a hand out, a hand down, or whatever you want to call it. We're here to help the people that can't help themselves. And listening to the news in Washington, those people are getting wackier down there on both sides of the aisle and we don't have to act like they do. We're here to help people, not hurt them. Thank you, Mr. Speaker.

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

Representative **GROHMAN**: Thank you, Mr. Speaker, I want to just make some brief remarks on this. We're all citizens of the United States, the greatest country on Earth, I might add, and as such, we pay federal taxes. This is a federal program, so our dollars that come from Maine will hereby go to support programs in other states if we don't accept support for these benefits.

If you think about the 9,000 people that we're talking about, if we're considering that number, maybe we assert that some number of them are gaming the system in some way, so maybe it's 8,000 people that legitimately deserve these benefits, or however you might look at it. Those 8,000 people don't go away. They're going to find their way onto other programs because they need the support; they need our help. We may well have a situation where they end up on General Assistance, for example. This will be paid for by your property taxes. So, we'll continue to send our federal taxes, which I have the pleasure of sending a lot of federal taxes, and we will send that money to another state—say it's Illinois—and then we'll pay property taxes here in the state to support those people that need our help. So that's why I find myself in support of this legislation. Thank you, Mr. Speaker.

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

Representative **HAMANN**: Thank you, Mr. Speaker, I apologize for rising to speak a second time. I promise I will be brief. Mr. Speaker, Men and Women of the House, I'd like to, first

of all, reiterate what I think I'm hearing from everybody in this body. And that is, that we all share the value that people should work. I think we all share that value. And this bill isn't saying that people should not work, it's saying that if there are not enough job opportunities for them to work, or if they're employed somewhere where maybe they're getting 19 hours a week, and therefore not eligible, then we shouldn't cut off their food assistance that's keeping them afloat. So, I think we all share in that value, and I think that sometimes gets lost in the context of debate.

One thing, also, that I think gets lost, this volunteer aspect. Something that I asked of the Department during the work session was whether or not I would be eligible, or if it would count toward, my 24 hours a month if I raked my neighbor's leaves or shoveled their driveway, or volunteered at a church or at the Town Hall. And, no, those do not necessarily qualify. They may, but they don't always. And, in fact, most of the time those types of volunteer opportunities don't qualify. So, small odd jobs, no, they don't qualify; that doesn't qualify toward your work requirement. Small volunteer opportunities, those don't qualify either. And, in fact, volunteering at an organization, in order for an organization to bring in volunteers, it has to be a larger organization because there's a cost to that organization.

I work for a very large nonprofit, and the most volunteers that they can have at any given time is 23. And we're talking 9,000 people. And this is one of the largest nonprofits in the state. So, to say that the volunteer aspect is sort of a catch-all, where you can just go and volunteer, that's not at all the case in the State of Maine, as we can see through the website that the Representative from Westbrook referenced, where there are only four opportunities in the entire County of Aroostook.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from New Gloucester, Representative Espling and inquires why the Representative rises.

Representative **ESPLING**: Just concerned about Members addressing their comments through the Speaker.

On **POINT OF ORDER**, Representative **ESPLING** of New Gloucester asked the Chair to remind Representative **HAMANN** of South Portland to address the Speaker Pro Tem and not turn to the rest of the House.

The **SPEAKER PRO TEM**: The Chair will remind all Members again to address comments through the Chair. Thank you. The Member may proceed.

The Chair reminded all Representatives to address their comments toward the Speaker Pro Tem.

Representative **HAMANN**: Thank you, Mr. Speaker, I'm finished.

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

Representative **STANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, you know, I feel kind of ashamed right now to even have to vote on this. It is our obligation as a Legislature to do what's good for the people of this state. Well, we haven't done that.

We haven't created the jobs that are needed in this state. And, the jobs that we are creating are usually not helping us out of our medium- to low-income wages, which are putting us right to the bottom of the country. Also, we're way down on everything as far as coming out of the recession; we're at the bottom of that, which isn't a very good accomplishment. Because what I see here is us, as people, in a state that's kind of divided. We have the rural areas, and we have the urban areas. And one of the problems that I'm seeing out of all of this is if I have a job, I have to travel 50 or 60 miles to get to it. And most of the jobs that the people in my district are now getting are not your higher-wage

jobs because they have no education—they all have a high school education and that is it. And they're older employees.

And I'll tell you, and you walk around and do your doors and knock and talk to people, and I'll tell you what: If you live in a rural area, you're seeing the poverty. And I mean you're seeing it. When you have to climb over garbage to get to a guy's door, then I'll tell you what: That guy isn't very well educated, probably. And if he did get a job, it would be a very low, minimal paying job.

And I'll tell you what, the other problem that you're probably going to run into is you have to travel 40, 20, 30, 10 miles—whatever it is. He shouldn't have to travel. And I'll tell you what, the price of gas, down right now, but it's been up there. And once you get yourself into these predicaments where you don't have enough money to pay your bills, you just kind of lay back and take life what comes at you to live the way you want to live. But, to me, and I'll get back to what I've started this whole statement with, is us as a state.

We are not addressing the issues that should be addressed in this state. We are doing everything but what we should be doing, and that is creating good quality paying jobs in the state. We're putting money into education to ship kids out of state so they can find a job out of state. That's not a very good way to be doing a lot of things. I can see educating our kids for jobs that we have in this state, and that's something that I think we should be putting more of an emphasis on. Because this is the problem—it's not just about feeding people; it's a problem how we as a state are addressing our economic development needs and our economy. That is what we should be addressing more of.

And these bills like this would go away. The welfare thing would go away. Until we, as a body, start looking at what the problems are and start addressing the problems in this state, and look at these people presenting these bills just like this year after year, been here, same type of bills for years, haven't changed. The only thing I've seen changed is a little more poverty in this state.

To me, we have to put people to work. And I'll tell you what, there's not too many people that I don't know who wouldn't like to have a job. Because I'll tell you, a job does three things for a person: It gives you a place to go for eight, nine, ten, twelve hours, which is very important; that keeps you out of trouble. The other thing: it gives you a little more money in your pocket so you can afford to do what you want to do. That's very important because a lot of these people have families, and they want to bring their families up to a way of understanding and a quality of life that is respectable, and not the garbage you have to climb over to get through the door. And the other thing that they do, a job will give you is self-esteem and pride. And when you have that in yourself, you have got more than anybody else can give you. Because I'll tell you what, they can't take that away from you; that's something you've earned. You've earned it through the work of hard-knocks, and that is something that's very important.

To me, this bill, if we were doing our job, and the way I feel and I really believe this, we are not doing our job addressing all the issues that need to be addressed in this state. We have regions in this state, the Portland area, the Lewiston-Auburn area, and the Bangor area—they're the only ones that are really surviving. And I think I talked about Bangor yesterday. One hundred thousand people go to Bangor, and they're all going by car, and we do not address the issue of getting people there at affordable rate so that when they do go to work, they're not costing them 50 or 60, 70, 80 dollars a week for gas. They can put that back in their home community. Let those home towns starts thriving again, the rural parts of this state.

So, if we don't start doing something as a legislative body, and these bills like this are standing there, if we don't do something about it, it's not a shame on the people that are collecting it, it's shame on us.

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

Representative **BROOKS**: Thank you, Mr. Speaker, Women and Men of the House, I rise to speak on this bill. I was hesitant. I guess, not to address an earlier bill, but I was kind of proud to talk on that bill. This one is a little bit more difficult for me.

After practicing medicine, there was a period of time that I was on food stamps. And my grandmother was also on food stamps. And I ended up living with her and my mother for the last year and a half of her life, and I didn't volunteer outside the home. There were other, you know it's a long story, but I was struggling at that time, and I think of my grandmother, and she would be 100 years old this year. And, I think, she was born in 1915 and she lived through the Great Depression, and she worked really hard and suffered from lung disease, different things.

And that last year and a half of her life that I was able to spend with her, I wouldn't change that. I mean, I wouldn't change that. Is that wrong? It was not a conscious decision along the way, but I think there are circumstances that we're not considering and to think of the basic needs as food, shelter, water, and I'm in Lewiston, so arguably, there are more volunteer or job opportunities there. But it's not an easy struggle and it's difficult to place our feet in another one's shoes. And I hate to think that there is a statistic I've heard and I can't confirm it, but I've heard that there are something like 80-some-odd people that have the same wealth as the bottom 3.5 million or so. That statistic could be wrong, it could be billion, I'm not sure. Sorry to ramble, but I just feel that it's an important issue that we don't deny people food. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, a wise man once said, "There's a hunger beyond food that's expressed in food, and that's why feeding is always a kind of miracle." "There's a hunger beyond food that's expressed in food, and that's why feeding is always a kind of miracle."

