

# 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 LEGISLATURE  
FIRST REGULAR SESSION  
62nd Legislative Day  
Tuesday, June 16, 2015

The Speaker resumed the Chair.

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

Prayer by Reverend David Gant, Director, Spiritual Care Department, MaineGeneral Medical Center, Augusta.

Pledge of Allegiance.

Doctor of the day, Diane Zavotsky, M.D., Embden.

The Journal of yesterday was read and approved.

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### SENATE PAPERS

#### Non-Concurrent Matter

An Act To Require the Documentation of the Use of Seclusion and Restraint at Mental Health Institutions in the State

(H.P. 929) (L.D. 1368)

(C. "A" H-372)

**PASSED TO BE ENACTED** in the House on June 12, 2015.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-372) AS AMENDED BY SENATE AMENDMENT "A" (S-264)** thereto in **NON-CONCURRENCE**.

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

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Representative McCABE of Skowhegan assumed the Chair.

The House was called to order by the Speaker Pro Tem.

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### COMMUNICATIONS

The Following Communication: (H.C. 233)

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

June 15, 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 829, "An Act To Amend the Trespass Laws Pertaining to Railroad Property."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills

out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 829 unsigned and vetoed.

Sincerely,

S/Paul R. LePage

Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item An Act To Amend the Trespass Laws Pertaining to Railroad Property (EMERGENCY)

(H.P. 563) (L.D. 829)

(C. "A" H-203)

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

Representative **SHAW**: Thank you very much, Mr. Speaker. Mr. Speaker, Men and Women of the House, again, I'd like to thank the Judiciary Committee for their work on this bill, unanimous report. Basically, it does as the name says. It deals with railroad trespassing, which is a very serious matter and I hope you join me in overriding the veto. Thank you very much.

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. 257V

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dillingham, Doore, Duchesne, Dunphy M, Espling, Evangelos, Farnsworth, Farrin, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, 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, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, Parry, Peterson, Pierce T, Pouliot, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, Winsor, Wood, Mr. Speaker.

NAY - Austin, Buckland, Dunphy L, Edgecomb, Fredette, Guerin, Hanington, Hanley, Lockman, Long, Lyford, McClellan, McElwee, O'Connor, Picchiotti, Pickett, Pierce J, Reed, Sanderson, Sirocki, Stetkis, Timmons, White.

ABSENT - Black, Dion, Fecteau, Mearan, Skolfield.

Yes, 123; No, 23; Absent, 5; Excused, 0.

123 having voted in the affirmative and 23 voted in the negative, with 5 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

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The Following Communication: (H.C. 234)

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

June 15, 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1176, "An Act To Prohibit the Sale and Possession of Powdered Alcohol in the State."

This bill is further evidence that the Legislature simply does not understand the real challenges facing the State of Maine. Proponents of this bill claim that they aim to keep our children safe from the harmful potential of high alcohol content. But, as I write this letter, the illegal drug epidemic in Maine is as bad as it has ever been – and it's getting worse. Instead of addressing understaffing at the Department of Public Safety to put more drug enforcement agents on the streets and target the real drug problem, this bill would levy fines on hikers visiting the State of Maine if they simply possess powdered alcohol they lawfully purchased in other states.

The State already has the ability to prevent the sale of powdered alcohol. The Bureau of Alcoholic Beverages and Lottery Operations and the State Liquor and Lottery Commission take seriously their respective roles of proposing and listing products with alcohol content for sale to legal drinking-age adults. Both the Bureau and the Commission have indicated that they would not permit the sale of powdered alcohol in Maine. Therefore, the new element this bill introduces is the ability of the State to fine businesses and individuals for possession of a product.

It is outrageous that the Legislature would rather impose fines on tourists than take action to stop the flow of illegal drugs into our State. For these reasons, I return LD 1176 unsigned and vetoed and I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item An Act To Prohibit the Sale and Possession of Powdered Alcohol in the State

(H.P. 808) (L.D. 1176)  
(C. "A" H-226)

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. 258V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Crafts, Daughtry, Davitt, DeChant, Devin, Dillingham, Doore, Duchesne, Dunphy L, Dunphy M, Espling, Evangelos, Farnsworth, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Guerin, Hamann, Hanington, Harlow, Head, Herbig, Herrick, Hickman, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, Peterson, Pierce T, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Sherman, Short, Stanley, Stearns, Stuckey, Tepler, Timberlake, Tipping-Spitz,

Tucker, Tuell, Turner, Vachon, Verow, Warren, Welsh, Wood, Mr. Speaker.

NAY - Austin, Bickford, Buckland, Chace, Corey, Edgcomb, Farrin, Fredette, Gillway, Ginzler, Greenwood, Hanley, Hawke, Higgins, Hilliard, Lockman, Long, Lyford, McClellan, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Reed, Sanderson, Sawicki, Seavey, Sirocki, Stetkis, Sukeforth, Theriault, Timmons, Wadsworth, Wallace, Ward, White, Winsor.

ABSENT - Dion, Fecteau, Marean, Skolfield.

Yes, 108; No, 39; Absent, 4; Excused, 0.

108 having voted in the affirmative and 39 voted in the negative, with 4 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 235)

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

June 15, 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1320, "An Act To Amend the Laws Relating to Motor Vehicles."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax. These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 1320 unsigned and vetoed.

Sincerely,  
S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.** Sent for concurrence.

The accompanying item An Act To Amend the Laws Relating to Motor Vehicles

(H.P. 898) (L.D. 1320)  
(C. "A" H-224)

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

Representative **McLEAN**: Thank you, Mr. Speaker. Mr. Speaker, this bill makes minor technical changes that were put forward by the Secretary of State. And as usual, I appreciate the

unanimous work of the Transportation Committee and would urge you to override this veto. Thank you.

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

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

**ROLL CALL NO. 259V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dillingham, Doore, Duchesne, Dunphy M, Espling, Evangelos, Farnsworth, Farrin, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Grohman, Hamann, Harlow, Head, Herbig, Hickman, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, Parry, Peterson, Pickett, Pierce T, Pouliot, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Theriault, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, Wood.

NAY - Austin, Black, Chace, Dunphy L, Edgecomb, Fredette, Greenwood, Guerin, Hanington, Hanley, Hawke, Herrick, Higgins, Hilliard, Kinney J, Kinney M, Lockman, Long, Lyford, Malaby, McClellan, McElwee, O'Connor, Picchiotti, Pierce J, Reed, Sanderson, Sirocki, Stetkis, Timberlake, Timmons, Wallace, White, Winsor.

ABSENT - Dion, Fecteau, Marean, Skolfield, Mr. Speaker.

Yes, 112; No, 34; Absent, 5; Excused, 0.

112 having voted in the affirmative and 34 voted in the negative, with 5 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

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The Following Communication: (H.C. 231)  
**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**SPEAKER'S OFFICE**  
**AUGUSTA, MAINE 04333-0002**

June 15, 2015  
Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Clerk Hunt:

Pursuant to my authority under Title 10, MRSA, Chapter 1-A, §11, I have appointed Randy Levesque of Lisbon to serve as the member who is active in the organized labor community of the Citizen Trade Policy Commission, replacing Jay Wadleigh. Please contact my office if you have any questions regarding this appointment.

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

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 232)

**STATE OF MAINE**  
**127TH MAINE LEGISLATURE**

June 15, 2015  
Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Hunt:

In reference to the action of the Senate on June 12, 2015 in which it Insisted and Asked for a Committee of Conference on L.D. 1430, "An Act To Allow Hunters Whose Religion Prohibits Wearing Hunter Orange Clothing To Instead Wear Red" (S.P. 538) I am pleased to appoint the following as conferees on the part of the Senate:

Senator Paul T. Davis, Sr. of Piscataquis

Senator Scott W. Cyrway of Kennebec

Senator David E. Dutremble of York

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Michael D. Thibodeau

President of the Senate

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 229)

**MAINE DAIRY AND NUTRITION COUNCIL**  
**333 CONY ROAD**  
**AUGUSTA, MAINE 04330**

June 10, 2015  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:

Enclosed for your review is the calendar year 2014 Audit Report of the Maine Dairy and Nutrition Council, prepared by Austin Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please don't hesitate to contact either Austin Associates or myself. Austin Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 287-3621.

Sincerely,

S/Cheryl L. Beyeler, CFCS

Executive Director

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

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The Following Communication: (H.C. 230)

**MAINE DAIRY PROMOTION BOARD**  
**333 CONY ROAD**  
**AUGUSTA, MAINE 04330**

June 10, 2015  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:

Enclosed for your review is the calendar year 2014 Audit Report of the Maine Dairy Promotion Board, prepared by Austin Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please don't hesitate to contact either Austin Associates or myself. Austin Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 287-3621.

Sincerely,  
S/Cheryl L. Beyeler, CFCS  
Executive Director

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

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

**REPORTS OF COMMITTEE  
Divided Reports**

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-415)** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2016 and June 30, 2017"

(H.P. 702) (L.D. 1019)

Signed:

Senators:

HAMPER of Oxford  
KATZ of Kennebec  
VALENTINO of York

Representatives:

ROTUNDO of Lewiston  
FREY of Bangor  
GRANT of Gardiner  
JORGENSEN of Portland  
MARTIN of Eagle Lake  
SANBORN of Gorham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-416)** on same Bill.

Signed:

Representatives:

NUTTING of Oakland  
SIROCKI of Scarborough  
TIMBERLAKE of Turner  
WINSOR of Norway

**READ.**

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

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-426)** on Bill "An Act To Improve Childhood Vaccination Rates in Maine"

(H.P. 310) (L.D. 471)

Signed:

Senator:

HASKELL of Cumberland

Representatives:

GATTINE of Westbrook  
BURSTEIN of Lincolnville  
HAMANN of South Portland  
HEAD of Bethel  
HYMANSON of York  
PETERSON of Rumford  
STUCKEY of Portland  
VACHON of Scarborough

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

Signed:

Senators:

BRAKEY of Androscoggin  
McCORMICK of Kennebec

Representatives:

MALABY of Hancock  
SANDERSON of Chelsea

**READ.**

Representative GATTINE of Westbrook 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 Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker, Men and Women of the House, I stand in opposition to the pending motion. Right now, Maine's vaccination rates are where they need to be according to the CDC's latest number. We are well above the herd-immunity piece. This bill would direct parents to have a signed declaration from their physician saying that they have discussed vaccines. I believe this is a beginning of a very slippery slope, to be legislating what happens between a doctor and their patient. I urge you to vote "no" on this. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Gorham, Representative Sanborn.

Representative **SANBORN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, LD 471 is what I consider to be crucial legislation to address the concerning issue of decreasing immunization rates in our state, putting both children and adults at risk of preventable infectious diseases that can cause significant illness, disability, and even possible death.

This bill requires a parent or guardian who is seeking a philosophical exemption to routine childhood vaccination when enrolling a child in school or a licensed daycare facility to present written documentation signed by a healthcare practitioner that the healthcare practitioner has reviewed with the parent information about the risks and benefits of immunization. Other states have taken this similar step. Washington State reported a 25 percent decrease in immunization exemptions statewide after enacting this legislation.

As I shared with the HHS Committee, this is a topic of passion and great familiarity for me, personally. As a family doctor who also provided obstetrical care and had the great

privilege to deliver many babies over my 25-year career, I spent hours counseling parents about the risks and benefits of childhood vaccines. I have great respect for the patient, or in this case, parent-doctor relationship. Trust and mutual respect is key to this relationship. I always considered my role as that of a consultant or educator, not telling a parent what to do, but helping them to understand the recommendation to vaccinate, what diseases that vaccine is meant to prevent, the effectiveness of the vaccine, who should get the vaccine, the vaccine booster schedule, the risk of side effects, what to do for mild or moderate side effects, how to reach me, and what symptoms should prompt an urgent call.

These discussions are time-consuming, but time well spent. To be clear, this is an open dialogue, not a reading of a script. I truly believe that parents only want to make the very best choice for their child. No parent wants their child at risk of either getting a serious preventable illness or having a serious side effect from a vaccine that is meant to prevent disease. No healthcare practitioner wants to put a child at risk of coming down with a preventable serious illness or suffer from a significant side effect of a vaccine.

Immunization rates have been falling in Maine, a trend we have seen across the country. In 2013, an estimated 68 percent of Maine children, aged 19 to 35, were up to date on the full recommended series of immunizations, the seventh lowest in the country. Recently, the *Portland Press Herald* reported that although opt-out rates have improved slightly, schools in some Maine communities have opt-out rates as high as 20 percent or greater. These rates jeopardize our herd- or community-immunity levels. Lack of adequate community-immunity puts those people at risk who are unable to be immunized due to their young age or who are immunocompromised from genetic diseases, cancer treatment, or other serious illness, at greater risk of contracting a preventable illness with life-threatening consequences.

Maine currently is one of 18 states that allow medical, religious, and philosophical exemptions to school-required immunizations. A medical exemption requires a health practitioner's signature. The only change that this bill makes is that the health practitioner's signature is required on the form for philosophical exemptions as well, acknowledging that he or she has had a discussion with the parent about the risks and benefits to the child and to the community regarding vaccination. It does not take away the right of the parent to opt out. It does not, as some will claim, drive a wedge between the parent and the medical provider. To the contrary, it will bring the two together for a conversation.

I believe, without a doubt, based on all of the scientific data to draw upon, that the benefits of immunizations to the individual and to the community far outweigh the risks. Healthcare providers need to listen to the parent, understand their concern, and show compassion, patience, and trust, that the parent wants to make the right choice for their child. We must build a trusting relationship and we must respect a parent's decision. Many parents will say that those who are refusing immunizations have done their homework and are very well informed, making dialogue unnecessary. This is sometimes, but not always, true.

We all know people that have a tendency to believe everything they read. Sometimes, they will believe a celebrity, whether well-informed in evidence-based medicine or not. Think Jenny McCarthy. Many have never seen or known someone with measles, polio, or whooping cough, and underestimate the potential serious consequences. We can and should continue to try to improve immunizations, both their safety and effectiveness.

The solution lies in continuing to be ever vigilant, collecting and examining all the data from vaccinations with due diligence and appropriate changes as science guides us. The solution lies in continuing research to get real answers to the causes of autism, which remain unclear, except that there is no meaningful link to vaccines. The solution lies in trying to search for a possible link to genetic or environmental causes that predispose those of us who have more serious adverse reactions to vaccines, so that we can understand more specifically who needs to be medically exempted. And the solution lies in education, trusting and respectful relationships that will promote high-level dialogue and best outcomes for all.

This bill is a small step toward improving our vaccination rates to improve our community immunity. It does not take away one's informed consent to opt-out and should not be construed as such. I ask you to please follow my light. We must not wait for disabling or life threatening infections to return before we act. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Auburn, Representative Sawicki.

Representative **SAWICKI**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, good morning. Regarding vaccines and why somebody may want to opt out. There are many reasons. I know there is plenty of evidence on the other side suggesting that there is a link between vaccines, the adjuvants in them, and autoimmune responses.

Vaccines hyper-stimulate your natural immune system and we are all different. We are all different—biologically slightly different. Some of us have allergies. Some of us do not. The people who are reacting to these vaccines negatively should be considered having an allergic reaction, and in some cases those allergic reactions result in death. Legally, the Supreme Court, in the case of *Bruesewitz v. Wyeth LLC*, concluded that vaccines are a type of, quote, "unavoidably unsafe product." That's the Supreme Court.

In the minority, Justice Sotomayor commented that the *Bruesewitz* decision leaves a regulatory vacuum in which no one, neither the FDA nor any other federal agency nor state and federal juries insures that vaccine manufacturers adequately take account of scientific and technological advancements. The vaccine market will often have little or no incentive to improve the designs of vaccines that are already generally significant profit margins, generating significant profit margins, I'm sorry. Nothing in the legislative history remotely suggests that Congress intended that result.

And what was the result of this case? Vaccine manufacturers have blanket-immunity from any liability. You can't sue a vaccine manufacturer for damaging your child. This bill would require me, as a parent, to go sit down with a doctor and have him tell me how nice and safe vaccines are when I have this and other evidence? For me to go see a doctor takes time and money. I need to pay for a babysitter, I need to take time off from work, and I'm sure that doctor's going to charge me a fee. This is imposing unnecessary cost and inconvenience on people who have a legitimate philosophical disagreement with a vaccine safety theories. Thank you very much. I urge you to vote against this bill, LD 471. Thank you.

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

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, there are two things terribly wrong with this bill. First, it inappropriately distinguishes between parents with, I quote, "a sincere religious belief" and parents with, quote, "philosophical reasons" for seeking

exemptions from the immunization requirements for admission to public schools and child care programs.

Current law allows both groups of parents to simply state in writing that their belief is contrary to the immunization requirements, and their children are then exempt from the vaccine requirements. While parents with "sincere religious belief" may simply submit a written and signed statement to exempt their children, this bill requires parents seeking an exemption for "philosophical reasons" to include with their statement written documentation signed by a health care practitioner authorized to prescribe and administer immunizations verifying that the health care practitioner has reviewed with the parent information about the risks and benefits of immunization that is consistent with information published by the federal Department of Health and Human Services, Center for Disease Control and Prevention. The written documentation must be signed by the health care practitioner authorized to prescribe and administer immunizations prior to the enrollment of the child in school. Mr. Speaker, I find this difference in requirements to be extremely, extremely disturbing. But, Mr. Speaker, let me point out that it does not take away the philosophical exemption. It puts a step in the process, and a big one.