Back when I was a kid in Milwaukee, Wisconsin, our family struggled to make ends meet. My father worked the first shift at Pabst Blue Ribbon Company. A World War II veteran with little education, he was basically the company mailman after he was refused a job as an air traffic controller—the job he was trained to do in the Army Air Force. My mother held a string of part-time jobs to help put food on the table for their two children. As hard as they both worked, and they worked hard, we needed food stamps in order to survive. Still, my parents made clear in both word and deed that no matter how little we had, someone else had less and we needed to help them however we could.

I'll never forget the day, I was about three or four years old when a young girl who smelled of dried urine knocked on our door. My father was at work; my sister at school. My mother let the girl in, escorted her to the bathroom, where she drew a bath for the young girl who couldn't have been more than 12 years old. After bathing her, my mother gave her a blouse and a pair of pants and sat her down at the kitchen table for a steaming bowl of Cream of Wheat, bacon, and toast. I could not believe how fast the girl devoured it all. It was an image that stuck with me like good preaching. She ate another bowl of cereal and then my mother let her take a nap on our couch. Later, when it was time for the girl to leave, my mother handed her a brown paper bag

with a change of clothes and a peanut butter and jelly sandwich inside.

I couldn't count how many girls came knocking on our door over the next months, but they came nonetheless. My mother cared for each of them in almost the exact same way: like ritual. Our home became an underground railroad for throwaway girls. It was then that I first understood the importance of food and the miracle of feeding people.

To me, this bill represents an effort by this state to treat all of its citizens, but most especially those who reside in rural Maine, the way my mother treated complete strangers. This is not about tough love. It's about compassion. Have we lost our ability to be humane? Food is life. It ought not matter if a person is single or married, whether they have children or not; anyone who wants to live needs to eat. Anyone who wants to live, Mr. Speaker, needs to eat. Food is life. I urge members of this body to follow my late mother Minnie Juanita Hickman's loving and compassionate example and vote overwhelmingly to accept this Majority Report. Food is life. People need to eat no matter where they live. Thank you, Mr. Speaker.

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

ROLL CALL NO. 145

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, 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, Mastraccio, McCabe, McCreight, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Short, Stanley, Stuckey, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh.

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

ABSENT - Farnsworth, Fredette, Martin R, McLean, Nutting, Timmons, Mr. Speaker.

Yes, 79; No, 65; Absent, 7; Excused, 0.

79 having voted in the affirmative and 65 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass Report was ACCEPTED.**

The Bill was **READ ONCE.**

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

Bill "An Act To Provide Enhanced Mental Health Services to the County Prison Population"

(H.P. 438) (L.D. 657)

- In House, 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)** on May 29, 2015.

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

TABLED - June 2, 2015 (Till Later Today) by Representative GIDEON of Freeport.

PENDING - **FURTHER CONSIDERATION.**

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

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

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

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-261)** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Ensure Equitable Support of Education for Maine Students in School Administrative District No. 6 and School Administrative District No. 44"

(H.P. 743) (L.D. 1082)

Which was **TABLED** by Representative ESPLING of New Gloucester pending the motion of Representative SHAW of Standish to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

Subsequently, Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Gray, Representative Austin.

Representative **AUSTIN:** Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I have heard some here stand and say that this is a simple bill when they were presenting their bill. I rise to share with you today that the original bill was not simple at all.

Through two lengthy work sessions, in the Education Committee, they moved the bill into a very simple Resolve—a Resolve that they unanimously supported. They placed the emphasis where it belongs: back home with the local elected leadership of Standish, Frye Island, and School Administration 6. The most pertinent fact, which I believe constitutes the necessity of this Resolve is: Frye Island is a stand-alone town. Yes, I'll say it again: It is a town. It is a municipality. It is the only fresh water island town in Maine.

Due to a special and private, law LD 500, that was passed in the Legislature years ago, it cannot petition their school administration, their district, to withdraw and enter into another school district. Not now, not ever. From here to eternity, it is locked in, and that is the unique position within which this town finds itself here in our State of Maine. Every other town may petition, negotiate, and have a vote to withdraw from their present current educational configuration. I want to say it again to impress the magnitude of this situation: the only town out of all of our towns and cities in Maine without this right, the only town in

Maine that has been singled out in this manner. To compound the situation the Town of Frye Island is awarded only 1 vote on the School Administration's School Board. That, in itself, makes it impossible to get the subject of concerns that they have addressed if the board does not have the desire to do that.

After hearing the facts, the Education Committee voted unanimously on this Resolve, which merely asks the leadership groups back at home to sit and talk at the table. By supporting this Resolve, you are showing support for the very protocol we afford each other on important issues here under the dome—to sit and deliberate, to listen and make decisions.

Dear folks, I have the privilege today to stand and talk with you. To ask you to consider this situation and how you might feel if this were one of your towns. Consider the fairness of the situation they are in. I recommended to Frye Island to come to place their petition before you, before both bodies. This is where the special and private law, LD 500, was passed that keep them locked in this posture. I suggested to them that this is where it should get consideration and due diligence; the very place of origin. This Resolve does not mandate any outcome. It only asks for strong leadership behavior to be utilized to come to a strong working relationship. Colleagues, I very much appreciate your support to let me share this information this afternoon, as opposed to discarding good work indefinitely. And for your present consideration, I thank you. And please, please give this considerable thought.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Raymond, Representative McClellan.

Representative **McCLELLAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I also stand to ask you to defeat this postponement motion. And I want to speak a little bit about the process, Mr. Speaker.

I'm on the Education Committee, so I was on the front line for this. And this bill, I've been telling people, makes me think about town meeting. In fact, Raymond's town meeting is tonight if I can get out of here on time. And, at town meeting, sometimes, you can discuss the school budget and it can be millions of dollars and no one asks a question and it passes, and then you can discuss mowing the cemetery for \$10 an hour and have two hours of arguments about should the Smith's or the Jones's do it?

I feel bad with this bill because there are people in here that aren't speaking to each other at this point, and that shouldn't be the way. I hope we can resolve this in a mutually satisfactory way, Mr. Speaker.

So, I want to speak to process real quick. I think we all can agree: People that are in tune with this bill, SAD 6 and Frye Island are not agreeing on the subject of what the payment should be for the school taxes. I think we could spend a lot of time here today and we could have arguments on the merits. People can say "this is the case," and people can say, "That is the case." Mr. Speaker, what I present to you is that the Education Committee did that. We had a public hearing and, Mr. Speaker, we had two work sessions. And, I'll be honest with you, I walked in to the final work session expecting a 1-12 vote, and it ended up being 13-0, unanimous, to allow this bill to go forward.

God bless the Representative from Bar Harbor, Representative Hubbell, because he went to the Law Library and he pulled the file on this issue, which goes back a long time and is accessible to anybody that wants to see it, but it has a lot of minutia to it—the select board, school board meetings—goes back a long way. And again, we can argue the cases, but I will say to you, Mr. Speaker, that after seeing that file and hearing the discussion, I stand up here today and say that we should kill the postponement and move this bill forward.

This bill simply says to these two communities: Go and deal with this, and if you don't go and deal with this, then in the future, the Legislature may take it up again. My understanding from my experience has been that Frye Island has been willing to sit down and talk about this and their grievances, and that the SAD 6 has not been willing to. And the only evidence I have of that is at the two work sessions, there was nobody from SAD 6 there. Now, I ask you all to think about that. If you've ever been on a committee with a contentious bill, have you ever seen the situation where one side showed up but the other side didn't? That says something to me.

I also want to clarify what my friend from Gray said, the Representative from Gray said. She mentioned Frye Island gets one vote on the school board. She didn't mention it's one out of 999, because of the population. Frye Island doesn't send any kids to the school system. So, Mr. Speaker, as I'll wrap up, there was a lot of things I could've said, I really could've gone into the minutia, and I just think we're all ready to move on this bill. I just say to you the Education Committee voted 13-0 that this bill should go forward; that these two communities should just simply go and speak about this and do the local control thing. And again, if it doesn't work out, we can always discuss it later. And so, thank you, Mr. Speaker for the time, and again, I ask you all to defeat this postponement. Thank you, Mr. Speaker.