The second shortcoming in the bill, Mr. Speaker, is that it fails to address the unbelievable problem of immunity from liability Congress has granted Big Pharma—you know, those folks who bring us the pretty purple miracle pill with the possible side effects of diarrhea, a BP favorite, delayed ejaculation, delirium, or even death. For vaccines, Big Pharma is completely off the hook. To handle problems, Congress has set up a taxpayer financed fund to settle any claims. But that's all a story for another day, Mr. Speaker. And in spite of these objections, Mr. Speaker, I believe there is real genius in the bill my very good friend, the very good doctor from Gorham, Representative Sanborn brought to the HHS Committee.

I believe the real key, Mr. Speaker, to improving health outcomes, lowering costs, and getting to universal coverage in our country is strengthening the content and the quality of the health care provider-patient relationship. And that's what this bill does. It forces doctors and patients, or parents, to have real conversations—in this case about vaccines. And that should mean something different than doctors talk, parents listen. It should mean doctors and parents both talk and both listen. Patients learn to talk more. Practitioners learn to listen more. We teach and learn from each other. Patient-centered practice—not insurance companies and Big Pharma—really starts to drive health care.

As we worked this bill, Mr. Speaker, the passion and commitment we heard from parents, their concern for their children's well-being, made me feel really good. I hope the doctors are ready. And I look forward to bringing the folks with religious exemptions along next year. 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, Ladies and Gentlemen of the House, I rise in opposition to this motion basically because this legislation is forced association and it's a violation of the First Amendment of the Constitution. And also, as we speak here today, many Maine doctors themselves are not educated on the federal guidelines for vaccine injury. How can we expect them to counsel what they don't know?

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

Representative **TUCKER**: Thank you, Mr. Speaker Pro Tem. Thank you, Ladies and Gentlemen of the House, the gentlewoman from Berwick has raised the issue of Constitutional

rights. The Member from Auburn has raised the issue of Constitutional decision by the US Supreme Court. The case cited by the gentleman from Auburn, the quote that he used is taken out of context and is not germane to this discussion.

We all talk about rights, rights, rights. I've got my rights. In fact, there were 46 legislative requests to change our Constitution or the Constitution of the United States made at the Revisor's Office. There is no recognized Constitutional right violated by requiring vaccination as a condition to enrolling in a day care or school. This bill puts much less burden, because it only requires consultation to get a philosophical exemption. It's a less burden. So let's take a look.

The US Supreme Court in *Jacobson vs. Massachusetts*, 197 US 11, Justice Harlan's decision in 1905, decided that a mandatory law requiring small pox vaccination was a reasonable exercise of the state's police power and did not violate the liberty rights contained in the Fourteenth Amendment. Quote, "There are manifold restraints to which every person is necessarily subject for the common good. On any other basis organized society could not exist with safety to its members," page 26. The *Jacobson* decision continues to define the Constitutional vitality of vaccination laws.

In *Zucht vs. King*, 260 US 174, Justice Brandeis in 1922. In that case, the court upheld a Fourteenth Amendment due process challenge to a city ordinance requiring certificate of vaccination for school attendance. Quote, "these ordinance confer not arbitrary power, but only that broad discretion required for the protection of the public health," page 177.

In our Constitutional law there is an evolving concept of a liberty interest in bodily integrity and personal privacy, based in part on the due process clause of the Fourteenth Amendment. However, Supreme Court cases discussing such protections have specifically noted that continuing public health needs would justify widespread vaccination laws, citing *Jacobson* favorably. See *Row vs. Wade* at 410 US 113, and *Cruzan vs. Director, Missouri Department of Health*, 497 US 261, a 1990 case.

In conclusion, there is no Constitutional right violated by a vaccination requirement for day care or school enrollment, or by complete elimination of the philosophical exemption. Since a mandatory vaccination request is not a violation of the Constitutional right, and passes Constitutional muster, a reasonable requirement of simple medical consultation before opting out is much less invasive and does not trigger any Constitutional concern. Thank you.

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

Representative **EVANGELOS**: Thank you, Mr. Speaker and Men and Women of the House, I really think we need to get this vaccine argument in historical perspective. The year I was born, in 1952, there were 58,000 cases of polio; 3,000 children died. Tens of thousands of people, children, lived with an iron lung and in a tent. In 1921, President Roosevelt, who wasn't president yet, at the age of 39, was afflicted with polio, we all know that.

On March 26, 1953, Jonas Salk made public the findings of a polio vaccine. But the 58,000 cases annually in 1952 dropped to 6,000 cases by 1957. By the early 1960's, the disease was almost wholly eradicated. And today in the United States, the only people that contract polio are from Americans that worked for relief agencies in developing nations that lack the vaccine.

I really think it's important to remember the facts. The fact is that our vaccination program is a victim of its own success, and we have forgotten history. And it would be unfortunate, as Representative Sanborn pointed out, that we need another epidemic to wake us up to the facts and success of this highly



successful program, and the great and courageous scientists that brought it forward. Thank you, Mr. Speaker.

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

Representative **HYMANSON**: Thank you, Mr. Speaker Pro Tem, Men and Women of the House, this bill tries to treat a problem that we have in Maine, and that is that while a lot of schools have good immunization rates, there are some that don't. And they don't because of the philosophical exemptions. So, while in HHS we had the chance to take away the philosophical exemption, we voted not to.

And instead, think about this bill, which says, "if you have a philosophical exemption, at least have a conversation with your physician about it," because what we heard is that some people check off the box and that's really all you need to do is check off the box that says you have a philosophical exemption and it wasn't really clear that people understood that if their children aren't vaccinated and there enough people in the school that aren't vaccinated and someone comes in with say, measles, and brings it home to their young brother or sister who's not vaccinated because they're an infant, that baby can die.

Or, if they have a person in the school who is immunocompromised from leukemia or childhood cancers, that person could die. Or, if they bring it home, the infection home, and they have an elderly grandparent living with them who wasn't immunized, that person could die. So, there are real consequences to having a school that doesn't have enough immunity and this seemed to be a reasonable approach to at least have the person who is going to check the box off for a philosophical exemption to have a conversation about it with their trusted physician back and forth. It doesn't mean that can't opt-out, it just means the conversation happened. So I urge you to support this. Thank you.

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

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

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

Representative **BURSTEIN**: Would anyone please answer this question of why the pharmaceutical companies have no liability in this?

The SPEAKER PRO TEM: The Representative from Lincolnville, Representative Burstein, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Auburn, Representative Sawicki.

Representative **SAWICKI**: Thank you, Mr. Speaker, the Supreme Court ruled in the *Bruesewitz v. Wyeth LLC* case that because vaccines are inherently unsafe, that therefore the vaccine manufacturers needed to be shielded from any liability so they wouldn't go out of business should one of their products fail. That's my understanding and that's the best answer I can provide. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Durham, Representative Chace.

Representative **CHACE**: Thank you, Mr. Speaker, in response to that question, I know that as administrators, there's a defensive liability for a vaccine injury as an administrator. But I'm not aware of someone's inability to sue a manufacturer.

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

Representative **COOPER**: Thank you, Mr. Speaker, Ladies and Gentlemen, the immunity exists because Congress enacted it. It enacted it in order to protect the enormously powerful

pharmaceutical industry. They based that decision on factors both germane and non-germane; the germane being, I'd say, the more compelling argument is that the pharmaceutical industry threatened to withdraw from the market because of the risk of being sued. And without a market producing these vaccines, there would be a crisis. The reprehensible reason was that the pharmaceutical industry is the largest contributor to campaign contributions in the country. 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. All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 260

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

NAY - Austin, Bickford, Black, Buckland, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Ginzler, Greenwood, Guerin, Hanington, Hanley, Herrick, Hilliard, Hobart, Kinney M, Lockman, Long, Lyford, Maker, Malaby, McClellan, McElwee, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Sirocki, Stetkis, Theriault, Timberlake, Timmons, Tuell, Turner, Wadsworth, Wallace, Ward, Warren, White, Wood.

ABSENT - Campbell R, Dion, Fecteau, Marean, Skolfield.

Yes, 93; No, 53; Absent, 5; Excused, 0.

93 having voted in the affirmative and 53 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-426) 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-426)** and sent for concurrence.

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

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Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-432)** on Bill "An Act To Allow a Patient To Designate a Caregiver in the Patient's Medical Record"

(H.P. 447) (L.D. 666)

Signed:  
Senators:  
HASKELL of Cumberland  
McCORMICK of Kennebec

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-433)** on same Bill.

Signed:  
Senator:  
BRAKEY of Androscoggin

**READ.**

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

The Bill was **READ ONCE. Committee Amendment "A" (H-432)** 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-432)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-420)** on Bill "An Act To Reward Work Performed by Welfare Recipients"

(H.P. 951) (L.D. 1402)

Signed:  
Senator:  
HASKELL of Cumberland

Representatives:  
GATTINE of Westbrook  
BURSTEIN of Lincolnville  
HAMANN of South Portland  
HYMANSON of York  
PETERSON of Rumford  
STUCKEY of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-421)** on same Bill.

Signed:  
Senators:  
BRAKEY of Androscoggin  
McCORMICK of Kennebec

Representatives:  
HEAD of Bethel  
MALABY of Hancock

SANDERSON of Chelsea  
VACHON of Scarborough

**READ.**

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

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

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Establish a Comprehensive Hunting License"

(H.P. 844) (L.D. 1226)

Signed:  
Senators:  
DAVIS of Piscataquis  
CYRWAY of Kennebec  
DUTREMBLE of York

Representatives:  
COREY of Windham  
LYFORD of Eddington  
MARTIN of Sinclair  
SHORT of Pittsfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-431)** on same Bill.

Signed:  
Representatives:  
SHAW of Standish  
ALLEY of Beals  
CRAFTS of Lisbon  
HILLIARD of Belgrade  
REED of Carmel  
WOOD of Greene

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

**READ.**

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

**CONSENT CALENDAR**

**First Day**

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

(H.P. 958) (L.D. 1409) Bill "An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-435)**

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.

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

**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act Concerning Electronic Monitoring and Increased Bail for Certain Crimes Involving Violence"

(H.P. 793) (L.D. 1155)

Signed:

Senators:

ROSEN of Hancock  
BURNS of Washington  
GERZOFKY of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-436)** on same Bill.

Signed:

Representative:

NADEAU of Winslow

**READ.**

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

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act Regarding the Work Permitting Process for Minors"

(H.P. 943) (L.D. 1393)

Signed:

Senator:

PATRICK of Oxford

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-437)** on same Bill.

Signed:

Senators:

VOLK of Cumberland  
CUSHING of Penobscot

Representatives:

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

**READ.**

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

The same Representative **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: 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. 261**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, 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, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, Malaby, McClellan, McElwee, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Sherman, Sirocki, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Dion, Fecteau, Marean, Skolfield, Mr. Speaker.

Yes, 79; No, 67; Absent, 5; Excused, 0.

79 having voted in the affirmative and 67 voted in the negative, with 5 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

**COMMUNICATIONS**

The Following Communication: (S.C. 449)

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

June 15, 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 Minority **Ought to Pass** as Amended Report from the Committee on Health and Human Services on Bill "An Act To Align the Federal Affordable Care

Act's Health Care Coverage Opportunities and Hospital Charity Care" (H.P. 237) (L.D. 343), in non-concurrence.

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

**READ and ORDERED PLACED ON FILE.**

**ENACTORS**  
**Emergency Measure**

Resolve, Regarding Legislative Review of Portions of Chapter 2: Standards for Qualifications of Assigned Counsel, a Late-filed Major Substantive Rule of the Maine Commission on Indigent Legal Services

(H.P. 582) (L.D. 851)  
(C. "A" H-412)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 129 voted in favor of the same and 5 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

**Pursuant to the Constitution**  
**Public Land**

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

(H.P. 970) (L.D. 1424)  
(H. "A" H-422 to C. "A" H-407)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 132 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

**Acts**

An Act To Require Child-resistant Packaging for Nicotine Liquid Containers

(H.P. 290) (L.D. 423)  
(C. "A" H-405)

An Act To Update Maine's Family Law

(S.P. 358) (L.D. 1017)  
(C. "A" S-254)

An Act To Provide Expedited Court Review of Child Visitation Provisions for Military Personnel on Duty out of State

(H.P. 895) (L.D. 1317)  
(C. "A" H-411)

An Act To Prohibit Unauthorized Custody Transfers of Children

(H.P. 911) (L.D. 1342)  
(C. "A" H-410)

An Act To Amend the Laws Governing Law Enforcement's Access to, and Access to Information about, Certain Persons in Hospitals and Mental Health Facilities

(H.P. 978) (L.D. 1434)  
(C. "A" H-409)

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.

An Act To Amend the Maine Spruce Budworm Management Laws

(S.P. 315) (L.D. 870)  
(C. "A" S-252)

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

On motion of Representative HICKMAN of Winthrop, was **SET ASIDE**.

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

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

**COMMUNICATIONS**

The Following Communication: (S.C. 450)

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

June 15, 2015  
Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Hunt:

Senate Paper 441, Legislative Document 660, "An Act To Protect Homeowners from Damage in the Event of a Failure of Public Water Systems," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

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

**READ and ORDERED PLACED ON FILE.**

**ENACTORS**  
**Acts**

An Act To Improve Disclosure Procedures

(S.P. 180) (L.D. 451)  
(C. "A" S-259)

An Act To Protect Victims of Domestic Violence, Sexual Assault or Stalking

(S.P. 305) (L.D. 861)

An Act To Ensure Confidentiality of Personally Identifying Information for Professional Investigators, Investigative Assistants and Dependents of Deployed Members of the Military

(S.P. 354) (L.D. 1014)  
(C. "A" S-261)

An Act To Address the Detrimental Effects of Abandoned Property

(S.P. 430) (L.D. 1203)  
(C. "A" S-260)

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.

### UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Report "A" (7) **Ought to Pass as Amended by Committee Amendment "A" (H-243)** - Report "B" (3) **Ought to Pass as Amended by Committee Amendment "B" (H-244)** - Report "C" (3) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Strengthen the Economic Stability of Qualified Maine Citizens by Expanding Coverage of Reproductive Health Care and Family Services"

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

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

PENDING - Motion of same Representative to **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED**.

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

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

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

Representative **SANDERSON**: Thank you, Mr. Speaker, Men and Women of the House, I urge you to vote against the pending motion. When the ACA was passed, anybody who was above 100 percent of federal poverty level could receive extensive and substantial subsidies to purchase insurance on their own, which is mandated to cover these services. They are already available. We already cover anybody who's 100 percent or below. Expanding this coverage is an unnecessary expense that we don't need to bear at this time.

Anybody who is 250 percent below poverty level also receives a secondary subsidy on the ACA in the exchanges, and they do so to help go against copays and deductibles. Under these plans, preventative and wellness visits, which is what this would qualify for, are free. This is an expansion of MaineCare, it's an expansion of welfare, and it's one that we don't necessarily have to put at the taxpayer's expense. For just a few dollars out of their pocket a month for their own premium, they would get this preventative healthcare free under their own private insurance. I urge you to vote "no" on the pending motion. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I rise in support of the pending motion. LD 319 is about economic security and it's a bill about access to reproductive healthcare and family planning services. Why put these two issues together? Because access to these services allows any of us to have greater control over the critical decisions of timing and spacing of children, and over long-term health, educational, and career decisions, all of which are essential to economic security.

We must recognize that these issues are tied inextricably together. In fact, the CDC has named family planning, including access to the most modern, most effective contraception, as one of the 10 great public health achievements of the 20th century. LD 319 will help reduce the number of Maine's children and

families living in poverty and will help reduce long-term costs to Maine taxpayers.

For the last 20 years, healthcare legislation has allowed any state to expand Medicaid eligibility for reproductive healthcare and family planning with a 9 to 1 federal match for low-income individuals. This federal match policy has been in place for more than 40 years. Though 30 states have chosen to expand eligibility, Maine has not yet done so. We have an opportunity to change that. We have the ability to allow low-income women and men to have healthcare coverage specifically for reproductive and family planning services from any qualified healthcare provider—it's not limited to any particular healthcare center or provider—and through that provider, have access to the most effective, modern contraceptive methods, as well as screening and treatment for cancer and sexually transmitted infections.

Early diagnosis and treatment of cancer and STI's decreases the chance of illness and serious long-term health and economic consequences and reduces the chance of infection of others. Access to contraception means women can plan for the optimal time to choose to have children. Planning the time of first children translates to better prenatal care and fewer of the health complications more common in both teen and unplanned pregnancies. With access to effective contraception, women can also choose to space children, taking into account health, educational, and economic factors. This increases their chances of actually achieving their educational goals and their ability to make thoughtful decisions about work and career, both of which translate to greater economic stability and self-sufficiency. That's good for everybody—good for parents, good for children who are less likely to grow up in poverty, and good for the Maine taxpayer who is less likely to need to provide long-term tax dollar funded support.

Every dollar invested in women's preventative healthcare, including birth control, saves Maine taxpayers \$4 by reducing the number of and costs associated with unintended pregnancies. In fact, it is estimated that we will save taxpayers \$100,000 in year one, and up to \$3 million by year three of this program. I need to stress that this funding does not cover abortion services which cannot be paid for by federal or state dollars; this is the Hyde Amendment.

I spent my 30-plus year career as a social worker specializing in work with children and families. I worked with the mothers of middle-schoolers who were only 14 or 15 years older than their oldest child. Their ongoing struggle with poverty and all its long-term implications for themselves and their children is heartbreaking and in many cases could be avoidable. I also worked with a couple hoping to adopt a child after discovering that they were unable to conceive due to sterility caused by an undiscovered and untreated sexually transmitted disease. We, as legislators, can help change this.

This is a commonsense bill. It allows us to help the growth of financially secure, physically healthy, and self-sufficient families, while also saving taxpayer dollars by offering Mainers a real pathway to lift themselves out of poverty. I urge you to support passage of LD 319. Thank you.

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

Representative **GATTINE**: Thank you, Mr. Speaker. Women and Men of the House, I rise in support of the pending motion. MaineCare, Maine's Medicaid program, pays the medical costs of more than half of the births occurring in Maine each year. And for those births that result from unintended pregnancies, MaineCare pays 75 percent. Unintended pregnancies cost to MaineCare nearly \$58 million each year, nearly \$15 million of that in General Fund dollars.

And what this bill does is it provides a strategy for reducing Medicaid costs associated with unintended pregnancies, improving economic security for Maine families, and reducing the rate of abortions. This bill leverages a 9 to 1—basically a 90 percent—Medicaid match rate to make family planning services available to Maine women who are not covered by Medicaid but who would become eligible for Medicaid if they become pregnant. So, this is a limited Medicaid benefit, covering only family planning services, not the full benefit available to pregnant women. And by giving low-income women the tools to plan if and when they will have a child, or have another child, we can dramatically reduce MaineCare costs and the public assistance costs associated with children born into poverty.

And the real game changer here over the last few years is new contraceptive technology that is more effective than ever before, but has high initial costs that really make it difficult for low-income women, really impossible for them to access. Low-income women who use Long-Acting Reversible Contraceptives have been shown to be 20 times more successful in preventing unintended pregnancy than similarly-situated women who use the Pill. Medicaid coverage makes these highly-effective methods available to low income women now for the first time.

So, I think as previous speaker has said, 30 other states have opted into this option proposed in LD 319, many of them have done so for more than a decade. Every state that has done so has assessed the program and seen a net savings in Medicaid costs. I'd like to turn people's attention to the fiscal note on this bill which shows a savings of a couple hundred thousand dollars in the next biennium, but a savings of \$2.3 million a year in General Fund costs in the years after that.

Benefits in addition to the fiscal savings, the other benefits I described before include: A reduced rate of unintended pregnancy and abortion; reduced rates of teen pregnancies and births; increased diversity in private-sector providers of family planning services; delayed average age at first birth; reduced rates of preterm birth and low birthweight babies; increased interval between pregnancies, which is a key factor in maternal and infant health; decreased rates of enrollment in programs like WIC.

So, Mr. Speaker, I think this is a good bill. I think it's an important bill. I hope it's one that every member of this chamber will support. And from my point of view if you want to reduce the number of abortions in Maine, you should support this bill. If you think a woman's ability to make good decisions and smart decisions about childbearing, you should support this bill. If you think MaineCare covers too many people, you should support this bill. If you want to reduce the MaineCare budget, you should support this bill. And if you want to increase low-income families' ability to support their children and climb out of poverty, you should support this bill. Thank you, Mr. Speaker.

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

Representative **SANDERSON**: Thank you, Mr. Speaker, Men and Women of the House, I apologize for rising twice but I do have to answer a couple things that were said on the other side of this room. Access to services, not passing this bill does not deny access to services. Again, with the passage of the ACA, we are mandated, mandated to have insurance coverages. Anybody up to 138 percent of federal poverty level, the top bracket, is very well covered and it's also very well covered up to the 209 percent. Again, up to 250 percent of federal poverty level.

There are very reasonable premiums out there. There's also a secondary subsidy, again, that kicks in and preventative and wellness visits are free. Long-term health, as we just heard, this is family planning services, this is not whole-health services.

Anybody who receives a private insurance plan at reduced cost, a very heavily subsidized cost, very affordable, through the exchange, will be seeing a doctor with an insurance plan that covers more than just family planning services. They will be covering their entire health profile—9 to 1 match. Ten percent is what we will pay for this. Ten percent that we don't have to pay because somebody will be paying for their own insurance, private insurance, premium. And by the way, private insurance pays better to providers than Medicaid does. Medicaid is the payer of last resort.

Specifically reproductive, okay, when we talk about savings here. Saving up to \$2.3 million. That's kind of an elusive statement because if we are mandated to have insurance coverage, would not we be saving the same amount and more because we're not paying for the service to begin with out of General Fund dollars. I do believe in a woman's ability to make smart choices for themselves, and saying that we don't believe in a woman's ability to make smart choices for herself if we expand this, I think, is a little insulting.

What I do find insulting as well is to think that while we are debating issues here in this chamber, we still haven't addressed issues in a budget bill that we're going to be voting on later today about people who can't make their choices. These individuals who are recovered under this bill, they can make their own choices. They have options. We already provide family planning services up to 100 percent of federal poverty level. Above that, there's insurance on the exchanges. That's where these individuals should go. Every dollar, every dollar we have above that needs to go into the individuals in our state who are not being served right now. I urge you to vote "no" on this expansion. It is unnecessary. It is unneeded. There are other options available and women, who I believe are smart enough to think for themselves, I think would be much happier with a whole-person plan, not just a very limited free service. Thank you very much.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Mr. Speaker, I would just like to respond that often I'll hear people talk about free care and how free care is available to everyone if they can't get coverage. But in conversation with my local hospital CEO, it's very clear and her statement reinforces that free care isn't free. It's expensive to hospitals. It's expensive to taxpayers. And it also doesn't cover the same things that this would cover.

For example, the most effective contraceptive methods are the modern implants and these are not covered completely by free care. The savings that are referenced by Representative Gattine are, you have to look beyond the service itself. We would get a federal match, a 9 to 1 match. But we're saving and the related cost to poor maternal and infant care to the unintended health consequences to families who, because they're not able to rise out of poverty are dependent on healthcare, I'm sorry, to TANF, SNAP, all of the public assistance programs. This is a way to allow people to make responsible choices for a better future. Thank you.

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

Representative **BURSTEIN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise today in support of this bill. A lot of people get nervous when anyone mentions reproductive health. People automatically think promiscuous women, premarital sex, and abortions. But reproductive healthcare is healthcare that covers a wide range of services and first and foremost it's family planning.

This means pregnancy prevention, education, sexual transmitted disease prevention and treatment, and cancer testing and prevention. This bill would cover the folks that make about \$24,500 a year. That's not a whole lot of money. And a lot of these people choose between trying to find insurance to buy or trying to buy a pair of shoes for their kids or what they can eat and rent.

But then let me talk about pregnancy. Pregnancy is expensive. Cancer's expensive. STD's are expensive. These issues also have dire circumstances if they're not treated. Many folks say that teach abstinence. Well, the answer to that might sound good, but unfortunately teaching abstinence doesn't work and many studies, time after time, have shown that. So, this is something to prevent and help plan and it's a real healthcare measure.

Other studies show that babies born from unintended pregnancies are expensive again, and present with significant risk, both for maternal and infant outcomes. Therefore, and there are increased behaviors that could be harmful to babies and that's drugs, alcohol and smoking. This leads to low-birthweight babies and prolonged and very expensive hospital stays. So if you've ever been to a neonatal unit you'll know what this is like. Overall, this is a really good bill. This is about prevention, education and planning. This affects the economic welfare of not only the women who get the care, but also her community. This bill will also save, as people have said before me, \$100 thousand the first year and \$1.9-\$3 million in three years, all with prevention and access to healthcare. Mr. Speaker, Ladies and Gentlemen of the House, thank you for your attention and I hope you will support this bill.

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

**ROLL CALL NO. 262**

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

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

ABSENT - Dion, Fecteau, Marean, Skolfield.

Yes, 80; No, 67; Absent, 4; Excused, 0.

80 having voted in the affirmative and 67 voted in the negative, with 4 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-243)** 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-243)** and sent for concurrence.

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Expression of Legislative Sentiment Recognizing the Top Ten students of the 2015 graduating class of Mount View High School, in Thorndike

(HLS 473)

TABLED - May 27, 2015 (Till Later Today) by Representative KINNEY of Knox.

PENDING - **PASSAGE**.

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

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Joint Order, To Recall L.D. 580 from the Governor's Desk to the House

(H.P. 989)

TABLED - June 15, 2015 (Till Later Today) by Representative WHITE of Washburn.

PENDING - **PASSAGE**.

Subsequently, the Joint Order was **PASSED**. Sent for concurrence.

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Joint Order Establishing a Work Group To Plan the Transition to Funding Fifty-five Percent of Education Costs and One Hundred Percent of Special Education Costs as Mandated by the Voters at Referendum

(S.P. 529)

- In Senate, **READ** and **PASSED AS AMENDED BY SENATE AMENDMENT "A" (S-208) AS AMENDED BY SENATE AMENDMENT "B" (S-246)** thereto.

TABLED - June 15, 2015 (Till Later Today) by Representative ESPLING of New Gloucester.

PENDING - **PASSAGE**.

Subsequently, Representative ESPLING of New Gloucester **REQUESTED** a roll call on **PASSAGE**.

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

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

**ROLL CALL NO. 263**

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

NAY - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins,

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

ABSENT - Dion, Fecteau, Marean, Skolfield.

Yes, 82; No, 65; Absent, 4; Excused, 0.

82 having voted in the affirmative and 65 voted in the negative, with 4 being absent, and accordingly the Joint Order was **PASSED** in **NON-CONCURRENCE** and sent for concurrence.

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

Resolve, To Create a Working Group To Develop Solutions To Meet the Needs for Municipal Volunteer Personnel (EMERGENCY)

(H.P. 339) (L.D. 500)

(C. "A" H-376)

TABLED - June 12, 2015 (Till Later Today) by Representative GIDEON of Freeport.

PENDING - **FINAL PASSAGE**. (Roll Call Ordered)

On motion of Representative LAJOIE of Lewiston, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-376)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-418)** to **Committee Amendment "A" (H-376)** which was **READ** by the Clerk.

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

Representative **LAJOIE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'm standing before you this morning to speak in favor of LD 500, and with some of individuals within this body may wonder why a full-time fire chief is speaking on behalf of volunteers. I could speak to you for about three hours, but I'll save you that and try to make it as short as possible.

However, the fact is, is I became fire chief in Lewiston in 1994 and I retired in 2006. During that time, I was involved with the volunteer fire service through the Maine Fire Chief's Association, which I served as president, as well as the International Fire Chief's Association for New England. And during that time, I had the ability and took the time to go through different municipalities and see how their volunteer fire service was working out, not only in Maine but in the New England states. And, to my surprise, everyone seemed to have basically some of the same problems. And that started after, oh, I'd say, probably 1990 or so.

The volunteers started to dwindle and a lot of it had to do with the areas that they took jobs in. Whereas years prior to, many of the volunteers that you had worked in their own towns because they had establishments that would hire them and they would work. And also, the companies that they worked for recognized

that the ability for these firefighters to be released within the community was very valuable to them because the community even believed that much more into those businesses. However, today, that doesn't happen as often and people work outside the communities where they can't respond all the time. And of course, through our firefighter activities, we've created what we call mutual aid and automatic aid where we help each other out.

However, the fact of the matter is, is volunteers are declining. Within the United States and especially internationally as well. Some of the reasons, I gave you one for work, other would be responsibilities at home with the children. And one of the other ones was the time commitment that they have to put in. Being a volunteer, you would think that, hey, you're going to go in, you're going to do what you want and help out and that'll take care of things. However, the tasks of firefighting and/or emergency response does take a lot of training. Some of it is on-the-job training, however, the lack of fires and/or the lack of responses at times makes it mandatory that you have to train and become profession in your activities. That is not only for your safeguard, but it's for the safeguard of the department as well as the municipality with regards to liability issues.

Through my career, I had the opportunity to be on an ad hoc committee for the Bureau of Labor Standards in the mid '90's, and I also helped in developing the training process for all firefighters. So, today we have a lot of training, a lot of time commitment, but the fact of the matter it is necessary. The other thing that I should tell you as well, is the type of training we do today—which is Firefighter 1, Firefighter 2—is nationally recognized and, therefore, individuals that live here and take the training can also go into volunteer fire departments, we'll say in Massachusetts, New York, or other places, and the training is recognized because it's national.

With that, I'm going to try not to bore you with a lot more. There is another factor is that when individuals become older and we think of retiring from the department, which may be volunteer or full-time, the fact of the matter is we can be very useful at those times as well. And they also have a light training process that trains older firefighters that do not want to go into buildings—driver training, traffic control, and so on. And, if I have the ability to be appointed to this committee, my goal would also be to look at the older generation, which I'm one of, to see if a training schedule can be looked at to make it somewhat easier for these individuals to come back on to the department to help in an emergency. And it could be whatever you want to do on the fire ground that has nothing to do with the firefighting but will offset the work that the others have to do.

So, as you can see, I'm pretty well-involved in this and I feel it's necessary. It's not a frivolous experiment. I want to tell you that. It is a warranted move that we, as a state, show an interest in our volunteer service in the firefighters as well as emergency response personnel. So, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House, for listening to me and I hope that you vote green on this. It would be gratefully appreciated, not only by myself, but by all volunteers within our state. Thank you.

Subsequently, **House Amendment "A" (H-418)** to **Committee Amendment "A" (H-376)** was **ADOPTED**.

**Committee Amendment "A" (H-376)** as Amended by **House Amendment "A" (H-418)** thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-376)** as Amended by **House Amendment "A" (H-418)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.



**CONSENT CALENDAR  
First Day**

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

(H.P. 773) (L.D. 1112) Bill "An Act To Make Technical Changes to the Sex Offender Registration and Notification Acts of 1999 and 2013" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

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

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

**REPORTS OF COMMITTEE  
Divided Report**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-438)** on Resolve, To Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse Disorders

(H.P. 751) (L.D. 1090)

Signed:

Senators:

BRAKEY of Androscoggin  
HASKELL of Cumberland  
McCORMICK of Kennebec

Representatives:

GATTINE of Westbrook  
BURSTEIN of Lincolnville  
HAMANN of South Portland  
HEAD of Bethel  
MALABY of Hancock  
PETERSON of Rumford  
SANDERSON of Chelsea  
STUCKEY of Portland  
VACHON of Scarborough

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

Signed:

Representative:

HYMANSON of York

**READ.**

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-438)** 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-438)** and sent for concurrence.

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

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:

**COMMUNICATIONS**

The Following Communication: (S.C. 442)

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

June 12, 2015

The 127th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 294, "An Act To Allow a Home Heating Oil Delivery Driver To Bleed a Home Heating Oil Burner."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax. These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 294 unsigned and vetoed.

Sincerely,

S/Paul R. LePage

Governor

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

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

The accompanying item An Act To Allow a Home Heating Oil Delivery Driver To Bleed a Home Heating Oil Burner

(S.P. 108) (L.D. 294)

(C. "A" S-120)

In Senate, June 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

35 voted in favor and 0 against, and 35 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 264V**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beebe-Center, Bickford, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kruger, Lajoie, Lockman, Long, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Sirocki, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Mr. Speaker.

NAY - Black, Edgecomb, Kinney M, Lyford, Short, Timberlake, Wood.

ABSENT - Beck, Fowle, Kumiega, Marean, Skolfield.

Yes, 139; No, 7; Absent, 5; Excused, 0.

139 having voted in the affirmative and 7 voted in the negative, with 5 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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The Following Communication: (S.C. 443)

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

June 12, 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 814, "An Act To Update the Maine Veterinary Practice Act."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills

out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 814 unsigned and vetoed.

Sincerely,  
S/Paul R. LePage  
Governor

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

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

The accompanying item An Act To Update the Maine Veterinary Practice Act

(S.P. 288) (L.D. 814)

(C. "A" S-116)

In Senate, June 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

35 voted in favor and 0 against, and 35 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 265V**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Short, Sirocki, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Theriault, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Fredette, Hanley, Long, Lyford, Pierce J, Stetkis, Timberlake, Timmons.

ABSENT - Marean, Skolfield.

Yes, 141; No, 8; Absent, 2; Excused, 0.