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

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

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

Representative **SANDERSON**: Thank you. I looked up Frye Island. It seems like they're an isolated municipality. They pay for the ferry, they pay for their own police department, they pay for their everything else in their municipality. I believe I just heard Representative McClellan mention that they have no kids in the school system. Could somebody, does anybody know what they are billed for the school, what their total share is?

The SPEAKER PRO TEM: The Representative from Chelsea, Representative Sanderson, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Standish, Representative Shaw.

Representative **SHAW**: Thank you, Mr. Speaker, with a valuation of about \$300 million on the island, they pay \$1.4 million towards the school.

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

Representative **STEARNS**: Thank you, Mr. Speaker, as previous speakers have mentioned, this is a complex issue and the extensive paperwork that Representative Hubbell was so kind to gather up for us on the committee was very, very important in rendering a decision. I'm speaking not in favor of, or against, the motion, but to provide a little bit more information because the information that has been given out so far would lead you to believe that this municipality was really being discriminated against.

There are a lot of school systems in Maine and a lot of municipalities that have a very few children that feel offended by the funding formula that makes them on a cost-per-pupil basis have to pay exceptionally more than, say, a neighboring town in the same school system because of the factoring in of valuation.

Some important things to know about Frye Island:

Their population is zero—not their student population, their entire population. And the reason for that is by statute they're only allowed to reside there for six months. That's pretty unique

in the State of Maine. So, there are a lot of historical, unique documents in regard to this place. That's the reason for their lack of representation on the school board, because school board representatives are based on the census population, which again is zero. So, they should, by law, have zero representation. The reason they're given the one spot is in recognition of them as being part of the town it didn't fit into the law. That doesn't help those folks feel better about having a one out of one thousand vote when they're at the table.

The town has a \$2.1 million annual budget on Frye Island. They have a lot of amenities. I think it's important to lay that out. What, ultimately, in my opinion, brought the committee around to the place where they're at now is the fact that I don't think any of us feel that it's appropriate to never, ever have a way to negotiate and to be able to fight for your own position. And at this point, they have no chance at the table with the other towns in RSU 6, and they have, by law, really no chance to withdraw from the system in any fashion. And the committee, in my personal opinion, came to that conclusion and came up with the bill the way it is which would require them to bargain in good faith to sit down at the table and see if they can accomplish at the local level what may need to have happen in order for them to move forward. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Kittery, Representative Rykerson.

Representative **RYKERSON**: Thank you, Mr. Speaker, Men and Women of the House, it seems to me this bill is about the common good. And what would be the next step next year when they have no crime on Frye Island? Will they say, "Oh, we don't want to pay for the police department." When there's no fire on Frye Island, "Oh, we don't want to pay for the fire department." There are certain things that are good for communities, for the common good, and the common good is not something that you can withdraw from voluntarily. So I urge you to vote for the motion.

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

Representative **SHAW**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I'd like to thank the Education Committee for their time and work on this issue. However, since 1997, when Frye Island seceded from Standish, they've been trying to get out of paying their fair share of our educating our children. In fact, it was only within months of when they agreed to continue funding local education that they tried to not fund local education. They came to the Legislature almost immediately to try to get out of paying their fair share.

The people of Frye Island are all residents of other towns. Every home on Frye Island is their second or third or fourth home. The people of Frye Island do have a say on their local school board—in Massachusetts, Connecticut, and Washington D.C., or wherever they're from. As was stated before, there is not a single resident that lives out there year round. They're all summer homes and they all have at least two homes. So, I find it fairly disturbing that they're trying to get out of paying what they agreed to back in 1997. They agreed to pay their fair share of educating our children at SAD 6, which is Standish, Buxton, Hollis, and Limington. And if we were to, some point, allow them not to pay their fair share, it's just shifting the burden onto the residents of Standish, Buxton, Hollis, and Limington. These are folks from out of state, out of town, that have at least two homes that should be just paying their fair share instead of coming to the Legislature every couple years trying to get out of paying their fair share.

A couple of points that I wanted to make:

The only reason they want to have the ability to petition to get out of the school district, which they've been trying to do now every time they come up here, is to get out of paying their taxes. Frye Island, they paid tens of thousands of dollars, I'm sure you all got lobbied today, in lobbyists fees. If they can pay tens of thousands of dollars in lobbying fees, I would imagine that maybe they should just think about paying their fair share to educate the children of the State of Maine.

There is a file down in the law library. It shows that since Frye Island seceded, they continue to try to exclude themselves from paying their fair share of education costs. That's what the file shows, folks. The SAD 6 was brought up that the school board members of SAD 6 didn't come to the work session. Well, the big comment that I got when I testified in opposition to this bill in front of the Education Committee was that, "They had never seen so many Representatives or Senators come to testify against one bill." And that was every single Representative and every single Senator that represents the area in question testified that day in opposition to this bill. So, I would strongly urge you and thank you for helping me out by indefinitely postponing this bill and all its accompanying papers.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Glenburn, Representative Guerin.

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

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

Representative **GUERIN**: Does anybody know the percentage of out of state residents that live on Frye Island, or that own the property on Frye Island?

The SPEAKER PRO TEM: The Representative from Glenburn, Representative Guerin, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Gray, Representative Austin.

Representative **AUSTIN**: Thank you, Mr. Speaker, to my knowledge, there are 520, approximately, housing stock on the island. One hundred and twenty, contrary to what we've heard, are resident citizens registered to vote in their town and in the State of Maine; 119 to 120 call Frye Island their home. And, it is their home. They may have property elsewhere.

The other folks are, I can't tell you the exact percentage of out of state, I just know that the rest are from on the mainland, let's say, shore land. But a good portion of that are also Maine residents. So this is not Nantucket, and it is a great deal of Maine people, plus people of the island itself.

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

Representative **SHAW**: That you very much, Mr. Speaker, the good Representative from Gray is correct. There's around 500 homes on the island, 478 or somewhere in that vicinity, and about 100 of them are owned by Maine residents. And the rest are from out of state.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Limington, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, the good citizens of SAD 6 were present at the public hearing. Unfortunately, onto the first work session, I personally wish that the Representatives in this body that represent those towns could've been there. The only one that was finally able to get over there was the good Representative from Standish at the end of the work session at approximately 5:10 or 5:15 when the bill was tabled for the day.

The bill then came up again for another work session and myself, I was present, along with my good friend from Hollis, Representative Marean.

In between those times, I had visited SAD 6 and discussed this with the SAD 6 School Board, and of course everybody on that school board has a day job, although some people were up here for the public hearing. They're working. They're the good citizens of SAD 6 that are trying to make ends meet.

These are second homes for these Mainers, or for these people from other states. And it's no different than, you know, my family has a nice cottage, and we pay school taxes. In my property maintenance business, I take care of homes in southern Maine and Cumberland and York County. And they live in West Palm Beach, they live in Boston, they live on the Western Promenade of Portland, and they pay taxes in Limington or many other towns. We all have to pay, if we own property, to assist with the education costs of educating our children. At this point, it's a fact of life.

SAD 6 does have a school board. They have school board meetings. They have school board budget hearings. These are public hearings just like the public hearings are here, and we can always work towards trying to reduce our costs of the school or trying to keep costs under control to the best of our ability. Again, what I think the original intent of this was, although not on the board, but the original intent, in my opinion, is nothing more than shifting the tax burden from non-residents to the residents. As the good Representative from Standish has already spoken, this property has a high evaluation because it is very valuable property. In amongst the homes are their private marinas and golf course. Thank you very much, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House, about two years ago I had the opportunity in my consulting business to work with the SAD 6 School Board in looking at a potential new high school, which didn't materialize. Well, one of the things that I learned quickly is about Frye Island; I had no idea such a place existed, or such circumstance existed. But, what I discovered in that conversation is the reason Frye Island is an independent, as it is today, is there was essentially a deal struck so that Frye Island could operate its own municipal functions, have its own police force, pass its own rules and regulations. They wanted to be independent.

And, so part of the deal that was struck that's part of the special private legislation, is that they would continue to pay school costs, assessments to SAD 6. So what it appears to me is that Frye Island received what it wanted, what it negotiated to receive, and now is saying, "But, we don't like the cost of paying taxes for school purposes." So, I'd rather doubt they'd want to go back to the previous situation they had. I think they like what they currently have. I think it's been accurately described. The type of homes on Frye Island, or the people who live there, and you know, if I lived in Massachusetts or if I lived anywhere else in the State of Maine and it's my second home, I wouldn't want to pay those taxes either. In fact, I have a second home here in Maine, I'm not pleased, I just wrote the check the other day. I wished I didn't have to do it either. Thank you, Mr. Speaker.