141 having voted in the affirmative and 8 voted in the negative, with 2 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 444)

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

June 12, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 849, "Resolve, Directing the Department of Inland Fisheries and Wildlife to Examine the Use of an Antler Point Restriction System To Increase the Age, Size and Number of Antlered Deer in Maine."

This resolve directs the Department of Inland Fisheries and Wildlife to examine information from other states regarding the use of an antler point restriction system and to submit a report on this issue to the Legislature by January 15, 2016. As the Legislature is well aware, I, generally, do not support resolves or studies, as these efforts are typically an intrusion by the Legislature on the Executive Branch's prerogative to administer State government. Instead of seeking to commandeer the Executive Branch, the Legislature should actually provide the resources that would be needed to undertake this work. Better yet, the Legislature should utilize its own legislative staff to examine this issue.

For these reasons, I return LD 849 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

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

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

The accompanying item Resolve, Directing the Department of Inland Fisheries and Wildlife To Examine the Use of an Antler Point Restriction System To Increase the Age, Size and Number of Antlered Deer in Maine

(S.P. 298) (L.D. 849)

(C. "A" S-110)

In Senate, June 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

30 voted in favor and 5 against, and 30 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 266V**

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Crafts, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman,

Hamann, Harlow, Head, Herbig, Hickman, Higgins, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Sherman, Short, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Verow, Warren, Welsh, Wood, Mr. Speaker.

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

ABSENT - Marean, Skolfield.

Yes, 91; No, 58; Absent, 2; Excused, 0.

91 having voted in the affirmative and 58 voted in the negative, with 2 being absent, and accordingly the Veto was **SUSTAINED** in **NON-CONCURRENCE**.

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The Following Communication: (S.C. 447)

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

June 15, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 378, "An Act To Facilitate the Issuance of a Gravestone for a Deceased Veteran with No Next of Kin."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 378 unsigned and vetoed.

Sincerely,

S/Paul R. LePage

Governor

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

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

The accompanying item An Act To Facilitate the Issuance of a Gravestone for a Deceased Veteran with No Next of Kin

(S.P. 146) (L.D. 378)  
(C. "A" S-126)

In Senate, June 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

35 voted in favor and 0 against, and 35 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 267V**

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

NAY - NONE.

ABSENT - Marean, Skolfield.

Yes, 149; No, 0; Absent, 2; Excused, 0.

149 having voted in the affirmative and 0 voted in the negative, with 2 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act Regarding Patient-directed Care at the End of Life"

(S.P. 452) (L.D. 1270)

Minority (6) **OUGHT TO PASS** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in the House on June 15, 2015.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Majority (7) **OUGHT NOT TO PASS**

Report of the Committee on **HEALTH AND HUMAN SERVICES** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**Non-Concurrent Matter**

Bill "An Act To Allow the Sale of Unregulated Farm-produced Dairy Products at the Site of Production"

(H.P. 206) (L.D. 312)

Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-408)** in the House on June 15, 2015.

Came from the Senate with the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**Non-Concurrent Matter**

Bill "An Act To Prohibit Discrimination by Employers and Protect the Privacy of an Applicant for Employment, an Employee or an Employee's Dependents Regarding Reproductive Health Decisions"

(H.P. 698) (L.D. 1003)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-381)** in the House on June 12, 2015.

Came from the Senate with the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Better Serve the Seasonal Tourist Market during the 2015 Summer Season and Early Autumn with a Pilot Program To Extend the Authorized Hours during Which Liquor May Be Served" (EMERGENCY)

(H.P. 980) (L.D. 1436)

Signed:

Senators:

CYRWAY of Kennebec  
COLLINS of York  
PATRICK of Oxford

Representatives:

LUCHINI of Ellsworth  
GOLDEN of Lewiston  
HANINGTON of Lincoln  
KINNEY of Limington  
LONGSTAFF of Waterville  
MONAGHAN of Cape Elizabeth  
SAUCIER of Presque Isle  
SCHNECK of Bangor

TURNER of Burlington

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-446)** on same Bill.

Signed:  
Representative:  
DILLINGHAM of Oxford

**READ.**

Representative LUCHINI of Ellsworth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On motion of Representative ESPLING of New Gloucester, **TABLED** pending the motion of Representative LUCHINI of Ellsworth to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

---

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Improve the Transparency of Decision-making Bodies of Publicly Funded Hospitals"

(H.P. 424) (L.D. 611)

Signed:  
Senators:  
BURNS of Washington  
VOLK of Cumberland

Representatives:  
GINZLER of Bridgton  
GUERIN of Glenburn  
MOONEN of Portland  
SHERMAN of Hodgdon  
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-444)** on same Bill.

Signed:  
Senator:  
JOHNSON of Lincoln

Representatives:  
HOBBINS of Saco  
EVANGELOS of Friendship  
HERRICK of Paris  
McCREIGHT of Harpswell  
MONAGHAN of Cape Elizabeth

**READ.**

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

---

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-440)** on Bill "An Act To Promote Privacy in Social Media"

(H.P. 467) (L.D. 686)

Signed:  
Senators:  
BURNS of Washington  
JOHNSON of Lincoln

Representatives:  
HOBBINS of Saco

EVANGELOS of Friendship  
GINZLER of Bridgton  
GUERIN of Glenburn  
HERRICK of Paris  
McCREIGHT of Harpswell  
MONAGHAN of Cape Elizabeth  
MOONEN of Portland  
SHERMAN of Hodgdon  
WARREN of Hallowell

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

Signed:  
Senator:  
VOLK of Cumberland

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-440)** 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-440)** and sent for concurrence.

---

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Expand Options for the Prevention of Domestic Violence"

(H.P. 760) (L.D. 1100)

Signed:  
Senators:  
ROSEN of Hancock  
BURNS of Washington

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-441)** on same Bill.

Signed:  
Senator:  
GERZOFISKY of Cumberland

Representative:  
NADEAU of Winslow

**READ.**

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

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-273)** on Bill "An Act To Help Stabilize Homeless Shelters in Maine"

(S.P. 172) (L.D. 443)

Signed:

Senators:

VOLK of Cumberland  
CUSHING of Penobscot  
PATRICK of Oxford

Representatives:

HERBIG of Belfast  
AUSTIN of Gray  
BATES of Westbrook  
CAMPBELL of Newfield  
FECTEAU of Biddeford  
GILBERT of Jay  
MASTRACCIO of Sanford  
WARD of Dedham

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

Signed:

Representatives:

LOCKMAN of Amherst  
STETKIS of Canaan

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-273)**.

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-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" (S-273)** in concurrence.

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### CONSENT CALENDAR

#### First Day

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

(S.P. 423) (L.D. 1196) Bill "An Act To Correct and Clarify Maine's Fish and Wildlife Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-267)**

(S.P. 525) (L.D. 1410) Bill "An Act To Strengthen Maine's Fisheries Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-265)**

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.

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### REPORTS OF COMMITTEE

#### Divided Reports

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Help Facilitate New Career Opportunities and Attract Major Private Investment"

(S.P. 539) (L.D. 1431)

Signed:

Senator:

PATRICK of Oxford

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-255)** on same Bill.

Signed:

Senators:

VOLK of Cumberland  
CUSHING of Penobscot

Representatives:

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

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

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

---

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Repeal the Maine Clean Election Act and Direct the Savings To Be Used for the State's Contribution toward the Costs of Education Funding"

(S.P. 465) (L.D. 1290)

Signed:

Senators:

CYRWAY of Kennebec  
COLLINS of York  
PATRICK of Oxford

Representatives:

LUCHINI of Ellsworth  
GOLDEN of Lewiston  
HANINGTON of Lincoln  
KINNEY of Limington  
LONGSTAFF of Waterville  
MONAGHAN of Cape Elizabeth  
SAUCIER of Presque Isle  
SCHNECK of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-266)** on same Bill.

Signed:

Representatives:

DILLINGHAM of Oxford  
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.

---

Five Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-268)** on Bill "An Act To Reduce the Penalties for Certain Drug Offenses" (S.P. 46) (L.D. 113)

Signed:

Representatives:

FOWLE of Vassalboro  
CHENETTE of Saco  
DAVITT of Hampden  
GERRISH of Lebanon  
LAJOIE of Lewiston

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

Signed:

Senators:

ROSEN of Hancock  
BURNS of Washington

Representatives:

LONG of Sherman  
THERIAULT of China  
TIMMONS of Cumberland

Three Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-269)** on same Bill.

Signed:

Senator:

GERZOFISKY of Cumberland

Representatives:

NADEAU of Winslow  
WARREN of Hallowell

Came from the Senate with Report "C" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-269)**.  
**READ.**

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

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

## CONSENT CALENDAR

### First Day

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

(S.P. 541) (L.D. 1439) Bill "An Act To Establish a Secure Internet-based Background Check Center for Providers of Long-term Care, Child Care and In-home and Community-based Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-274)**

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

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

---

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

## UNFINISHED BUSINESS

The following matter, 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 Amend the Tax Laws

(S.P. 526) (L.D. 1411)

(C. "A" S-241)

**TABLED** - June 12, 2015 (Till Later Today) by Representative GIDEON of Freeport.

**PENDING - PASSAGE TO BE ENACTED.**

On motion of Representative SHAW of Standish, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (S-241)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-452)** to **Committee Amendment "A" (S-241)** which was **READ** by the Clerk.

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

Representative **SHAW**: Thank you very much, Mr. Speaker. Mr. Speaker, Men and Women of the House, this is a kind of a technical fix to a snowmobile sales tax law that was passed a couple years ago. It would exclude use taxes, which would really be detrimental to the snowmobiling industry and the state, and limit the sales tax to snowmobiles—new or used—that are being sold at retailers. It's an agreed upon amendment between the IF&W Committee and the Tax Committee. So, I hope that everyone accepts the House Amendment. Thank you very much.

Subsequently, **House Amendment "A" (H-452)** to **Committee Amendment "A" (S-241)** was **ADOPTED**.

**Committee Amendment "A" (S-241)** as Amended by **House Amendment "A" (H-452)** thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-241)** as Amended by **House Amendment "A" (H-452)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-415)** - Minority (4) **Ought to Pass as Amended by Committee Amendment "B" (H-416)** - Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2016 and June 30, 2017"

(H.P. 702) (L.D. 1019)

Which was **TABLED** by Representative ROTUNDO of Lewiston pending her motion to **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: 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. 268

YEA - Alley, Babbidge, Bates, Beavers, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Espling, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Herrick, Hickman, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, Picchiotti, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Short, Stanley, Stuckey, Sukeforth, Tepler, Theriault, Tipping-Spitz, Tucker, Tuell, Verow, Ward, Warren, Welsh, Winsor, Mr. Speaker.

NAY - Austin, Battle, Black, Buckland, Crafts, Dillingham, Dunphy L, Edgcomb, Farrin, Foley, Fredette, Gerrish, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Higgins, Hilliard, Kinney J, Kinney M, Lockman, Long, Lyford, Malaby, McClellan, McElwee, O'Connor, Parry, Peterson, Pickett, Pierce J, Prescott, Reed, Sanderson, Sirocki, Stearns, Stetkis, Timberlake, Timmons, Turner, Vachon, Wadsworth, Wallace, White, Wood.

ABSENT - Beck, Marean, Skolfield.

Yes, 101; No, 47; Absent, 3; Excused, 0.

101 having voted in the affirmative and 47 voted in the negative, with 3 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-415)** was **READ** by the Clerk.

Representative McCABE of Skowhegan **PRESENTED** House **Amendment "B" (H-448)** to **Committee Amendment "A" (H-415)**, which was **READ** by the Clerk.

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

Representative **McCABE**: Thank you, Mr. Speaker, Men and Women of the House, I rise today to speak about the amendment that's before you attached to the budget. Here to say a budget is

really a compromise. I think one thing that's clear is it's a true compromise in the work that was done by the Appropriations Committee to build the foundation for what we have today.

I'm offering this amendment, offering this amendment recognizing the work, legislative leadership, building on that work of Appropriations, that bipartisan work. There was a lot of give. There was a lot of take. There's some benefits for both sides here. There's something in it for everybody. Everyone has had to be flexible, and that's for sure, Mr. Speaker. It's been a true compromise. It's been an example of how divided government can actually work.

I'd like to talk about some of the highlights in this amendment, some of the things that are in this budget for our caucus. It's a win in the area of property taxes. We all know that property taxes are one of the most regressive taxes out there. It hits a lot of young families, it hits seniors around the state, and it is brutal for those of us in rural Maine. We need to do what we can to help families to establish and build a life in Maine. We need to honor our elders around the state. We need to make sure that they can age in place and I know you know that, Mr. Speaker. That's why this budget doubles the Homestead Exemption for all families. So the exemption will go from \$10,000 to \$20,000.

It protects revenue sharing, which we've heard time and time again is so vital. Keeping it at the current level at \$62.5 million. We know this funds local communities and it's so important to people around the State of Maine. This will keep property taxes in check. It'll help pay for vital services like schools, police, firefighting, snow plowing, and so many more.

This budget is really about also recognizing our future. It recognizes, it targets, it makes smart investments that strengthen our economy, and it's essential to our prosperity. Mr. Speaker, I think of our children when I think about the investments that we are making in our children, our students, and our workforce. This budget puts money into Head Start, invests in K-12 education. It puts an additional \$80 million in K-12 education. It has funds in here for public universities, our community college systems, which everyone in this House knows how much I care about. As we move this forward, it puts more funding into job training so that Maine workers can stay competitive. I know everyone in the House agrees with that piece.

Before my caucus, I say, last but not least, this budget is a budget that rejects trickle-down economics. Instead of huge tax breaks for the wealthy, it's a tax cut that targets low- and middle-income families. These cuts won't blow a hole in future budgets, as they are fully paid for. Rather than 50 percent of the tax rate going to the top 10 percent, as we've seen proposed earlier in the session, this compromise sends 75 percent of the benefit to the bottom 90 percent. This is an income tax cut that's paid for of \$140 million, Mr. Speaker.

This compromised budget, based on some things that we heard, especially in our caucus, we received dozens of emails—some of us probably even close to hundreds. This compromised budget also protects the Home Mortgage Deduction. We know how important it is and what a bedrock of our party's platform it is to make sure that we grow homeownership in the State of Maine and around the country. It also recognizes the importance of the Earned Income Tax Credit to help low-wage workers. It helps hard working Mainers stay above the poverty line. This compromised budget makes the credit refundable for up to five percent.

This compromised budget also protects Maine's most vulnerable. It helps seniors pay for their medication and healthcare and increases funding for nursing homes. It supports Mainer's struggling with autism and mental illness. It reduces the waitlist for services for individuals with intellectual disabilities. Mr.



Speaker, this compromised budget also fixes the welfare cliff. It creates a system that alleviates the impact of the welfare cliff. We've heard so much about the welfare cliff, Mr. Speaker. We've put forward a proposal today that alleviates the welfare cliff, the sharp drop-off in benefits. It helps place people as recipients to work, and more, it helps their incomes increase. It's really a jobs initiative when you think about it, Mr. Speaker.

There's a lot more in this budget and I could go on and on, whether it's the additional drug agents or whether it's the increase in the exemption for military pension, or whether it's the funding about the Cold Case Squad. Because, Mr. Speaker, in last two sessions, we've spent a lot of time talking about funding the Cold Case Squad. It's an issue that's received bipartisan support and it's about time we fund it. So, I could go on and on, as many folks in this chamber have heard me go on and on in the past, but I won't. I just look forward that when we vote this today, this amendment that's before us receives a strong bipartisan vote and I thank the Men and Women of the House, and I thank you, Mr. Speaker, and I thank Republican leadership for their work on this compromise.

Subsequently, **House Amendment "B" (H-448) to Committee Amendment "A" (H-415)** was **ADOPTED**.

Representative DUCHESNE of Hudson **PRESENTED House Amendment "A" (H-439) to Committee Amendment "A" (H-415)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Hudson, Representative Duchesne.

Representative **DUCHESNE**: Thank you once again, Mr. Speaker, Men and Women of the House, Duchesne is not Acadian French. It's not even St. John Valley French. The Duchesne's on my father's side, the LaPlante's on my mother's side came down from somewhere around Montreal. They weren't Acadian fishermen. I'm pretty sure they were probably the fur trappers. I still do not know how my grandfather Duchesne came to meet and marry my grandmother, a woman who came here from Lithuania through Ellis Island when she was nine years old.

My wife's maiden name was McCrae. She's Scotch/Irish. She descended from some Irish brothers named Fitzhenry, who fled to Newfoundland as fugitives from the British who quite frankly wanted to hang them. There is nothing like the threat of being hanged to create refugees.

Well, with the exception of our Maliseet brother, Representative Bear, we all have similar stories. We are a nation of immigrants—the Great Melting Pot. However, our immigrant forebears mostly had one thing in common: They came here legally. We are a kind, compassionate, generous people. But our generosity has limits. Our constituents are picking up the tab, and they have made it clear to me that they are against general assistance for people who are here unlawfully, what some would call "illegal aliens." If you are here legally, looking to work legally and to contribute to our Maine economy legally, we will help as best we can. These are tough times and our generosity is constrained by our limited resources. This is a very tough budget, but we will do what we can. However, if you are here illegally, you are beyond the limits of our generosity. Try Vermont.

Ladies and gentlemen of the House, this amendment clarifies the eligibility definition in Title 22. It provides that a person who is unlawfully present and failing to follow a lawful process to apply for immigration status is not eligible for general assistance. Not now, not ever. This is a chance for all of us to go on the record and clearly oppose general assistance for illegal aliens by voting "yes." So, thank you, Mr. Speaker, I would request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-439) to Committee Amendment "A" (H-415)**.

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

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Golden.

Representative **GOLDEN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I will not be voting for this budget in its current form. To do so would be a betrayal of my principles. Voting to hurt men, women, and children here in Maine seeking a new life free of persecution is unacceptable to me. Voting to deny a helping hand to people far less fortunate than I am who came here hoping to find peace and freedom—many seeking asylum from violence and praying for the opportunity to provide for themselves and their families—flies in the face of everything that I stand for.

As a marine, I took great pride in standing up for the people that are not in the position to stand up for themselves. How could I do anything less as a legislator without betraying the values the Marines instilled in me? This budget does not take the necessary steps to ensure...

The SPEAKER: Will the Representative defer? The Chair would inquire as to why the Representative from Auburn, Representative Bickford, rises.

Representative **BICKFORD**: Point of Order, Mr. Speaker. Is the good Representative speaking on the budget or on the amendment that's been put forward?

On **POINT OF ORDER**, Representative BICKFORD of Auburn asked the Chair if the remarks of Representative GOLDEN of Lewiston were germane to the pending question.

The SPEAKER: The Chair would remind all members that the remarks and comments should be directed to the amendment on the floor.

The Chair reminded all Members to stay as close as possible to the pending question.

The SPEAKER: The Representative may proceed.

Representative **GOLDEN**: Thank you, Mr. Speaker. Mr. Speaker, without the addition of this amendment, this budget does not take the necessary steps to ensure that Maine's asylees are provided a roof over their heads and food to sustain them until they are able to obtain a work permit, get a job, and become the successful productive members of our communities that they so desire to be.

I met an asylee in the State House today. Her name is Neima and she came to the United States from Djibouti. In Djibouti, America has a military installation that serves as a platform for operations to carry out the War on Terrorism—a global conflict that I fought in. Neima is a strong young woman. She came here with her husband. They were the beneficiaries of general assistance for less than one year. Once their asylum request was adjudicated and her husband was given a work permit, he got a job at LL Bean and has been working there for more than three years. Neima works for a nonprofit organization helping others, like our state once helped her. She is working on her college degree and she is pregnant with her child, who will be an American Citizen.

Failure to act to put into law the affirmative language necessary to continue to provide some small assistance to asylees, and by small I mean less than one-tenth of one percent of this budget, would mean that a woman like Neima—coming from a country where the US has a military base used to support military operations, a country not as secure and not as free as America—failure to act means that a woman like Neima is not welcome in our state.

This is the kind of vote that makes me question just what it is that I am doing in politics. If I won't stand up for the most vulnerable among us, than what am I prepared to fight for? An income tax cut giving 25 percent of the benefit to the wealthiest 10 percent? An income tax cut to the top one percent representing 7,000 Mainers earning more than \$370,000 a year receiving a tax cut of \$1,500 a year. Mr. Speaker, I say no. What would I do to protect Maine's vulnerable asylum seekers and to ensure that they receive the help they need to stand on their own and join in the enduring struggle to live the American Dream? Mr. Speaker, a better question is, what wouldn't I do?

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

Representative **GRANT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the amendment before us, and I am frankly ashamed that we are even having this public discussion about whether or not to assist the new Mainers in our state who need just a little help in order to get on the road to the American Dream.

Cloaked in the guise of 'welfare reform,' even purposefully using incorrect terminology regarding immigration status, the Chief Executive's biennial budget proposed to cut new Mainers from accessing the most basic food and shelter. To me, this would be an appalling breach of what I consider to be basic humanitarian aid. Even worse, to pit the immediate and compelling needs of some vulnerable people against the real needs of other vulnerable populations fabricates false choices. We are not in a fiscal crisis. In fact, today we are passing tax cuts.

With the actions of the Chief Executive, a murky court ruling, and difficult budget compromises, today the fate of hundreds of new Mainers in the cities of Portland, Lewiston, Bangor and Westbrook, who are here legally, hangs in the balance with our votes. The way we treat our most vulnerable speaks to our core values as Maine people, as Americans. How we treat the stranger in our midst is a tenet of all of the ancient religions, including my own. In fact my daily reading for today, June the 16th, is from the Book of Leviticus:

And I quote: "When an alien resides in your land, do not mistreat such a one. You shall treat the alien who resides with you no differently than the natives born among you; you shall love the alien as yourself; for you too were once aliens in the land of Egypt. I, the Lord, am your God." End quote.

Listening hour after hour in Appropriations to the testimony against the Chief Executive's proposals to cut general assistance for new Mainers, I couldn't help but think of the famous words inscribed on our Statue of Liberty: "Give me your tired, your poor, your huddled masses yearning to breathe free."

We are a country of immigrants, the great melting pot, and this has always been our strength. Sadly, sometimes our better angels do not govern us. Historically nearly every immigrant group has faced resistance on their arrival. But when we shut the door behind us, when we give in to bigotry and narrow-mindedness, those words of welcome in New York make us hypocrites. We are better than this. I urge you to follow my light and I am grateful for this opportunity to speak.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, when my grandfather arrived on these shores he saw those words on the Statue of Liberty and they meant a great deal to him, for he was fleeing the pogroms of the Cossacks in Czarist Russia, who had just as soon kill him because of his religion or should they decide not to kill him, to conscript him into the army once again for a seven year term as

that nation went to war yet again in a foolish, foolish way. But he did make it to New York and brought his family over, subsequently, and if he hadn't, his family would have been wiped out during the Holocaust.

So, those words mean a lot to me, as I'm sure they mean much to all of us. And they mean a lot to the people for whom this amendment means so much—the people that were out in the hallway as we walked into the chamber this morning. I hope you had a chance to exchange a few words with these people. They are people. They are not blank faces. They are not numbers. I asked as many of them as I could, "What's your name? Where do you come from? What did you do in your old country?" Every single one of the people that I spoke to, and I spoke to at least a dozen, was somebody that we could be so proud of. They were engineers, they were software designers, social workers, professors. These are the very kind of people that Maine needs. These are people with the energy and the motivation and the willpower to make the most out of their lives and to share it with their family and their community.

How can we turn our backs on them? They are the best that the world has to offer. I know these people also because I did some work as a lawyer—well, not in court, but doing some advising—through the Immigrant Legal Advocacy Program. This is an organization, ILAP, that gives advice to people who are seeking asylum. I ask you, Mr. Speaker, if you know the difference between a lawful refugee and an asylum seeker. Most people don't. The only difference is where that person has filed their application. If they filed it in Africa, for example, and been granted, they are refugee. If they do it here, they are an asylum seeker. The requirements, the criteria, are exactly the same. And they are tough. You have to be under a definitive threat of death or harm because of your race, because of your tribal association, because of your religion, because of your political beliefs.

These people have nowhere else to go. If they go home, they will die. There's no two ways about it. So, I know what brought them here and I think that they have much to offer us and we owe them at least a fair start in their new land. Thank you.

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

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I've been here for four biennial budgets. They've all been different. I've been told by people way more experienced than I have, that the state budget is a lot like sausage—most of us don't really know very much about what goes into it, very few of us have a stomach for making it, but almost all of us have an opinion about how it tastes and how it could taste better.

I know a whole lot has been thrown into this budget that I really don't like, and not that much that I do like. I know it's too early to know how it's going to taste, but I'm very worried about bad heartburn. But right now, Mr. Speaker, I need to tell you how I feel about something that just can't wait. There are several thousand new Mainers in our state who are in this country legally, who want very much to become contributing members of our communities and citizens of our state. They are women and men, mothers, fathers, and children. They are multilingual, educated, hard-working. Where they came from, they were teachers, doctors, homecare workers, engineers, lawyers, social workers, backyard gardeners, bankers, nutritionists, office workers, cab drivers, and shop owners. But they can't work for money here now because they're seeking asylum and they cannot work, they may not work, without permission on papers.

So while they wait they volunteer, making positive contributions to their new communities. And when they're not

doing that, they're going to school to learn English and more about our culture. Maine is their new home. Up until now, I've been extremely proud of how we've welcomed and provided basic needs to these new Mainers. I'm certainly enjoying the richness that cultural diversity is bringing to my city, and I think we should all be looking forward to the enthusiasm, experience, work ethic, and skills that these folks will shortly be bringing to our state workforce.

In Portland, there are 1,000 legal immigrants waiting for permission to work. There are hundreds more in Westbrook and Lewiston and Bangor, and smaller numbers scattered throughout the state. And, Mr. Speaker, now I'm worried. These days, the vast majority of general assistance is spent on housing. That means eliminating GA for asylum seekers in Portland could immediately put 1,000 legal immigrants—men, women, and children—out on the street. A thousand people. That must be the equivalent of a devastating fire leaving a whole neighborhood, in many towns, full of homeless people. Or in some cases, 1,000 people would be a whole town homeless.

Without the continuing availability of general assistance for all legal immigrants, this budget simply will not work for me or for Maine. It's inedible sausage, Mr. Speaker. And I'd like to close, Mr. Speaker, last night when I got home, I had an email from a constituent that's pretty direct. It says, "Do not betray the democratic ideals you were elected to uphold by voting for a budget that forces people out of their homes. The outcomes of this action will define the way I vote during the next election cycle. Virtually all my friends and acquaintances feel exactly the same way. Good luck to you and to those families whose fates rest in your hands." Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Beavers.

Representative **BEAVERS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I just want to quote one verse from one chapter in the New Testament. Matthew 25:40, "Verily I say unto you, Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me." Thank you.

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

Representative **GATTINE**: Thank you, Mr. Speaker, Women and Men of the House, I want to thank my good friend, the Representative from Hudson for bringing this motion. It is incredibly important and the only thing I'm going to add to this that hasn't been said yet is that we need to understand that the only way to preserve general assistance for asylum seekers and for other people lawfully present is to get this language in the budget. I think it's important for people to understand that this is already paid for in the budget, in the report that many of us voted on just a few minutes ago. When we moved that budget, we voted for the money that would pay to continue GA for the people seeking general assistance.

But what happened was, the reason for a decision that many of us are aware of made it clear that we also need the language that the Representative from Hudson has put forward in the budget to protect the temporary support for asylum seekers who are waiting for permission to work. These people want to work. They have skills, but because of the limbo that they're in as they're waiting for their applications, they are no work, they can't work.

This amendment simply provides the necessary language we need in order to provide them support and, Mr. Speaker, as I've thought about this matter over the last few months, and I've thought about it a lot over the past few months, obviously my concern and my worry is for the people that my friend, the

Representative from Portland, just mentioned. You know, well over 1,000 people, not just in my community, but throughout the state who really, really need this help in order to prevent homelessness and, you know, to help them combat the devastating poverty that they live in now. But, you know, every time I think about this, ultimately there are other thoughts that come into my head, Mr. Speaker.

Mr. Speaker, every time I think about this, I think about my ancestors, my people who came over here over a century ago. And I remember being a kid and sitting at my grandparents' kitchen table and listening to their stories. And my people, like the ancestors of many of you I am sure, came to America because they were fleeing. Fleeing oppression, fleeing civil war, fleeing famine, fleeing poverty. They were in flight.

They came to America fleeing those things. And when they got here it wasn't easy for them either. It was hard. But they embraced America and America, sometimes with hesitation, embraced them back. And they became interwoven into the fabric of this country. And my immigrant ancestors built this country. And that makes me proud. They worked and they labored and they sweat and they swung hammers and they drove tractors and they built roads and they taught school and they took care of the sick, and when the time came they went off to war, to the very places where they had come from, and put their lives on the line to protect the freedom that they found here.

And the people that we are trying to help here today are the same. They are exactly the same. There is no difference between today's immigrants and my people, my ancestors who came here. And they are the key to the future of this state and of this nation. In my community the children of immigrant families sat side by side in school with my kids. And that makes sense because their future and the future of my children are intertwined and they cannot be separated. And the continued greatness of America and the future prosperity of Maine will depend on the achievement of all of those children. My children. Your children. All the children of Maine no matter where they were born or where their parents were born.

And, Mr. Speaker, we cannot turn our backs on people who so desperately need a little temporary support to survive. And let's be honest, what they need does not cost a lot and as I said, it's already in the budget. But at the end of the day, Mr. Speaker, when push comes to shove, it isn't about the money. At the end of the day we cannot turn our backs on these people who so desperately need our help because we can't dishonor our own people—our ancestors who struggled and worked and fought to make sure that we could be here and stand here today. I cannot dishonor them by turning my back on people who are just like they were. The people we are trying to help here are just like us. They are just like us. And if we turn away from them we are turning away from ourselves and turning away from all of the people who brought us here.

So, Mr. Speaker, the generations that came before us are watching what we do here today. Today's generation is depending on what we do here today. The generations of the future will judge us based on what we do here today. And I hope we can make them all proud and support the people who need our help. Thank you.

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

Representative **FARNSWORTH**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Others have spoken certainly much more eloquently than I can. All I can say is that my vote in support of this amendment is driven by my Christian values. And I want to quote somebody else, who actually, I think, put it right on the spot. "If you don't want tax dollars to help the

poor, then stop saying you want a country based on Christian values, because you don't." And that's from Jimmy Carter, our former President. Please support the amendment.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, on the afternoon of October 9, 2012, a young Pakistani girl boarded her school bus in the northwest Pakistani district of Swat. A gunman asked for her by name. He then pointed a pistol at her and he fired three shots. One bullet hit the left side of her forehead, travelled under her skin through the length of her face, and then went into her shoulder. That same little girl managed to survive. She is currently receiving asylum in Great Britain.

In December of last year, she won the Nobel Peace Prize for standing up for women and girls having the right to education. Her name was Malala and I wonder what we would do today if Malala was one of the girls who were seeking asylum in our state. I wonder what we would do today if we were able to open our doors to 200 Nigerian girls who were kidnapped from a school and taken. We won't know because we haven't found them yet. Two hundred and sixteen girls remain missing. We all know these stories because they're on the front pages.

What we don't always know are the stories that are in our back yard. And when I talk to people, I've met former US Senators, not US Senators, Senators from their country living here in Maine. You'd never know it. People are here because they've been persecuted. When rape is a strategy in your country for oppression, when violence is an everyday way of life, there are no choices. I hope today that we will call upon our better angels and think about the faces that we do know and think about what it would be like and what we would say to that person if they were in front of us.

When I was in Morocco last fall, I spoke to a woman who was an Afghanistan Member of Parliament. And one of her colleagues happened to be markedly wealthy and so she was able to have a limousine that was capable of withstanding an IED and it's a good thing because an IED hit her—hit her car. Everyone outside of the car died that day but she was alive. She was alive, but she was hit because she had the audacity to be a woman and serving in government. There are no protocols to protect members of Parliament for security purposes.

We are talking about freedom fighters. We are talking about people who stood up in their countries for civil rights. We're talking about people who are standing up for the rights of women, the rights of girls to be educated. We should be honored to be bringing people of this caliber of intellect, educational capacity, and courage. Courage. What an amazing word. It gets overused. That's who we're talking about. Sometimes the courage is packing a bag and grabbing your kids and getting in a car and going someplace, any place, that does not end up in your children being dead. And it doesn't mean that you cannot be a hero because you're a taxi cab driver. It just means that you're standing up for your family. We don't have to know what courage looks like here. We don't ever have to know. As a politician, I am never going to have the problem of having to buy a limousine that can withstand a bomb simply because I have the audacity to show up to work and stand up for the people that I believe in.

But we have politicians in this state who came here because if they did not, they would be dead because they stood up for their people. There's a lot of honor in the people that were in the hallways today. There is a lot of honor throughout the state in our folks who are seeking asylum. Sanctuary, really. They're seeking sanctuary because they have the audacity to express what we continue to hold for granted, which if the First

Amendment right to free speech. What would you do if it was your daughter? What would you do if your daughter got on a bus, who had had the audacity to write a blog that said that girls should be educated. Would you hold your hat out and ask for help if it meant that your daughter had an opportunity for a future? What about if it was your son that might get kidnapped and taken into a military rebel group? What would you do?

We're talking about the extremist of circumstances for people. I, for one, would be honored if Malala chose to move to Maine. But I don't have to be because I'm already honored by the immigrants who have come here hoping for a better life, following the torch of the Statue of Liberty.

My family came to this country in the 1600's on both sides of my family. I am no less an immigrant than they are, than they were. My family came, just like many of the folks in this room, fleeing religious persecution. I've never mentioned this before because it's not something that I think is really helpful, but there is a governor in my ancestry of the State of Maine. That governor has the distinction of having removed folks from Malaga Island. That is not an honor that my family wants to live up to. We have an opportunity to change that, to show the world, really, that we value life, that we respect courage, and first and foremost that we love our neighbor as our self.