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

Representative **BATTLE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'm going to vote against this because I think it sets a very bad precedence. There are a number of islands in the State of Maine that are just summer residents. Who wants to stop somebody from declaring another

area and saying, "We don't wish to pay certain taxes," and use Frye Island as the example. So, that is my opinion and I just wanted to share it with you. Thank you.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker, as my good colleague from Limington said over there, we share the town of Limerick, and my towns are really lake towns—a lot of lakes, a lot of ponds. And all the years I've been up here, every year I get invited to the Lake Association. And there isn't too many people born in the Association that live in Maine; they're all from out of state.

And they want to know why they go to the town meetings and they can't speak. They say it's taxation without representation. And I told them all they have to do is transfer from Massachusetts up to Maine and make Maine your legal residence and they can talk all they want. So, they don't like paying taxes, but they're what keeps the tax rate down to the people that live here year round. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Raymond, Representative McClellan.

Representative **McCLELLAN**: Thank you, Mr. Speaker, sorry to stand again, but just a couple more things. Earlier, I heard a few people challenge, how dare Frye Island hire lobbyists. So, if we're going to say people can't hire lobbyists, I hope we're going to be consistent with that across the board. And, you know, I learned a lot in the five years I've been here and I really think about, "What are my core values?" And I personally struggle when I hear, "Well, let's nail people because they're successful, because they've done well." And I can tell you, when I run for office, I've gotten votes from Frye Island. People do vote on Frye Island. So, some people do live in Maine.

I do want to tell you two more things, Mr. Speaker. One is, at least I believe this, I don't know for a fact, but when Frye Island approached the Representative from Gray and myself, they said, "It is not that we don't want to pay taxes, it's just that have no voice. Or, we have only 1/999th, with a "th," of a voice.

And, I live in Raymond, Mr. Speaker, and we were, in a sense, forced to consolidate like a lot of communities were. And we joined Windham. And it's a natural fit. RSU 16. We get a great education, but recently the Windham kids have grown, the Raymond kids have shrunk, and when we didn't feel heard, we were able to start a withdrawal process, which is a 22-step, very difficult process. Some of you have gone through it, I think, and succeeded even; but, very difficult to do it. Raymond was on Step 8 and throughout the whole process, we were able to talk with the Windham folks, the RSU 16 folks, and ultimately, we were able to negotiate a happy ending where we are going to vote at our town meeting again. If I can get there tonight, we're going to vote to end the withdrawal process.

Raymond got what they needed to feel good. Windham was okay with it. But that only happened because we were allowed to speak. And that's what Frye Island is asking. They're not saying, "We don't want to pay taxes." They're just looking to speak and have a voice. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Gray, Representative Austin.

Representative **AUSTIN**: Mr. Speaker, thank you. May I be allowed to speak again to the body?

The SPEAKER PRO TEM: The Chair would remind the Representative this is your second time speaking. The other times were answering questions.

Representative **AUSTIN**: Thank you, very much. I'm just going to do a couple of reconnaissance answers that I hope will resonate with you. Frye Island's total valuation is \$163 million,

not a much higher figure. And number two: to the good people of this chamber, I sincerely have never heard the folks that I have been working with on Frye Island ever, ever intimate any thought or desire not to support education. It has been said over and over and over again, at every meeting, they want to pay their fair share. The fact that they don't have children is not even in the equation as to their wanting to pay. They want to pay. They know the value and the mission of education here in Maine.

I see this town on an island, just a short distance from shore in Raymond, as a group of people that have lived there, many of them, maybe three months, maybe six months, but they're into their second, third, possibly they have a fourth generation out there with little tikes now. They love Frye Island and they love Maine, and therefore, they do not want to diminish any responsibility that they have as one of the municipalities on the tally sheet of this great state. All that they are asking for is the right to petition to the body within which they are.

It is something that is afforded to everyone in this state. And I think that we could argue the history of this for here to the end of time, and there will be discrepancies and there will be two sides. I think, Mr. Speaker, that there comes a time with, after showing due diligence, to be very supportive on their own dollar to put forth the services that they do to their own townspeople. That there comes a time when you draw a line in the sand and you say, "What is the right thing to do today?"

I think that for the people of Frye Island that we can afford them that opportunity to have valuable conversations, and I want to believe that there will be a resolution that is home grown, deep in the roots of the towns that are included in this district. And there will be success if we allow them to have that opportunity. So, Mr. Speaker, may I ask that the Committee Report be read? Thank you.

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

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

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Hollis, Representative Mearan.

Representative **MAREAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, just wanted to remind you that you just take a look around the building and you'll see a lot of folks in this chamber that are from the same era that I am and we are from the "old school." And when we have an agreement with our neighbor, or we have an agreement with a business, or whomever we have an agreement with, we stand by that. If we decide not to stand by that, then we take other action.

This is not the proper action, as far as I'm concerned. This agreement was reached outside of the legislative process. If this comes to fruition, that these folks are allowed to stop paying their school tax, that's going to have a huge economic impact on the towns that I represent. My little town of Hollis, we do not have a police department, we do not have a public works department, we do not have a full-time fire department. We work on bare bones. This would be very devastating to us.

I hope that you will consider what it is that we're doing here and I appreciate what the Education Committee has done. Quite often, when you have a difficult bill that you can't come to some kind of a resolution on, you turn it into exactly that, a Resolution. So, I ask you to consider that as you cast your vote. Thank you.

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

Representative **O'CONNOR**: Thank you, Mr. Speaker Pro Tem, Ladies and Gentlemen of the House, the motion that we have here before us is Indefinite Postponement of all bills and papers on this, and that takes away this bill's day in the sun. We can vote to postpone this, or we can let the good Representative

from Gray have her day in the sun and have this bill be voted on up or down. That's a decision. To indefinitely postpone this and have it terminated, it's already gone through the process, it's here. This is a coward's way out.

The **SPEAKER PRO TEM**: The Chair would remind all Members not to question the motives of Members and to keep debate to the bills before us.

The Chair reminded all members that it was inappropriate to question the motives of other members of the House.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Presque Isle, Representative Saucier.

Representative **SAUCIER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I have listened to this for quite a long time and I am here to tell you that I have not had kids in school for 13 years and I still pay school tax to SAD 1. I'm not an affluent person, but I have a second home. It's called a camp. In my camp at St. Froid Lake, I pay taxes to the Town of Winterville, who tuitions their students to SAD 27, which is in Fort Kent. And I can guarantee you I have no say so in Fort Kent in SAD 27, but I do pay taxes to support SAD 27, and I have no children going to school there either. So, if we were to pass something like this, wouldn't that open up the door for everybody not to pay taxes on a second home or a camp? Thank you.

The **SPEAKER PRO TEM**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Bill and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 146

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beebe-Center, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Foley, Fowle, Frey, Gattine, Gilbert, Gillway, Golden, Goode, Grant, Guerin, Hamann, Hanington, Harlow, Head, Higgins, Hobbins, Jorgensen, Kinney J, Kornfield, Kruger, Kumiega, Lajoie, Long, Longstaff, Luchini, Mearan, Martin J, Martin R, Mastraccio, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Parry, Peterson, Picchiotti, Pierce J, Powers, Rotundo, Rykerson, Sanborn, Saucier, Schneck, Seavey, Shaw, Short, Skolfield, Stanley, Stuckey, Tepler, Tipping-Spitz, Tucker, Verow, Wadsworth, Warren, Welsh, White.

NAY - Austin, Beck, Bickford, Buckland, Chace, Corey, Crafts, Daughtry, Davitt, Dunphy L, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Gerrish, Gideon, Ginzler, Greenwood, Grohman, Hanley, Hawke, Herbig, Herrick, Hickman, Hilliard, Hobart, Hogan, Hubbell, Hymanson, Kinney M, Lockman, Lyford, Maker, Malaby, McCabe, McClellan, McElwee, Nutting, O'Connor, Pickett, Pierce T, Pouliot, Prescott, Reed, Russell, Sanderson, Sawicki, Sherman, Sirocki, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Tuell, Turner, Vachon, Wallace, Ward, Winsor, Wood.

ABSENT - Campbell R, Dillingham, Fredette, Timmons, Mr. Speaker.

Yes, 83; No, 63; Absent, 5; Excused, 0.

83 having voted in the affirmative and 63 voted in the negative, with 5 being absent, and accordingly the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(H.P. 631) (L.D. 911) Bill "An Act Concerning the Review of Certain Projects under the Site Location of Development Laws" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-271)**

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

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

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

(H.P. 252) (L.D. 365) Bill "An Act To Provide a Tax Reduction for Modifications To Make a Home More Accessible for a Person with a Disability" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-277)**

(H.P. 706) (L.D. 1023) Bill "An Act To Revise the Animal Welfare Laws" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-274)**

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

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

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

(S.P. 277) (L.D. 779) Bill "An Act To Increase the Minimum Population Requirement for a Municipality in Which the Bureau of Alcoholic Beverages and Lottery Operations May Locate an Additional Agency Liquor Store" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-159)**

(S.P. 349) (L.D. 1009) Bill "An Act To Benefit the Education of Denturism Students" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-160)**

(H.P. 565) (L.D. 831) Resolve, To Reduce MaineCare Spending through Targeted Prevention Services Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-281)**

(H.P. 872) (L.D. 1276) Bill "An Act To Improve Educational Assessments of Maine Students" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-280)**

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

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

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

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.

SENATE DIVIDED REPORT - Majority (11) **Ought to Pass as Amended by Committee Amendment "A" (S-104)** - Minority (2) **Ought Not to Pass** - Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy"

(S.P. 103) (L.D. 289)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-104)**.

TABLED - May 26, 2015 (Till Later Today) by Representative BECK of Waterville.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

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

Representative **BROOKS**: Thank you, Mr. Speaker, Women and Gentlemen of the House, I just wanted to rise in support of this bill. It was a bill that came to the Insurance and Financial Services Committee regarding step therapy, and I just wanted to give a little background on what step therapy is for those who may not be familiar with it and my perspective on the bill before us.

Step therapy is a situation where the insurance companies generally will say that a patient, let me start with a doctor-patient interaction because that usually happens first. The patient will go to their doctor. The doctor will do a thorough examination and take the patient's history, find out what medications both that they're taking and that are over the counter, find out if they have any allergies, any adverse reactions in the past. Anyway, do a thorough job with the physical and maybe lab work or whatnot. And if the patient does need a medication, the doctor will prescribe what they feel is the most appropriate medication given the whole picture and background, and hopefully they've had an established relationship with the patient and whatnot. But, either way the patient might go with prescription, let's call it prescription "X," to the pharmacist, and at the pharmacy counter it may happen that they find out that that drug "X" isn't covered by the insurance company unless that patient goes through step therapy, what's known as step therapy, where they might need to try drug "A," then maybe "B" and "C" if they fail or have adverse reactions. They may have to go through a series of steps to get to drug "X," but it may work that drug "a" works for them.

However, this bill does a few things. It will make it so that the step therapy is, instead of going through an appeal process or a prior authorization process, the patient with the prescription for drug "X" wouldn't be required to get back to their doctor, discuss taking a whole different medication, and going to drug "A." It wouldn't be required; it would be what I refer to as an "opt in." They could choose to go to drug "A" and go back to the doctor and discuss drug "A" with them, or they could simply pay whatever the copay was for the drug they were originally prescribed.

And that may be a confusing explanation and I apologize if it is. But it is a confusing process, both for a patient and for a doctor because there are many different insurance companies with many different protocols for step therapy, and if it's confusing for one that has been both a doctor and a patient, it is confusing for the average person I believe. So, my feeling on this bill was that it does make sense to make it more back in the hands of the doctor and the patient, and to make it at least easier for the patient to go with that drug "X" that was discussed and prescribed, rather than being forced to jump through hoops and have that appeal process and prior authorization to hope that they could get the medicine that was initially prescribed. So I urge people to vote in favor of this motion. There was an 11-2 report. Thank you.

Subsequently the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-104) was READ by the Clerk and ADOPTED.**

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-104)** in concurrence.

HOUSE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (H-248)** - Minority (1) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Access To Lifesaving Opioid Overdose Medication"

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

TABLED - June 2, 2015 (Till Later Today) by Representative GATTINE of Westbrook.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

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

Representative **SANDERSON:** Thank you, Mr. Speaker Pro Tem, Ladies and Gentlemen of the House, I stand in opposition to this motion. Last year, we expanded this program. There was an agreement made between the good Representative Hobbins on the other side of the room here and the Executive on the second floor to have just families, but what we did as a body last year was we also expanded that to have all emergency personnel, law enforcement, fire departments have the ability to have this. Families can have this. The addicts can have this. Emergency personnel, first responders of all kinds can have this if their department decides to acquire and train with them.

To open it up even further right now before we have seen what the effect and the benefits of the law of which we passed last year, I think is a little too soon. It's not that I don't think that we ought to have this available, for individuals who have had an opportunity or have a relationship with someone who may have a substance abuse problem to have this thing, but if you just have anybody have it or if anybody's allowed to go get it, there could be a potential for a disaster even when someone is trying to do the best of good right here. This is a medication that is administered when you're having an overdose.

I've heard it said that this stops, reverses, an overdose. It does for a short time. And if you have someone who is trying to administer this, someone who doesn't understand fully that you have to still call an emergency personnel, you have to still call an

ambulance, you have to still get this individual to a hospital, they can, because it's only time limited. You know, they can still, once this wears off, the overdose will continue. And I think until we actually have seen what this will do, how this will help with the way that we've expanded it now, I would really hesitate to go further with that. So, I would ask you to vote against this motion, and Mr. Speaker, I request a roll call.

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 PRO TEM: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON:** Thank you, Mr. Speaker, I appreciate the opportunity to stand up and support this measure. I wanted to tell you about Narcan. Narcan has no toxicity at any age group. It has no side effects and it has no interaction with other medications or other diseases. It cannot be used to mix with other drugs. It cannot be used to save a high or to push narcotics of users to a new high. It immediately throws a narcotics abuser into withdrawal, and that is not something a substance abuser wants.

Working in New York City and Boston hospitals, myself, during the years of heroin epidemics, I personally gave Narcan to people who were comatose and dying of narcotics overdoses, breathing less per minute than what is needed to sustain life. That's how you die of a heroin narcotics overdose: you stop breathing. Giving Narcan startles people into awakening. There is no dramatic, hostile activity as I have read some people being concerned about. People are upset when given Narcan because it throws them right into withdrawal, but they aren't hostile. No drug addict who's addicted to heroin wants to be given Narcan and it cannot be titrated with other medications. That's something else that I've heard, is why it shouldn't be more available.

There is no wrong person of any age. It can be given to a child. There is no wrong person who has any other disease or other medication or drug on board. It's extraordinarily safe and extraordinarily directed to what it needs to do. So, please support this bill to let Narcan be given to people who are afraid for their loved ones, to have at any time when there is a fatal overdose, for people whose lives are caught up with the evil of the drug heroin. Thank you. I look forward to your support.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Hancock, Representative Malaby.

Representative **MALABY:** Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the pending motion. I concur with much of the facts that have been previously stated. But I wanted to bring a few facts to light. In 2013, we had 176 opioid drug overdoses. In 2014, we had 208. I have been serving on the Health and Human Services Committee for five years and during my first term, in 2011, I became aware of something with an annual report filed by the state. And that is: we have a needle exchange program. And we had done, in 2010, 166,000 needle exchanges. And I thought, "My God, we do have a problem." I am sure that is not for diabetes.

Well, yesterday, the state reported on last year's activity. And we now have 565,000 needle exchanges per year; it's tripled, plus. We have an opiate problem. There are aspects of this bill I do not like, but I feel that we must protect life.

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

Representative **SANDERSON:** Thank you, Mr. Speaker, what the good Representative from York, Representative

Hymanson said is all true. All true. You cannot harm somebody by giving this to them, but what you can do, and here is the concern, if anybody can go in and get this, and if you have individuals who administer this to someone who is overdosing and they do not get them to the appropriate care, then what happens is after a time limited period, the overdose still continues. That's the fear on this.

If you have a family member have it, they can already have it. You can already have a partner have it. You have a bona fide relationship with the person who has a substance abuse problem—a parent, a partner, a spouse. They can already get the prescription for it. So, this just opens it up to absolutely anybody. The person with the substance abuse problem, they can have it too. They can have it on their person. They can get the prescription for it. Thank you.