I urge you to vote in support of the pending motion. And if you vote against it, I hope I get a whole bunch of notes explaining to us how we're going to see 900 people on the streets of Portland in two weeks' time. Explain to us how that's going to work. I want to see notes from people who have camps who are willing to open those camps up for folks so that they have a home this summer. And if you can't do that, I would ask you to support the pending motion. Thank you, Mr. Speaker.

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

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I rise in support of the pending motion. Every person in this chamber, I believe is a proud American. Our ancestors come from different places, practice different faith, sometimes eat different meals, but we share one nation and one set of ideals. We share a belief in the greatness of our country—a belief that what makes us a great nation isn't our sameness, but our diversity.

Today, in these hallways, we have heard and saw, in the hallways of this magnificent building, we saw Maine's diversity right before our eyes. There were people here from Angola, Burundi, the Democratic Republic of Congo, the Congo Brazzaville, Djibouti, Mauretania, Rwanda, and Somalia. They hail from the continent of my ancestors who did not come to these shores by choice, who did not come here fleeing anything, and still, I love America more than any other country on Earth and I wish to be nowhere else.

It has already been quoted but I'm going to say it again, "Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door." I am certain, Mr. Speaker, that every person here, anyone listening or watching knows that those closing lines from Emma Lazarus's 1883 sonnet entitled, "The New Colossus" are emblazoned on a bronze plaque on the pedestal of the Statue of Liberty, placed there in 1903. We are a nation of immigrants, let us never forget. As Thomas Jefferson challenges us, "Shall we refuse the unhappy fugitives from distress that hospitality which the savages of the wilderness extended to our fathers arriving in this land? Shall oppressed humanity find no asylum on this globe?" We are a nation of immigrants.

Let us be reminded by the international community, through the Universal Declaration of Human Rights, for which this country voted that, quote, "Everyone has the right to seek and to enjoy in other countries asylum from persecution." End quote. We are a nation of immigrants, let us never forget. Throughout this long and painful conversation, we have heard arguments that we can't afford to take care of our own. We can't even help our own disadvantaged, our elderly, and our infirm, so how can we help those people? I say, well, why not? Why can't we?

From the long perspective of human history, from before the times of the pharaohs to now, in the wealthiest nation ever to exist on Earth, can we really claim poverty in good faith? Throughout this conversation, Mr. Speaker, we have heard fears that sound like this: "They don't look like us." "They don't speak our language." "They worship a different God than we do." "They have strange ways." "They cannot be trusted." "They just come here to take from us, to pick our pockets, to live off the dole." Is that so? If we haven't walked in their shoes, than how can we know? Who are we to judge them?

Mr. Speaker, Women and Men of the House, have we forgotten what makes us human? Have we forgotten what makes us humane? Have we forgotten the purpose of this government, our purpose for existing, for being here? The principles that guide our work in this chamber are laid out in our State's Constitution. We have formed the government of the State of Maine, quote, to "establish justice, insure tranquility, promote our common welfare, and secure to ourselves and our posterity the blessings of liberty." End quote. Is not the welfare of all God's children our common welfare? Isn't treating all of our residents with fairness and equality indeed justice? Isn't our responsibility to truly secure the blessings of liberty for those who have sought refuge among us, fleeing tyranny and civil war? It breaks my heart that we are even having this debate, Mr. Speaker.

I will quote a passage from The Fire Next Time by James Baldwin. Quote, "Life is tragic, simply because the Earth turns and the sun inexorably rises and sets, and one day, for each of us, the sun will go down for the last, last time. Perhaps the whole root of our trouble, the human trouble, is that we will sacrifice all the beauty of our lives, will imprison ourselves in totems, taboos, crosses, blood sacrifices, steeples, mosques, races, armies, flags, and nations, in order to deny the fact of death, the only fact that we have. It seems to me that one ought to rejoice in the fact of death—ought to decide, indeed, to earn one's death by confronting with passion the conundrum of life." End quote.

And so, in facing the conundrum of life, in this conversation, I am going to flip the script. I am not going to call them immigrants or asylum seekers or legal noncitizens. I am going to call them exactly what they are: human beings, seeking a better life in the greatest country on Earth. How can we, in good conscience, vote to throw decent human beings out onto the streets because our sometimes cold and our sometimes insensitive language around, quote, "welfare cheats and illegals," end quote, has been repeated so often. We have lost our ability to see the human beings behind the labels. As Martin Luther King, Jr. said, "We must come to see that the end we seek is a society at peace with itself, a society that can live with its conscience." In order to live with my conscience, Mr. Speaker, I cannot, ought not, will not vote against human beings who need our help. I cannot, ought not, will not pit them against other human beings who also need our help. And I cannot, ought not, will not fear what happens at the ballot box in the next election.

Mr. Speaker, Women and Men of the House, no matter the outcome of this conundrum, this amendment, this vote that we are about to take this afternoon, I pledge to work with anyone in

this chamber on any side of the aisle to make sure that our state is more welcoming to young families, more welcoming to people who do not look like most of us, more welcoming to people from different lands and other countries. And yes, more welcoming to human beings fleeing the terrible places where life can be found, human beings whose toughness and resilience and ambition will make us a better state now and in the future.

Brilliantly blessed are those who create unity out of vast diversity, for they will experience Heaven on Earth. Mr. Speaker, Women and Men of the House, let us remember who we are. Let us follow the golden lamp of Lady Liberty and vote to pass this amendment. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-439) to Committee Amendment "A" (H-415). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 269

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, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Picchiotti, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

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

ABSENT - Marean, Skolfield.

Yes, 83; No, 66; Absent, 2; Excused, 0.

83 having voted in the affirmative and 66 voted in the negative, with 2 being absent, and accordingly **House Amendment "A" (H-439) to Committee Amendment "A" (H-415) was ADOPTED.**

Representative STUCKEY of Portland **PRESENTED House Amendment "D" (H-451) to Committee Amendment "A" (H-415)**, which was **READ** by the Clerk.

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

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I'd like to start by thanking my colleagues, our colleagues, on the Appropriations and Financial Affairs Committee for the insufferable amount of time that they've put in trying to get us to a place that seems very difficult to get to. I'd also like to thank the hard-working staff on the second and first floor at OFPR and the Revisor's Office for helping me pull together this amendment, which, Mr. Speaker, I will be very brief in presenting.

What I've done, Mr. Speaker, is because of angst I have of things that have been left out of the budget, I've figured out a way to find a little money, and I'll tell you about that and then I'll tell you about how I would propose to spend it. I would impose a tax equalization process on the top two percent of wage earners, so

that it equals what the bottom 98 percent of us pay in taxes and for the biennium, in FY 16, that would raise \$180 million and in Fiscal 17, \$205 million. That's tax equalization on the top two percent of taxed households giving us \$385 new million for the budget.

The other thing I did was went through the Maine State Housing Authority looking to the Housing Opportunity for Maine Fund for \$3 million in each year, and I'll tell you that I would spend that right away on housing vouchers for the homeless, three million dollars each year. The rest of the money I would propose as follows.

In education, I would fully fund the essential programs and services and I would replace the federal Title 1 money, which as it is now supplants, inappropriately I would add, local funds. So, I would replace Title 1 money that goes into the formula so that the Title 1 money could be used as it is intended. And I would put money into the Maine State Grant Program. It would be \$194 million for the essential programs and services, which would bring us to 150 or 155—they'd like that wouldn't they?—55 percent. The Title 1 supplement, not supplant, would be \$90 million for the biennium, and there'd be \$18 million in the Maine State Grant Program.

I would add six Forest Ranger II's to the agriculture budget, a Consumer Protection Inspector—that's a milk inspector—and money to support the Food Assistance Program for a total of \$892,000 for the forest rangers, \$151,000 for the Milk Protection Inspector, and \$76,000 for the Food Assistance Program. In Health and Human Services, in wages for the in-home and community support workers—that would be for the biennium—\$15 million.

And then, two of my favorites. I told you I wasn't going to go after what was in the budget proposal, and I'm not. But, the changes to the Inheritance Tax I find particularly curious in a day and age when people who are residents of nursing facilities and assisted living facilities who have gone through the Medicare Spenddown and have \$2,000 in the bank and an \$8,000 used car in the parking lot, and that's their total liquid assets, and they are given, after they give over their Medicare payments to the Department, they are given a \$10 a month allowance in a nursing facility, and a \$20 a month allowance in an assisted living home.

And I go back five, you're not going to have to pay an estate tax now for your estate, and it's hard to believe that this happens because financial advisors, I think, can usually help you circumnavigate this problem. But, if your estate is now less than \$5.5 million, you will be free from estate tax and we can't give a little old lady in a nursing home \$10 a month. That's pretty strange to me.

I have money for Housing First, which is a program that would support services in a project, in a housing project, that would be targeted at folks who are mostly members of the Consent Decree—they have severe and persistent chronic mental illnesses. They're a homeless population now. The Housing First model has been demonstrated successfully in Portland twice—one in a facility for men, and another for women—housing 30 individuals, with services. And the money to do another one, the capital funds, are available. They're waiting for the service money, so I've put \$800,000 into the budget for that.

There are 12 peer centers, which are the front end of the mental health community based service system around the state. There are 12 of them. They haven't had an increase in their budget in 19 years. The budget that we're considering has found a little bit of money for them. A 10 percent increase for those 12 centers would be \$147,000 a year, so I've put in a little money to bring that up, to fully fund that. And then going forward with that,

another \$24,000 in '16 and \$48,000 in '17 to rebase the funding for those grants.

There's \$2 million a year for childcare vouchers and quality programming assurances to support the restoration, resurrection of the early care and education system in the state, and supports for families who are in search of quality childcare. There's \$1.4 million each year in the budget, in this amendment, for Head Start to bring the Head Start new allocation up to \$2 million. There's money to remove the DEL Asset Test and to restore the Quimby crossover payments in nursing facilities and to create critical access nursing facility funding. And, that, when you get to the end, we've spent \$350 million out of the \$391, so there is \$33 million, give or take, to go to the Budget Stabilization Fund. And, Mr. Speaker, thank you for the time, and I look forward to a robust support for this amendment. Thank you.

Representative GIDEON of Freeport moved that **House Amendment "D" (H-451) to Committee Amendment "A" (H-415) be INDEFINITELY POSTPONED.**

Representative STUCKEY of Portland **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "D" (H-451) to Committee Amendment "A" (H-415).**

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "D" (H-451) to Committee Amendment "A" (H-415). All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 270

YEA - Alley, Austin, Babbidge, Battle, Beck, Beebe-Center, Bickford, Black, Buckland, Campbell J, Campbell R, Chace, Chenette, Cooper, Corey, Crafts, Davitt, Dillingham, Doore, Duchesne, Dunphy L, Dunphy M, Edgcomb, Espling, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gerrish, Gideon, Gillway, Ginzler, Greenwood, Grohman, Guerin, Hanington, Hanley, Hawke, Head, Herbig, Herrick, Higgins, Hilliard, Hobart, Hobbins, Hogan, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Malaby, Martin J, Martin R, McCabe, McClellan, McElwee, McLean, Morrison, Nadeau, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Rotundo, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Short, Sirocki, Stanley, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Bates, Beavers, Blume, Brooks, Bryant, Burstein, Chapman, Chipman, Daughtry, DeChant, Devin, Dion, Evangelos, Farnsworth, Gattine, Gilbert, Golden, Goode, Grant, Hamann, Harlow, Hickman, Hubbell, Hymanson, Lajoie, Mastraccio, McCreight, Melaragno, Monaghan, Moonen, Noon, Peterson, Powers, Russell, Rykerson, Sanborn, Stuckey, Tepler, Tipping-Spitz.

ABSENT - Marean, Skolfield.

Yes, 110; No, 39; Absent, 2; Excused, 0.

110 having voted in the affirmative and 39 voted in the negative, with 2 being absent, and accordingly **House Amendment "D" (H-451) to Committee Amendment "A" (H-415) was INDEFINITELY POSTPONED.**

Representative McCABE of Skowhegan **PRESENTED House Amendment "C" (H-449) to Committee Amendment "A" (H-415),** which was **READ** by the Clerk.

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

Representative **McCABE**: Thank you, Mr. Speaker, Men and Women of the House, for a moment, I want folks to look at me, not as the Majority Leader, but as a Representative—a Representative of the folks from Skowhegan and from Madison, the two communities that I represent folks in. I ask folks to look at me, I'll take my Majority Leader hat off for a moment. I also need to say that I truly respect those people, those people in the caucus that asked me not to bring this forward today, Mr. Speaker, yourself included. Asked me not to bring this issue forward to discuss today on the House floor. I bring this issue, not to disrespect members of committees that have worked on this issue—members of Education who worked this issue, or the members on Taxation who've reported a bill out that's in the pipeline where this amendment comes from.

But, Mr. Speaker, I rise today, sort of out of desperation. Desperation for those folks—my friends, my neighbors—the folks living in many towns around the State of Maine, the unbelievable mill towns of the past, the towns that are close to disappearing. And I bring this amendment forward and I think back to this morning, Mr. Speaker, when the good Representative from Portland, Representative Farnsworth rose in caucus and he said, "What are we doing for the mill towns?" What are we doing about what the good Representative from Medway, Representative Stanley raised last night at the caucus? It was at that point, Mr. Speaker, this morning that I decided I needed to go forward, I needed to bring this amendment forward. I needed to give an opportunity for the good Representative from Medway to speak, for the good Representative from Jay, Representative Gilbert to speak and to talk about the hay days—the hay days of that community, the hay days of that mill town.

Mr. Speaker, I also had to give an opportunity for the good Representative from Norridgewock to be able to stand up, Representative Farrin, and to speak about his experience—his experience at the recent town meeting in Madison where they voted to disband the police department. So, many of us come from communities where that would be unheard of. I imagine people can't even fathom what that's like. Most of the time, we go to town meeting, we discuss whether or not we're going to buy another police car, whether we're going to add a detective. I speak in broad terms as I say that because in our towns, we struggle. We struggle to keep police cars on the road. We struggle because we are one-horse towns.

Mr. Speaker, you've heard me talk before about how proud I am of my town. I speak about New Balance. I speak about the Sappi Mill. But when the Sappi Mill came to our town and they said, "We're cutting. We want a reappraisal. We don't want to pay as much in taxes." And the town was blindsided. Overnight the value of that mill went down \$100 million and it wasn't enough. It wasn't enough, Mr. Speaker. They've come back. They want more. We will battle in court. We will spend probably a half million dollars on court fees and appraisals just to lose more value in that mill, Mr. Speaker.

Mr. Speaker, I look up the river, I think of the folks in Madison. I think of all they've done to try to keep that mill there. The valuation of that mill was cut. They will no longer have a police department. Mr. Speaker, I went home the other night, my wife was writing the school budget for her classroom. I think she has \$100 or \$200 to spend. She'll spend more of her personal money out of her \$38,000 salary than she will get for a budget for her school classroom. I really rise today out of desperation. I don't know what to do. I truly am conflicted, Mr. Speaker. I'd hoped that what's on the board, this amendment would've made it in the budget, as you know. But it didn't.

I am here to offer this. I offer this not only for the folks in Skowhegan and Madison, but the folks in the rim counties, places

that people visit, places that used to be productive. In many cases, they still are productive. But, we are one-horse towns. Those mills can no longer pay 60-70 percent of our tax burden. I'm here today, Mr. Speaker, because I think this is an issue of fairness. We decided to, at some point in time to save money, to tweak the way we value our towns. We decided to go with a 3-year average. We changed things in sudden and severe to save money. We made some of those adjustments, Mr. Speaker, to help our thriving communities—to help our thriving communities so that they could be on a 3-year average because they are doing better.

But I say to you, Men and Women of the House, it's not working for communities that lose valuation overnight. They lose valuation because the valuation in their mills drops out from the bottom of them, Mr. Speaker. We have sat in this House chamber, we have debated free trade policies, and I am here, Mr. Speaker, as a Representative of a community who sees and feels the burden of those trade policies, Mr. Speaker. So if men and women disagree with free trade, if they disagree with what's happened with the paper industry, with foreign subsidies being dumped on the market, Mr. Speaker, I encourage you to light up the board. Vote for this amendment not because I'm the Majority Leader or anything like that, Mr. Speaker, but because you value mill towns around the State of Maine.

I don't rise today to try to derail the budget. I truly rise because I don't know what to do, Mr. Speaker. Myself, I put forward several bills. This is not a new issue. When you go downstairs, you look at the law library, this has happened in towns around the State of Maine. Usually, it's not so complex. Usually, a bill gets proposed, it's acted upon, it moves forward, it ends up not being a partisan issue, and we address the needs of those communities, Mr. Speaker. So, I am risen today really thinking about the times in our caucus, Mr. Speaker, when the good Representative from Medway stands up, Representative Stanley, he speaks, I listen. His stories, they resonate with me. I listen to those stories, those stories stay in my head, and most importantly, Mr. Speaker, those stories stay in my heart.

So, I hope when we light up the board today, this gets support. But I also realistically realize that this has other consequences. It could upset the budget process, Mr. Speaker. But my hope is, today we send this down to the other body with this amendment attached, we see how it does, we'll debate this later on this week as well. But I really rise out of desperation and I ask for your help, Mr. Speaker.

Representative GIDEON of Freeport moved that **House Amendment "C" (H-449) to Committee Amendment "A" (H-415) be INDEFINITELY POSTPONED.**

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "C" (H-449) to Committee Amendment "A" (H-415).**

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

The SPEAKER: The Chair recognizes the Representative from Norridgewock, Representative Farrin.

Representative **FARRIN**: Mr. Speaker, Ladies and Gentlemen of the House, I rise to you today as we face very many difficult decisions. And I'm reminded that the reason I was sent here was to represent the citizens in District 111, which include: Madison, Norridgewock, and Solon.

I had the opportunity on June 8th to attend the Madison annual meeting and I know we've had lots of discussions about carve outs and backroom deals and everything else. And this is in the light of day that very similar to my colleague from Skowhegan, Representative McCabe, I'm reaching out to you to

say I don't know what else to do as well. I watched the citizens of the Town of Madison make difficult decisions on that night. In the last two years, their evaluation, their mill rate's gone up by \$4 per thousand. They've cut a half a million dollars out of their school administration budget. They've cut \$800,000 out of their municipal budget. And they just recently, on that Monday night, decided to turn their police department over to the Somerset County Sheriff's Department.

So, they're not looking for a handout. This body created part of this problem. And I don't know the exact date, but two or three years ago, when it did the 3-year evaluation. And what this legislation is doing—and I submit to each of you, it could happen in your hometown—instead of doing the 3-year average, is to do the 1-year. And it could happen to any one of you if you have a large employer in your town. And we're looking to make that, instead of the 3-year average, for the 1-year. And the citizens of Madison look out and say, "Yes. We know that we're asking for this specifically, but if you look at a lot of the other folks, it could happen in your hometown." Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Kennebunkport, Representative Seavey.

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

The SPEAKER: The Representative may pose his question.

Representative **SEAVEY**: Thank you, Mr. Speaker, Men and Women of the House, I'm wondering if this amendment will affect the reimbursement amount already calculated to the communities under the School Funding Formula. And if it does, can we have a breakdown on how this amendment affects our communities?

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

The Chair recognizes the Representative from Jay, Representative Gilbert.

Representative **GILBERT**: Thank you, Mr. Speaker, Men and Women of the House, I stand in support of the motion before us. Town valuations should be modified as quickly as possible to reflect the valuations when they experience sudden and severe drops in valuation as a result of mill abatements. In particular, the School Funding Formula, as applied to each community, including the Town of Jay, should be modified to reflect that loss in revenue.

Prior to 2013, the mill in Jay was valued at \$927,345,195. As a result of an abatement received by Verso Paper in 2014, the mill's value decreased to \$673,206,244, a reduction in taxable property of \$254,138,951, or 27 percent of the mill's taxable value. The Androscoggin Mill represents 69 percent of the tax base for the Town of Jay, with a population of a little over 4,000. This loss is a very significant one for the purposes of the School Funding Formula.

It is no coincidence that each of the paper mill towns have suffered significant reductions in valuation. It is an unfortunate reality in the paper industry and the state. The impact is severe on each town's evaluation and application of the School Funding Formula and its impact on our students.

Let me conclude by urging that all of us do the right thing. The education of a child in Jay is no less, nor more important than the education of a child in Kittery, Fort Kent, or anywhere in between. If we want all our children to have an opportunity to learn and grow, then we need to allocate our limited resources in a fair way to provide everyone with a fair opportunity. House Amendment "B" does just that, and I urge you to support the amendment. I am asking, pleading for your support for the paper mill towns throughout the State of Maine.

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

Representative **STANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I stand in front of you today, probably the hardest speech I ever had to make in this House. And why? Because I'm going to talk about us as Mainers. We care about other people. If somebody in your community came down with cancer or came down with something, we'd all go to the town hall, we'd all chip in, we'd all help as much as we could. And that is what's going on in these mill towns today.

We are one Maine. It's time for us to realize that. We're all in this together. What's good for northern Maine, what's good for eastern Maine, what's good for western Maine, and what's good for southern Maine—it's good for everybody. We all prosper. But when you have communities—four hometown communities—that are going down the tubes. I hate to say use the word, "going down the tubes" because I know. I've lived through Millinocket. I've lived through East Millinocket. And I've just recently seen what happened down in Bucksport. And I'll tell you what: you live in one of those communities, you know what I'm talking about. When you don't live there, it's pretty hard to visualize what goes on.

But I'm going to tell you a little bit about what goes on. When you have elderly people living in a homes on Social Security that work in these mills all their lives, and what happens is they become the taxpayer in these communities. You're trying to run a school. You're trying to run a town. And this, guess what? When your mil rate goes up to \$25, \$30 a thousand and you're living on \$1,600, \$1,700 a month, I'll tell you what, that tax bill becomes very high. Very hard to think we sit here, we've all gone door-to-door, knocked on people's doors, talked to people, talked to the elderly. And what do we do? We come down here and say, "Boy, I feel bad for those people. Here now, what can we do to help them?"

Well, here you have. You have an opportunity to help not just a few people—thousands. You stop and took the population of these communities and add them up and you're talking thousands of people. And I'll tell you what, I live in Maine. Why? Because of the quality of life that we have here and the quality of life that we provide to the other people that come here. But I see what's going on in some of these mill towns. The quality of life is not what it used to be. The quality of life is deteriorating. And why it's deteriorating is because of what is going on because of the big drops in valuation that these municipalities have.

When you take \$150 million, \$200 million, \$100 million off an evaluation of probably \$300 million or \$450 million, I'll tell you what, you're talking a third of your budget. A third of your valuation is gone. With that being gone, I'll tell you what, who's left to pay? The people and the residents in that community. And most of those people are retirees, because what's going on today in a lot of these communities are people that are working in these factories are coming from away—15, 20, 30 miles away because that's the only jobs in the area, good paying jobs in the area. And these people are travelling to there so it just affects all these little small towns and everyone.

I live in Medway, Maine. Let me tell you about Millinocket, Maine. Millinocket, Maine has about 400, 450 homes either in foreclosure or been abandoned. East Millinocket, down the road about eight miles, that has about 150 right now of abandoned or foreclosed property. I live in Medway. Never had a problem because I never had a paper mill in my town. I just a regular community that's located beside one of these paper mill towns. And I see right now, I went to the post office which is four miles



away from my home, and there's eight vacant homes there now. There's never been vacant homes in Medway.

So you see what's going on, people. I know I lost a mill in Millinocket and then we're going to be losing a mill in East Millinocket and I understand that. What I'm concerned about is the way that these two mills that I've lost started out the same way as what's going on right here right now with the valuation being dropped, and being dropped substantially. And like the gentleman from Jay, Representative from Jay stated a few minutes ago: they used to pay, in East Millinocket and Millinocket, anywhere between 75 and 85 percent of the taxes in those communities. Today, they don't pay. Millinocket is on the verge of bankruptcy. East Millinocket is not that far away from it.

And here we are sitting in this body down here with a chance to help some people that need the help, people that have a home. When you go home at night, you go home to a home. That's what these people have: homes. But the problem with a home, the home has changed in these communities. The way of life has changed. Now you see people going to the food banks. Now you see all kinds of different things that you never, ever saw before or you never experienced. And what it is, it's your hometown, people. These are your home towns that I'm talking about.

The very existence that why we live where we live because of these home towns. We like to grow up and raise our children in the town that we grew up in and that's what these towns have done. And now, here we are, on the verge of not allowing them to do that. Because way I feel about this whole thing: this is about people. That's why I sit in this body here. Because I care about people. And I know people aren't supposed to be important in some instances, but I'll tell you what, when you live in these areas like I've lived and then you go to the other areas and see what's going on out there, there's poverty here and there's no place for these people to go.

We have not done a good job as a state providing jobs on a statewide basis. Hollered about that now ever since I've been here, and I'm still hollering about it and I'm going to keep on hollering about it until we do something about it. Because like I said in my last, not my last speech but the speech before, not shame on them, shame on us. We're the ones that not doing our jobs. We're sitting here looking out for this, this, and that, when we should be looking out for what's best for everybody in the whole State of Maine. And by doing something in this line, by rejecting the Indefinite Postponement, you are doing something to the people of this state. You're helping a few regions of this state.

And then I think it's time, if we do this, I think we, as a body, as a Legislature, we ought to be sitting down seeing what we can do to help these areas so that we can provide jobs. Because I'll tell you, a job does a lot of things for a person, does a lot of things for a community. And I'll tell you what, we're not doing a very good job in parts of our state by creating jobs. And I'll tell you what, if we want to solve problems like this right here, the way to do it is how to diversify your economy and we haven't done that. We allow these paper mill towns become what they are. Like in my situation. In my situation, Great Northern Paper Company at the time wouldn't allow other businesses to come in the area and provide jobs because they wanted a captivated workforce. And they had a captivated work force, which is a good thing for them but it's not a good thing for the community because when the big horse dies, problems start. And as you can see in my region, the big horse dies.

And I hate to say it, some of you other people sit in this room might not be representing them today, but down the road that big horse in your community might die too. And when he does, it's

time for us as a state to have the problem so that we can have something in place to help these towns. This right here is just a quick fix to try to solve a problem that not just one community has, four communities. It doesn't affect 1,000 people. It probably affects 10, 12, 13,000 people. And I'll tell you what, we as a state, it's our obligation to provide for the needs of the people. And this is a need that has to be dealt with and I feel that this legislative body, by being a Mainer, I care about other people, I care about the quality of life that we provide here. Shouldn't just provide it to people from away, while we provide it to ourselves. Because I'll tell you, I'm from Maine, I'm proud to be from Maine, and I'll tell you what, if you need a hand tomorrow, your car breaks down, I'm willing to go up there and give you a hand, not walk by you. So I think we, as a body, ought to be doing the same thing. Thank you.

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

Representative **DAUGHTRY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise to answer a question that was prior asked. I just wanted to highlight that this is a matter that is very near and dear to the Education Committee. We saw quite a few bills dealing with taxation and valuation.

In fact, there was a bill that a subcommittee of our committee worked with the Taxation Committee, LD 550, which dealt exactly with this. And, it recognized that we don't know when this is going to happen to any town, when the poor, unfortunate task of having this sudden and severe change in your municipal valuation can happen to any of us, anywhere in Maine. The bill was actually passed with an emergency enactor and engrossed in both chambers, and is on its way to the Chief Executive. And some of us on the committee do have some concerns about tacking this on to the budget.

So, I want to highlight that we all understand this. We all feel for these communities and that is why we did put it as a measure that would apply in the future because it could potentially change the factors for the current GPA figures and the valuation.

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

Representative **DUNPHY**: Thank you, Mr. Speaker. Mr. Speaker, rural Maine is, as you know, is struggling. In the small area that I live in, in about a 20 mile radius, Solon Manufacturing, which is the largest tongue depressor maker in the world, made tongue depressors and popsicle sticks, closed up. North Anson Reel, the absolute largest metal wire rope reel producer in the world closed their doors. Redmond's Mill, made gunstocks for Remington Arms and Savage. They've gone. They've disappeared.

And now the paper mills are struggling. And these paper mills, the impact in a rural community is huge. It's astounding. Either the trucking, the lumbering, the gas stations, the stores—they all rely on this. And I talked with one of the managers at Madison just about an hour ago and they're looking again at downtime. So, when these mills, when they get reevaluated, in Madison Paper's case, they know what the value was. It's not some hoax because they were sold a couple of years ago, so they know very well what the value is. They're not asking for a handout, they're asking for fair evaluation.

However, the impact on the local communities, part of it, because of the way the reevaluation is done, it's devastating. It hurts the school system. It hurts the police departments. I think Representative Farrin commented about the steps that Madison has gone through simply to continue to function as a community. So, I would ask that you support Representative McCabe's proposal here because it truly is critical to the survival of rural Maine. Thank you.

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

Representative **McCABE**: Thank you, Mr. Speaker, I just want to clarify. There was some confusion as far as the text from this bill. This bill, or this amendment, I should say, is based on work that the Taxation Committee did and the concept is a bill that remains in the pipeline at this point in time. There was a task force from Education that came forward, made some recommendations, and those recommendations are included in this amendment. I do understand there's some concern as far as distribution as far as it's related to education funding and other sorts of state assistance. I will say that this budget includes quite an increase to the General Purpose Aid, so at this time, if we take the actual valuations of these communities, the real evaluation, it seems like an appropriate time to include those and as the money's redistributed anyway. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "C" (H-449) to Committee Amendment "A" (H-415). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 271**

YEA - Austin, Babbidge, Bates, Battle, Bickford, Blume, Burstein, Campbell J, Chace, Chapman, Chenette, Cooper, Corey, Crafts, Dillingham, Dion, Edgecomb, Espling, Farnsworth, Foley, Fredette, Gattine, Gerrish, Gideon, Gillway, Ginzler, Goode, Grant, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herbig, Herrick, Hilliard, Hobart, Hobbins, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Mastraccio, McClellan, McElwee, McLean, Morrison, Nadeau, Nutting, O'Connor, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Rotundo, Sanborn, Sanderson, Sawicki, Schneck, Seavey, Shaw, Sherman, Sirocki, Stearns, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Warren, Welsh, White, Winsor, Mr. Speaker.

NAY - Alley, Beavers, Beck, Beebe-Center, Black, Brooks, Bryant, Buckland, Campbell R, Chipman, Daughtry, Davitt, DeChant, Devin, Doore, Duchesne, Dunphy L, Dunphy M, Evangelos, Farrin, Fecteau, Fowle, Frey, Gilbert, Golden, Grohman, Hamann, Harlow, Hickman, Higgins, Hogan, Lajoie, Malaby, Martin J, Martin R, McCabe, McCreight, Melaragno, Monaghan, Moonen, Noon, Parry, Peterson, Picchiotti, Powers, Russell, Rykerson, Saucier, Short, Stanley, Stetkis, Stuckey, Tipping-Spitz, Verow, Ward, Wood.

ABSENT - Mearan, Skolfield.

Yes, 93; No, 56; Absent, 2; Excused, 0.

93 having voted in the affirmative and 56 voted in the negative, with 2 being absent, and accordingly **House Amendment "C" (H-449) to Committee Amendment "A" (H-415) was INDEFINITELY POSTPONED.**

Subsequently, **Committee Amendment "A" (H-415) as Amended by House Amendments "A" (H-439) and "B" (H-448) 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-415) as Amended by House Amendments "A" (H-439) and "B" (H-448) thereto and sent for concurrence.**

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

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

**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-450)** on Bill "An Act To Promote Academic Opportunities for Maine Youth during Summer Months" (H.P. 286) (L.D. 419)

Signed:

Senator:

MILLETT of Cumberland

Representatives:

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

**READ.**

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

The Bill was **READ ONCE. Committee Amendment "A" (H-450) 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-450)** and sent for concurrence.

**CONSENT CALENDAR**

**First Day**

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

(H.P. 877) (L.D. 1291) Bill "An Act To Promote Food Self-sufficiency for the People of the State" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-447)**

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.

**COMMUNICATIONS**

The Following Communication: (S.C. 452)

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

June 16, 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 Report "A" Ought Not to Pass from the Committee on Energy, Utilities and Technology on Bill "An Act To Secure the Maine Electrical Grid from Long-term Blackouts" (S.P. 496) (L.D. 1363), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 453)

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

June 16, 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 Minority Ought Not to Pass Report from the Committee on State and Local Government on Bill "An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects" (H.P. 176) (L.D. 244), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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**CONSENT CALENDAR**

**First Day**

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

(H.P. 977) (L.D. 1432) Bill "An Act To Consolidate the Investigation of Out-of-home Child Abuse and Neglect" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-453)**

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.

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**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Establish the Affordable Heating from Maine's Forests Fund" (EMERGENCY)

(H.P. 949) (L.D. 1397)

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

RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-455)** on same Bill.

Signed:

Representative:

WADSWORTH of Hiram

**READ.**

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

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: I wanted to speak before you got that hammer down too quick on me this time. I'd like to speak to this bill so I'd ask for a roll call on this please.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'm going to try this one more time. I tried this a couple years ago. I failed, but I'll try it again. I'm going to probably fail today, but I'm asking for to take part of \$8 million that sits in the forestry fund to help supplement low-income heating. It's a very good cause. That fund is growing every day. I just ask that we use it to go to Efficiency Maine. It would only be used for low-income housing people and I just ask for your support in it. I've tried. It's a good program. I'd like to get it started, maybe it will grow with time. It doesn't require any funding out of the General Fund. It's money that we're already harvesting with 160,000 cord we cut every year in the program. So, I look forward to your support on this. Thank you.

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

Representative **McCABE**: Thank you, Mr. Speaker, Men and Women of the House, I rise to support the pending motion. I had the opportunity to spend some time with the EUT Committee while they were discussing this bill. I brought a number of resources before the committee, shared some great dialogue

with members on both sides of the aisle as far as ideas in funding this proposal.