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

Representative **DAUGHTRY**: Thank you, Mr. Speaker Pro Tem, Ladies and Gentlemen of the House, I rise in support of the pending motion today. And I rise to speak about how important this is for a gentleman that I knew growing up, Brandon Keating; he was my friend Katie's younger brother. I knew him and he passed away from a heroin overdose in 2013.

And all I'm going to say is I hope that everyone can have access to this drug, and if the person administering it doesn't get care in the proper time, that's a whole other problem, but at least they had the opportunity. Someone could be somewhere where a family member isn't nearby, or a partner, and someone who's aware of this could potentially administer this by having access to it. This is about saving lives, and I know Brandon's mother has asked herself a lot of times since this happened, "What if?" What if she'd had this on hand? And we should be making this readily accessible. So, I have to say I think this is a very, very important measure and please follow my light.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lincolnville, Representative Burstein.

Representative **BURSTEIN**: Thank you, Mr. Speaker Pro Tem, Ladies and Gentlemen, I'm rising because I am on HHS and I heard some of these testimonies that came before us, and the things that really hit me were, there was a mother that came and she started speaking about this article she read in the *Portland Press Herald*. And it said the number of overdoses attributed to heroin jumped from seven in 2011 to 28 in 2012, and then it's expected numbers for 2013 to still be higher. Well, we found out now that it's 176 for 2013 and 208 in 2014.

Well, this mom continued to testify and in this article it said that there were 28 people in 2012 that died. Her son was one of those 28 and he died when he was with two friends. So these two friends could've saved his life. And we heard a little bit before that this drug might be a little too soon. That's a little too late, not having this drug on you and not having it available. Another dad testified because, you know the thing that hit me about these testimonies was the fact that these were kids and people that could be our neighbors, our friends, our partners, our husbands, they could be anybody who started on a prescription medication and now is addicted. This other dad that testified, his son was a third year molecular genetics student and he would've been alive today if he had Naloxone.

Doctors came before us, the Maine Sheriff's Association came before us, all in support. The Maine Medical Association came before us all in favor of this bill. Folks, this is a very common sense bill. Naloxone has no abuse potential; it only has benefits. There are no side effects. It is proven not to encourage drug use and it's given in a non-invasive way. It's not a shot. Nobody's running around with needles. It's nasal application.

Oh, this is the other thing that I thought about and I guess I touched on it a moment ago. I went out to the hall to talk to these folks and I wanted to see, how did you get started on this, because I was thinking it was all I.V. drug users and it's not all I.V. drug users. These were kids, and like I said, this one guy was a wrestling champ and he had a back injury and he started on opioids and next thing you know you're down the road of being addicted.

So, I just want to read a little bit from the Sheriff's Association then I'll get off because I know we have a lot to do. But this is from Chief Deputy Ryan Reardon from the Maine Sheriff's Association. And he says,

"The six years of my career in drug work involved the ever-growing epidemic of opioid addiction. During my 20 years in law enforcement I've seen an ever increasing use of opiates in the State of Maine. The availability of opiates, in both legal and illicit forms, continue to grow. This mirrors the effects of the Maine Sheriff's Association. Recently, in February, the Kennebec County Sheriff's Office became the first agency in the state to enact an active Naloxone program. Other counties are currently in the steps of beginning to enact a similar program. We trained our deputies and provided them with Narcan kits, a very similar drug to Naloxone, in order to provide the opportunity to save a life. This is about saving a life. The medication is simple and very low-risk. There's no danger of overdose and the application is not invasive. This medication is applied through the nasal cavities in an atomized mist. This bill would expand the chance that someone already on the scene would have the chance to save a life."

So, this is the time to do it, not to wait longer. So, time is of essence. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: 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. 147

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Gillway, Golden, Grant, Grohman, Hamann, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Malaby, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Seavey, Shaw, Sherman, Short, Skolfield, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Timberlake, Tipping-Spitz, Tucker, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Wood.

NAY - Austin, Bickford, Black, Dunphy L, Edgecomb, Espling, Farrin, Foley, Gerrish, Ginzler, Greenwood, Guerin, Hanington, Hanley, Lockman, Long, Lyford, Maker, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sanderson, Sawicki, Sirocki, Stetkis, Theriault, Tuell, Turner, Wallace.

ABSENT - Campbell R, Dillingham, Fredette, Goode, Timmons, Winsor, Mr. Speaker.

Yes, 108; No, 36; Absent, 7; Excused, 0.

108 having voted in the affirmative and 36 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-248)** was **READ** by the Clerk.

Representative **BECK** of Waterville **PRESENTED House Amendment "A" (H-278)** to **Committee Amendment "A" (H-248)**, which was **READ** by the Clerk.

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

Representative **BECK**: Thank you, Mr. Speaker Pro Tem. Mr. Speaker Pro Tem and Members of the House, I rise as the sponsor of LD 140. Before you is adoption of a floor amendment that will, most notably, within the bill, within the text of the bill, through the Majority Report that was just accepted, is what you might call 9-1-1 immunity.

I don't believe that this bill's the proper vehicle for that. I don't think some of the members who voted for the report, for example, would support that. This is a gesture to the Chief Executive and the adoption of this amendment will remove that criminal immunity. The bill will really be about the medication itself, not our criminal law. Thank you, Mr. Speaker Pro Tem.

Subsequently, **House Amendment "A" (H-278)** to **Committee Amendment "A" (H-248)** was **ADOPTED**.

Committee Amendment "A" (H-248) as Amended by House Amendment "A" (H-278) thereto was **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-248) as Amended by House Amendment "A" (H-278)** thereto and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (8) Ought to Pass as Amended by Committee Amendment "A" (H-237) - Minority (5) Ought Not to Pass - Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY on Bill "An Act Providing a Good Samaritan Defense to Individuals Reporting a Drug Overdose"

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

TABLED - June 2, 2015 (Till Later Today) by Representative FOWLE of Vassalboro.

PENDING - Motion of same Representative to ACCEPT the Majority OUGHT TO PASS AS AMENDED Report.

Subsequently, Representative **ESPLING** of New Gloucester **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 PRO TEM**: 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. 148

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Grant, Grohman, Hamann, Harlow, Hawke, Herbig, Hickman, Higgins, Hobbins,

Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, O'Connor, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Seavey, Shaw, Sherman, Short, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Ward, Warren, Welsh, Wood.

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

ABSENT - Campbell R, Dillingham, Fredette, Goode, Herrick, Timmons, Winsor, Mr. Speaker.

Yes, 88; No, 55; Absent, 8; Excused, 0.

88 having voted in the affirmative and 55 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-237)** 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-237)** and sent for concurrence.

ENACTORS

Acts

An Act To Improve the Quality of Life of Persons with Serious Illnesses

(S.P. 280) (L.D. 782)

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-273)** on Bill "An Act To Expand Deer Hunting Opportunities for Junior Hunters"

(H.P. 100) (L.D. 142)

Signed:

Senators:

DAVIS of Piscataquis
DUTREMBLE of York

Representatives:

SHAW of Standish
ALLEY of Beals
HILLIARD of Belgrade
LYFORD of Eddington
MARTIN of Sinclair
WOOD of Greene

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

Signed:
Senator:
CYRWAY of Kennebec

Representatives:
COREY of Windham
CRAFTS of Lisbon
REED of Carmel
SHORT of Pittsfield

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-273)** Report.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-273)** 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-273)** and sent for concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-276)** on Bill "An Act To Prevent the Infestation of Firewood by Invasive Species" (H.P. 789) (L.D. 1151)

Signed:
Senators:
DILL of Penobscot
SAVIELLO of Franklin

Representatives:
HICKMAN of Winthrop
BLACK of Wilton
CHAPMAN of Brooksville
DUNPHY of Old Town
EDGEComb of Fort Fairfield
KINNEY of Knox
MAREAN of Hollis
McELWEE of Caribou
NOON of Sanford
SAUCIER of Presque Isle

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

Signed:
Senator:
EDGEComb of Aroostook

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-276)** 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-276)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Redefine the Method by Which the Department of Education Determines Cost Sharing for School Construction and Renovation Projects for Municipalities within a School Administrative Unit"

(H.P. 402) (L.D. 578)

Signed:
Senators:
LANGLEY of Hancock
EDGEComb of Aroostook
MILLETT of Cumberland

Representatives:
KORNFELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
HUBBELL of Bar Harbor
McCLELLAN of Raymond
PIERCE of Falmouth
STEARNS of Guilford
TIPPING-SPITZ of Orono

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-263)** on same Bill.

Signed:
Representatives:
MAKER of Calais
POULIOT of Augusta

READ.

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-269)** on Bill "An Act To Amend the Community-based Renewable Energy Program" (H.P. 888) (L.D. 1310)

Signed:
Senators:
WOODSOME of York
HILL of York
MASON of Androscoggin

Representatives:
DION of Portland
BABBIDGE of Kennebunk
BEAVERS of South Berwick
DeCHANT of Bath
DUNPHY of Embden
GROHMAN of Biddeford
HIGGINS of Dover-Foxcroft
RYKERSON of Kittery

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

Signed:
 Representatives:
 O'CONNOR of Berwick
 WADSWORTH of Hiram

READ.

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

Representative ESPLING of New Gloucester **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 PRO TEM: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Mr. Speaker Pro Tem. Mr. Speaker Pro Tem, Women and Men of the House, Emera Maine and Central Maine Power testified that this bill requires customers to invest in large-scale projects without any requirement that these contracts provide any benefits to the customers. Mr. Speaker, I cannot support artificially high energy contracts that raise rates, deeply affecting my constituents. Thank you, Mr. Speaker.

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

Representative **O'CONNOR**: Thank you, Mr. Speaker Pro Tem, Ladies and Gentlemen of the House, it was really a pleasure working with the good Representative from Bath on this bill. Unfortunately, we didn't come to an agreement because I believe that the impact of this bill will be placed directly on the backs of consumers. That impact is about \$20 to \$40 million annually in perpetuity for twenty years. I want you to consider the poorest of poor who will finance this.

The PUC also received information that the already inflated price for this pilot program of 10 cents per kilowatt hour may not be sufficient for some of the programs it seeks to expand. These projects, which most are special interest, do not, I repeat, do not take into consideration of weighing risks and cost factors. It may be a win-win for one or two communities, but overall will be paid for by everyone. I urge you to vote "no" on this.

Representative DeCHANT of Bath **REQUESTED** that the Clerk **READ** the Committee Report.

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Thank you, Mr. Speaker Pro Tem and Ladies and Gentlemen of the House, I'd like to give a little background on 1310. About five years ago, the Legislature passed a renewable community-based project for 50 megawatts and the intent of the projects of this particular fund was to support the development of small-scale renewable pilot projects.

As we think about it, it was a really good idea. However, in terms of the implementation of it, it has not gone well. In fact, the law when it was passed had a sunset of December 31st of this year. And those of us in the majority, the 11 of us, the 11 of us that voted to revise this community-based energy project, fully support the sunset; we don't think it should go forward. But what has happened in the meanwhile, a number of companies have come in and they have applied for this program, been certified, and they had a choice: they could actually generate electricity or they could get renewable energy credits which they could sell on the commodity market.

So of that 50 megawatts, right now, less than 12 percent of that capacity is being used to generate electricity. Think of that. So, what we have is over 42 megawatts being used for

renewable energy credits and not one spade full of dirt has been turned in four and a half years. One could conclude pretty easily that the whole concept failed pretty badly. So, it makes sense to sunset.

But, there's another situation. What I discovered when I had a small hydro project in my community that wanted to apply as part of an \$11 million redevelopment, all of the capacity had been used by these larger companies who are using the REC's and trading them and making money. There are a number of other small renewable projects that wanted to be part of this project. So, working with the committee and sponsor DeChant, bipartisan except for two votes, we passed a bill, a revised bill, that said we will give an opportunity, we'll make sure the PUC looks to see if any of these should be decertified to create some capacity. We made a small change in terms of the terminology which will allow a number of small units, small projects, that want to apply. They'll have to apply this year, they'll have to be approved this year before the sunset, and then they'll be given a time period to actually move to full implementation.

So, it's really an attempt to fix a program that had failed, to allow smaller renewable energy projects to finally have an opportunity to participate in this program. And my good friend who sits beside me talks about multiple millions of dollars. Those multiple millions of dollars have already, that horse left the barn a long time ago when this whole program was approved. There's a fairly smaller cost involved in looking at maybe six or eight or 10 megawatts of the total capacity of 50, being involved in this program. So, we hope, I urge you to support our attempts in our committee to fix a problem that exists and to create a fair playing field for smaller energy projects to have an opportunity to participate in this program. Thank you, Mr. Speaker and Ladies and Gentlemen of the House.

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

Representative **DeCHANT**: Thank you, Mr. Speaker and Women and Men of the House, I rise to support the Majority Ought to Pass as Amended Report and want to thank the Energy, Utilities and Technology Committee because we worked really hard on this bill. As Representative Higgins had underscored, this was a pilot program that went into effect in 2010 and is going to sunset at the end of 2015.

Since then, it's been kind of languishing, it's been neglected, it's been ambiguous, it hasn't worked, so we all worked together to figure out how to take one part of it that is most viable and be able to make sure that those projects get to marketplace. A community renewable program is, so that folks understand, is a locally owned electricity and generating facility which has 51 percent or more of the facility owned by locally qualified owners. So we are not talking about big business here, we are talking about locally-grown, small energy projects. And so, this has been a collaborative effort. When people came in and stakeholders came in and testified with some problems or shortcomings, we fixed it, we addressed it, or we amended it and dropped it from the bill.

So, this is really, as the Committee Report illustrates, a collaborative project, a collaborative endeavor, and so it is about taking a program that's a pilot program, taking the part of the base of it that didn't work, keeping the cap at 50, clearing out the projects that have languished for a variety of reasons, allowing good projects to compete quickly before the end of the year, and then allow three years for them to reach to the marketplace, and then it will have already exceeded its expectations that have been neglected for at least five years. So, I encourage you, Ladies and Gentlemen of the House, to support the collaborative

endeavors of our committee and vote Ought to Pass as Amended. Thank you.

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

Representative **DION**: Thank you, Mr. Speaker Pro Tem, I'm sitting here and I'm smiling. This is one of those instances that votes don't tell the story. I appreciate the perspective provided by Representative Higgins and I also tip my hat to my colleague from Hiram and my sister legislator from Berwick.

See, it looks like it was an 11-2 vote. Actually, it wasn't really a vote as much as it was a process. I think the Minority Report here reflects a conscious decision to remind us what's important in the committee is that we're supposed to look out for the interests of the ratepayers. We've done that. I think Representative Higgins and Representative DeChant reflect the work that's not bipartisan, but actually collaborative. Eleven people came to a consensus. This is highly technical. I was particularly interested in the fact that we moved to the idea of net generating capacity rather than nameplate generation. Now, that's getting way down in the weeds, but it has a fundamental consequence on how we calculate how many kilowatts a production site can generate.

But I think what's also part of this story is the Director of Energy for the Executive Branch and the chief lawyer for the Public Utilities Commission came in and drafted the language. They took the hours of work the committee did and this is their piece as well, because there was enough confidence on the committee in our own perspective that we were able to ask those attorneys, "What do we need to do, not only to fix the mess but to protect the interests of the ratepayers, and to accept that we may have a new way to calculate kilowatts generated by locally owned, small platform energy generation?" Some of it is wind. Some of it is wood pellets. Representative Higgin's proposal had to do with a small hydro project in Milo. I think this is exactly what the Legislature and our predecessors wanted when they spoke about community energy—that it would be locally owned, locally controlled, and that there would be a compensation that matched the risk.

So 11-2 isn't for or against; 11-2 reflects the interests at play. The majority focused on the language and the process, and I think the Minority Report reflects a commitment to always remind us whose interests we should consider in any calculation. So, I ask you to support this bill, but I'm sad in that it's going to be a roll call, as if this were a yes or no question, for or against, good for our constituents, bad for our constituents. That isn't the case here and that's all I wanted to add to that conversation. And I thank the committee for their work.

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

Representative **DUNPHY**: Thank you, Mr. Speaker, I concur with the Chairman of the Energy, Utilities and Technology Committee on this bill. There was a lot of hard work. There was a lot of compromise. The original bill called for a continuation of this project. There was a lot of energy tied up not being generated, but being tied up on paper. This cleaned it up. Is it a great bill? I would say absolutely not, but it does a lot of good things and I would ask that you would support it. Thank you.

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

Representative **BABBIDGE**: Thank you, Mr. Speaker, just wanted to clarify it has been stated that, you know, this is a pilot project that has failed. But that needs a little bit of clarification. It's a pilot project that allowed for community renewable that had a sunset, and the sunset is upon us and a small portion of those certified projects have actually gone online. That is the failure.

And so, what has happened is that new people would like to become part of this pilot if possible. They've got some very valid projects that might be considered to go forward. Meanwhile, we have certified projects that are in a log jam, and what we've authorized is the PUC to look at these, we will honor the sunset, but it'll end the log jam and help some communities that have viable projects to go forward. Thank you.

The SPEAKER PRO TEM: 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. 149

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Ginzler, Golden, Grant, Greenwood, Grohman, Guerin, Hamann, Harlow, Hawke, Herbig, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Lyford, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Parry, Peterson, Picchiotti, Pickett, Pierce T, Pouliot, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Short, Skolfield, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Wallace, Ward, Warren, Welsh, White, Wood, Mr. Speaker.

NAY - Austin, Buckland, Foley, Gerrish, Hanington, Hanley, Head, Kinney J, Long, Malaby, McElwee, O'Connor, Pierce J, Reed, Sanderson, Sirocki, Stetkis, Turner, Wadsworth.

ABSENT - Campbell R, Dillingham, Goode, Herrick, Nutting, Timmons, Winsor.

Yes, 125; No, 19; Absent, 7; Excused, 0.

125 having voted in the affirmative and 19 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-269)** 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-269)** and sent for concurrence.

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Remove the 100-megawatt Limit on Hydropower under the Renewable Resources Laws"

(H.P. 90) (L.D. 132)

Signed:

Senator:

HILL of York

Representatives:

DION of Portland
 BABBIDGE of Kennebunk
 BEAVERS of South Berwick
 DeCHANT of Bath
 GROHMAN of Biddeford
 RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-270)** on same Bill.

Signed:

Senators:

WOODSOME of York
 MASON of Androscoggin

Representatives:

DUNPHY of Embden
 HIGGINS of Dover-Foxcroft
 O'CONNOR of Berwick
 WADSWORTH of Hiram

READ.

Representative DION of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **O'CONNOR**: Thank you, Mr. Speaker Pro Tem, Ladies and Gentlemen of the House, I'm well aware that this proposal has failed to pass through this legislative body multiple times. And each time I shake my head as to the "why's." Time after time, I simply follow the money.

Companies are protecting their own bottom line, closing the door to competition of all renewables. If we are truly interested in renewable energy, we should allow every form to compete fairly. The mills, along with renewable energy companies, argued that the measure would change the rules of the game after they had invested millions. They said large Canadian hydro plants could crowd out the smaller players. Indeed, it could. But it could also lead to new, innovative technology and investments in an effort to build a better product by those very same renewables.

Let's be clear. We are facing unprecedented retirements in New England and we should be open to clean, renewable hydro power. With the retirement of oil, coal, and nuclear plants, it's been estimated by ISO New England that another 8,300 megawatts of generation capacity will be lost by 2020. They say we will require another 6,300 megawatts of gas-fired capacity to replace them.

I find it highly unlikely that increased investments in the wind industry will be able to reach those goals. And the end result of those investments will result in a negative return on past, present, and future investments as well as increased rates to the consumers. This statement is not to insult the positive efforts by the wind industry, but simply an effort to point out real costs and real concerns. Lifting the 100 megawatt cap on hydro would likely have no overwhelming effect on wind, biomass, or solar power, as there are currently limited generation lines coming into Spain that connect with the large Canadian hydro plants. And many of our current hydro facilities are non-functional.

What it will do is remove an unfair advantage that some industries enjoy and open up a valid avenue for future investments from one of our most precious resources—the power from our rivers, lakes, and tides—and place us in a position to be considered for future investments for greater interconnection to hydro power. It will also save the taxpayers about \$12 million annually. Hydropower's green, clean, and abundant and has the possibility of significantly reducing electricity costs to consumers and businesses. Unfortunately, unless we lift the 100 megawatt cap, hydro is saddled with, by the renewable portfolio standard, we may never realize its true value and be able to step into the private marketplace in time to cover the 8,300 future megawatt loss and replace it with generation from an excellent natural commodity.

Now is the time to secure Maine as a future energy powerhouse of New England. Dragging our feet won't help create energy security in Maine. Reaching out for the best solutions will put us in a better position to ensure we are secure in the future, not only to meet Maine's energy needs, but to compete to be the largest exporter to all of the other New England states. I thank you for your time.

The SPEAKER PRO TEM: 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. 150

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, 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 J, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Short, Stanley, Stuckey, Tepler, Tucker, Verow, Warren, Welsh.

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

ABSENT - Campbell R, Dillingham, Goode, Herrick, Nutting, Timmons, Tipping-Spitz, Winsor, Mr. Speaker.

Yes, 79; No, 63; Absent, 9; Excused, 0.

79 having voted in the affirmative and 63 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Resolve, To Impose a 2-year Delay on the Use of Standardized Tests To Evaluate Teachers (EMERGENCY)

(H.P. 517) (L.D. 764)

Signed:

Senators:

LANGLEY of Hancock
EDGEComb of Aroostook

Representatives:

HUBBELL of Bar Harbor
MAKER of Calais
McCLELLAN of Raymond
POULIOT of Augusta
STEARNS of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-264)** on same Resolve.

Signed:

Senator:

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
PIERCE of Falmouth
TIPPING-SPITZ of Orono

READ.

On motion of Representative KORNFIELD of Bangor, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE. Committee Amendment "A" (H-264)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-264)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-262)** on Bill "An Act To Increase the Affordability of College Tuition and Attract Professionals to Maine"

(H.P. 779) (L.D. 1141)

Signed:

Senator:

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
HUBBELL of Bar Harbor
PIERCE of Falmouth
TIPPING-SPITZ of Orono

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

Signed:

Senators:

LANGLEY of Hancock
EDGEComb of Aroostook

Representatives:

MAKER of Calais
McCLELLAN of Raymond
POULIOT of Augusta
STEARNS of Guilford

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-262)** 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-262)** and sent for concurrence.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Protect Preemployment Credit Privacy"

(H.P. 795) (L.D. 1157)

Minority (6) **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" (H-213)** in the House on June 1, 2015.

Came from the Senate with the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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

Non-Concurrent Matter

Bill "An Act To Protect Earned Pay"

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

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" (H-215)** in the House on June 2, 2015.

Came from the Senate with the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE,**

RESEARCH AND ECONOMIC DEVELOPMENT READ and
ACCEPTED in **NON-CONCURRENCE**.
The House voted to **INSIST**.

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Allow a Local Distributed Energy Pilot Program" (H.P. 879) (L.D. 1293)

Signed:

Senators:

WOODSOME of York
HILL of York
MASON of Androscoggin

Representatives:

DION of Portland
BABBIDGE of Kennebunk
BEAVERS of South Berwick
DeCHANT of Bath
DUNPHY of Embden
GROHMAN of Biddeford
HIGGINS of Dover-Foxcroft
O'CONNOR of Berwick
WADSWORTH of Hiram

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

Signed:

Representative:

RYKERSON of Kittery

READ.

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

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act Regarding Interstate Shellfish Depuration" (EMERGENCY) (H.P. 962) (L.D. 1416)

Signed:

Senators:

BAKER of Sagadahoc
LANGLEY of Hancock

Representatives:

KUMIEGA of Deer Isle
ALLEY of Beals
BATTLE of South Portland
HAWKE of Boothbay Harbor
PIERCE of Dresden
SAWICKI of Auburn
TUELL of East Machias

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-286)** on same Bill.

Signed:

Senator:

MIRAMANT of Knox

Representatives:

BLUME of York
DEVIN of Newcastle
McCREIGHT of Harpswell

READ.

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Ensure That Telephone Utility Reorganizations Advance the Economic Development and Information Access Goals of the State" (H.P. 601) (L.D. 882)

Signed:

Senators:

WOODSOME of York
HILL of York
MASON of Androscoggin

Representatives:

BEAVERS of South Berwick
DeCHANT of Bath
DUNPHY of Embden
GROHMAN of Biddeford
HIGGINS of Dover-Foxcroft
O'CONNOR of Berwick
WADSWORTH of Hiram

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-285)** on same Bill.

Signed:

Representatives:

DION of Portland
BABBIDGE of Kennebunk
RYKERSON of Kittery

READ.

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

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

On motion of Representative McCABE of Skowhegan, the House adjourned at 6:07 p.m., until 10:00 a.m., Thursday, June 4, 2015, in honor and lasting tribute to Richard Shaw, of Gorham and David Bourget, of West Bath.