But it seemed like the agreement from folks there was the funding source proposed in the bill was not appropriate due to constraints in Maine law around that fund. And furthermore, we had a lengthy discussion with that committee. It was the first time I had ever been, sort of, at a public hearing where even I sort of continued to be amazed at how long the committee kept me there and asked me questions. And we went through the resources that I brought that day, we spent a lot of time just talking about how the balance in that fund was really there, sort of, because work hasn't been addressed for what the fund is intended for, which is investment on public lands to improve roads, to allow for timber harvesting.

And I also was thinking, Mr. Speaker, I had a chance to spend some time at Tumbledown in recent weeks, and while I was at Tumbledown, you access the trail access. It's an active logging road. There's a number of turnouts for log yards, and it was very interesting because the road itself was in decent shape, but you could see that maintenance on that road, you know, this is a road that the state is made a huge investment in. And as I traveled on that road, I actually encountered several culverts that—not the normal size culvert, probably seven, eight feet around culverts—and one of them was in a location and it was filled with full-length trees and debris and all it would take is one of these major rainstorms that we get now and the state's investment in that road would be gone.

And so, as I talked with committee that day, you know, a lot of the investments that we need to be doing on public lands, both for recreational access, for hunting access, snowmobile access, really need to be addressed. We really need to look at using that fund to address the purpose of the fund, how it's set in statute, how that fund is used.

As far as the bill and affordable heating, I think it's a worthwhile cause. My understanding is there would be some work that'll be done over the summer to maybe look at some other funding sources. And I think we need to continue to further that discussion, but this fund was deemed, I believe, by the committee not to be the appropriate source, and for that reason, I ask that the Clerk read the Committee Report

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

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

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

Representative **RYKERSON**: Thank you, Mr. Speaker, Men and Women of the House, I'd just like to point out if you read this bill, that the fund that the funds go to is actually dedicated to only 35 percent residential customers. So, it does not actually help residential customers. Thank you.

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

#### **ROLL CALL NO. 272**

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

Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Black, Buckland, Chace, Crafts, Dillingham, Edgecomb, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Hilliard, Hobart, Kinney J, Kinney M, Lajoie, Lockman, Long, Lyford, Malaby, McClellan, McElwee, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Sherman, Sirocki, Stetkis, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Marean, Skolfield.

Yes, 91; No, 58; Absent, 2; Excused, 0.

91 having voted in the affirmative and 58 voted in the negative, with 2 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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#### **COMMUNICATIONS**

The Following Communication: (H.C. 239)

#### **SENATE OF MAINE 127TH LEGISLATURE OFFICE OF THE PRESIDENT**

June 16, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

In reference to the action of the Senate on June 12, 2015 in which it Insisted and Asked for a Committee of Conference on L.D. 1430, "An Act To Allow Hunters Whose Religion Prohibits Wearing Hunter Orange Clothing To Instead Wear Red" (S.P 538) Senator Paul T. Davis, Sr., Senator Scott W. Cyrway, and Senator David E. Dutremble were appointed. This letter serves the purpose of replacing the original appointment letter. I am pleased to appoint the following individuals to the Committee of Conference on L.D. 1430.

Senator Paul T. Davis, Sr. of Piscataquis

Senator Scott W. Cyrway of Kennebec

Senator John L. Patrick of Oxford

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Michael D. Thibodeau

President of the Senate

**READ and ORDERED PLACED ON FILE.**

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

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**COMMUNICATIONS**  
 The Following Communication: (S.C. 438)  
**STATE OF MAINE**  
**OFFICE OF THE GOVERNOR**  
**1 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0001**

June 12, 2015  
 The 127th Legislature of the State of Maine  
 State House  
 Augusta, Maine

Dear Honorable Members of the 127th Legislature:  
 Under the authority vested in me by Article IV, Part Third, Section 2-A of the Constitution of the State of Maine, I am hereby executing line-item vetoes of a number of allocations contained within LD 856, "An Act To Amend the Competitive Skills Scholarship Program To Allow for Participation in Early College and Career and Technical Education Programs." These vetoes are included on the attached sheet.

I appreciate the effort to think outside the box and utilize existing resources to train Mainers for high-wage, in-demand jobs. As with many programs, we often fund them for lengthy periods of time without measuring their effectiveness. I am flat funding this initiative over the biennium with the intent of examining the results after year one. If the program has exhibited a positive return to the Maine taxpayer, I will revisit the issue of providing more resources to this program.

Sincerely,  
 S/Paul R. LePage  
 Governor

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Allocates funds for tuition costs associated with expanding the Competitive Skills Scholarship Program to include eligible full-time secondary students at public secondary schools.

COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17	
All Other	\$35,000	<del>\$131,600</del>	\$35,000

COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$35,000	\$35,000	
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TOTAL

Employment Services Activity 0852

Initiative: Allocates funds for one CareerCenter Consultant position beginning in fiscal year 2015-16 and an additional CareerCenter Consultant position beginning in fiscal year 2016-17 to support the additional workload associated with expanding the Competitive Skills Scholarship Program to include certain full-time secondary students at public secondary schools.

COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17	
POSITIONS – LEGISLATIVE COUNCIL	1.000	2.000	
Personal Services	\$45,111	<del>\$121,096</del>	\$45,111
All Other	\$19,750	<del>\$39,500</del>	\$19,750
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$64,861	<del>\$160,596</del>	\$64,861
LABOR, DEPARTMENT OF			
DEPARTMENT TOTALS	2015-16	2016-17	
COMPETITIVE SKILLS SCHOLARSHIP FUND	\$99,861	<del>\$292,196</del>	\$99,861
DEPARTMENT TOTAL – ALL FUNDS	\$99,861	\$99,861	

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

Pursuant to Article IV, Part Third, Section 2-A the accompanying line item vetoes on An Act To Amend the Competitive Skills Scholarship Program To Allow for Participation in Early College and Career and Technical Education Programs (S.P. 300) (L.D. 856) (C. "A" S-224)

The accompanying line item veto

LD 856 – Line Item Veto

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Allocates funds for tuition costs associated with expanding the Competitive Skills Scholarship Program to include eligible full-time secondary students at public secondary schools.

COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17	
All Other	\$35,000	<del>\$131,600</del>	\$35,000
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$35,000	\$35,000	

In Senate, June 16, 2015, This dollar amount, having been returned by the Governor, together with objections to the same pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this dollar amount become law notwithstanding the objections of the Governor?"

33 having voted in the affirmative and 2 in the negative, and accordingly it was the vote of the Senate that this dollar amount become law notwithstanding the objections of the Governor, since a majority of the members elected to the Senate so voted.

The Chair ordered a division on **RECONSIDERATION**.

After reconsideration, the House proceeded to vote on the question 'Shall this dollar amount become law notwithstanding the objections of the Governor?'

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

A vote of the House was taken. 79 voted in favor of the same and 63 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

The accompanying line item veto

LD 856 – Line Item Veto

Employment Services Activity 0852

Initiative: Allocates funds for one CareerCenter Consultant position beginning in fiscal year 2015-16 and an additional CareerCenter Consultant position beginning in fiscal year 2016-17 to support the additional workload associated with expanding the Competitive Skills Scholarship Program to include certain full-time secondary students at public secondary schools.

Personal Services	\$45,111	<del>\$424,096</del>	\$45,111
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In Senate, June 16, 2015, This dollar amount, having been returned by the Governor, together with objections to the same pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this dollar amount become law notwithstanding the objections of the Governor?"

33 having voted in the affirmative and 2 in the negative, and accordingly it was the vote of the Senate that this dollar amount become law notwithstanding the objections of the Governor, since a majority of the members elected to the Senate so voted.

Representative McCABE of Skowhegan **REQUESTED** a roll call on **RECONSIDERATION**.

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

The SPEAKER: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Mr. Speaker, Friends and Colleagues of the House, I just wanted to briefly mention what this matter had to do with. This has to do with the Competitive Skills Scholarship Program and the Department of Labor. And the bill put in by Senator Langley was intended to help provide funding from the Department of Labor through the Competitive Skills Scholarship Program for students while they are still in high school. This would blend very well with what's called the bridge year, the mechanism for having students while they're in high school, get some college credits. And this just provides an aid to that. And I wasn't sure that everyone in the chamber was aware of what the matter was at hand. Thank you, Mr. Speaker.

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

Representative **POULIOT**: Thank you, Mr. Speaker, I just want to remind everyone in the chamber, again, that this received a unanimous Ought to Pass as Amended out of LCRED Committee. This bill as amended would allow for participation in the employer-funded Competitive Skills Scholarship Program by low-income students under the age of 18, as long as they meet a couple of different criteria.

Number one, they cannot have a marketable post-secondary degree. Two, they have a family income less than 200 percent of the federal poverty level. Three, they have to be applying for education or training for a job in an approved industry; CTE courses meet this requirement. And four, they have to have the aptitude to undertake and complete education or training as determined by the institution providing the education or training.

The amended version of this bill includes a sunset, okay, and a cap on the amount of funds that will be available for these low-income students. The fiscal note was predicted on the anticipated success of the program. The total cost of administration and tuition are born 100 percent by employers, not taxpayer dollars. When we talk about college affordability, this is a game changer for our low-income students. Senator Langley worked extremely hard to get the unanimous vote out of LCRED and they were convinced that this is a worthwhile option for students.

In essence, students in the bridge year right now pay \$40 per credit hour, which is a vastly reduced price. But there are a number of students who cannot afford to pay any amount at all. The cost of the program for a student in the bridge year program is \$1,200 for the 30 credits that they gain. Let's think about that for a minute. How many students can go to school and get 30 credit hours for \$1,200? But once they're out of high school, these very same credits will cost \$10,070 at the University of Maine. The return on investment is close to 10:1.

More important, these low-income students are often the first in their family to attend college and many did not even envision college in their future at all. Morgan, from Hermon High School, testified in front of LCRED in support of this bill. She graduated from Hermon High School and United Technologies Center last June with 30 college credits. Think about that, folks. She graduated from high school with 30 college credits. She took a few courses during the summer and graduated in December with her Associates degree. She stayed on for the second semester to become a certified EMT and was subsequently hired by the Bangor Fire Department as a firefighter. She is 19, no student loan debt, a college graduate, and has a job that she dreamed of having. This bill will replicate her story for those who can afford it the least. Thank you, Mr. Speaker, Men and Women of the House.

After reconsideration, the House proceeded to vote on the question 'Shall this dollar amount become law notwithstanding the objections of the Governor?'

The SPEAKER: A roll call has been ordered. The pending question before the House is 'Shall this dollar amount become law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

#### **ROLL CALL NO. 273V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, Peterson, Picchiotti, Pickett, Pierce T, Pouliot, Powers, Reed, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Seavey, Shaw, Sherman, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Turner, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Crafts, Dunphy L, Edgecomb, Espling, Farrin, Hanley, Hobart, Kinney M, Lockman, Long, Lyford, O'Connor, Parry, Pierce J, Prescott, Sawicki, Sirocki, Stetkis, Theriault, Timberlake, Vachon, White, Winsor, Wood.

ABSENT - Campbell J, Fredette, Marean, Sanderson, Skolfield, Timmons.

Yes, 120; No, 25; Absent, 6; Excused, 0.

120 having voted in the affirmative and 25 voted in the negative, with 6 being absent, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

The accompanying line item veto  
LD 856 – Line Item Veto

Employment Services Activity 0852

Initiative: Allocates funds for one CareerCenter Consultant position beginning in fiscal year 2015-16 and an additional CareerCenter Consultant position beginning in fiscal year 2016-17 to support the additional workload associated with expanding the Competitive Skills Scholarship Program to include certain full-time secondary students at public secondary schools.

All Other	\$19,750	<del>\$39,500</del>	\$19,750
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In Senate, June 16, 2015, This dollar amount, having been returned by the Governor, together with objections to the same pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this dollar amount become law notwithstanding the objections of the Governor?"

34 having voted in the affirmative and 1 in the negative, and accordingly it was the vote of the Senate that this dollar amount become law notwithstanding the objections of the Governor, since a majority of the members elected to the Senate so voted.

Representative McCABE of Skowhegan **REQUESTED** a roll call on **RECONSIDERATION**.

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

After reconsideration, the House proceeded to vote on the question 'Shall this dollar amount become law notwithstanding the objections of the Governor?'

The SPEAKER: A roll call has been ordered. The pending question before the House is 'Shall this dollar amount become law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 274V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Hawke, Head, Herbig, Herrick, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Picchiotti, Pickett, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Sherman, Short, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Turner, Verow, Wallace, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Campbell R, Crafts, Dunphy L, Edgecomb, Espling, Farrin, Fredette, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Nutting, O'Connor, Parry, Pierce J, Prescott, Reed, Sawicki, Seavey, Sirocki, Theriault, Timberlake, Vachon, Wadsworth, White, Winsor, Wood.

ABSENT - Campbell J, Marean, Skolfield, Timmons.

Yes, 115; No, 32; Absent, 4; Excused, 0.

115 having voted in the affirmative and 32 voted in the negative, with 4 being absent, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

The accompanying line item veto  
LD 856 – Line Item Veto

Employment Services Activity 0852

Initiative: Allocates funds for one CareerCenter Consultant position beginning in fiscal year 2015-16 and an additional CareerCenter Consultant position beginning in fiscal year 2016-17 to support the additional workload associated with expanding the Competitive Skills Scholarship Program to include certain full-time secondary students at public secondary schools.

COMPETITIVE SKILLS	\$64,861	<del>\$160,596</del>	\$64,861
SCHOLARSHIP FUND TOTAL			

In Senate, June 16, 2015, This dollar amount, having been returned by the Governor, together with objections to the same pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this dollar amount become law notwithstanding the objections of the Governor?"

34 having voted in the affirmative and 1 in the negative, and accordingly it was the vote of the Senate that this dollar amount become law notwithstanding the objections of the Governor, since a majority of the members elected to the Senate so voted.

Representative McCABE of Skowhegan **REQUESTED** a roll call on **RECONSIDERATION**.

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

After reconsideration, the House proceeded to vote on the question 'Shall this dollar amount become law notwithstanding the objections of the Governor?'

The SPEAKER: A roll call has been ordered. The pending question before the House is 'Shall this dollar amount become law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 275V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Picchiotti, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Sherman, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Turner, Verow, Wallace, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Campbell R, Crafts, Dunphy L, Edgecomb, Espling, Farrin, Fredette, Hanley, Higgins, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Nutting, O'Connor, Parry, Pickett, Pierce J, Prescott, Reed, Sawicki, Seavey, Sirocki, Stetkis, Theriault, Timberlake, Vachon, Wadsworth, White, Winsor, Wood.

ABSENT - Campbell J, Marean, Sanderson, Skolfield, Timmons.

Yes, 111; No, 35; Absent, 5; Excused, 0.

111 having voted in the affirmative and 35 voted in the negative, with 5 being absent, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

The accompanying line item veto

LD 856 – Line Item Veto

Employment Services Activity 0852

Initiative: Allocates funds for one CareerCenter Consultant position beginning in fiscal year 2015-16 and an additional CareerCenter Consultant position beginning in fiscal year 2016-17 to support the additional workload associated with expanding the Competitive Skills Scholarship Program to include certain full-time secondary students at public secondary schools.

COMPETITIVE SKILLS \$99,861 ~~\$292,196~~ \$99,861  
SCHOLARSHIP FUND

In Senate, June 16, 2015, This dollar amount, having been returned by the Governor, together with objections to the same pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this dollar amount become law notwithstanding the objections of the Governor?"

33 having voted in the affirmative and 2 in the negative, and accordingly it was the vote of the Senate that this dollar amount become law notwithstanding the objections of the Governor, since a majority of the members elected to the Senate so voted.

Representative McCABE of Skowhegan **REQUESTED** a roll call on **RECONSIDERATION**.

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

After reconsideration, the House proceeded to vote on the question 'Shall this dollar amount become law notwithstanding the objections of the Governor?'

The SPEAKER: A roll call has been ordered. The pending question before the House is 'Shall this dollar amount become law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 276V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, Peterson, Picchiotti, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Seavey, Shaw, Sherman, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Turner, Verow, Wallace, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Crafts, Dunphy L, Edgecomb, Espling, Farrin, Fredette, Hanley, Higgins, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, O'Connor, Parry, Pickett, Pierce J, Prescott, Reed, Sanderson, Sawicki, Sirocki, Stetkis, Theriault, Timberlake, Vachon, Wadsworth, White, Winsor, Wood.

ABSENT - Campbell J, Marean, Skolfield, Timmons.

Yes, 114; No, 33; Absent, 4; Excused, 0.

114 having voted in the affirmative and 33 voted in the negative, with 4 being absent, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (H.C. 240)

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

June 16, 2015

The 127th Legislature of the State of Maine  
State House

Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 408, "An Act To Help Municipalities Prepare for Changes in Sea Level."

Those who would rather not do, plan. The first line of defense for those who oppose development is planning, a procedural roadblock to stymie development without ever having to debate the substance of a proposal. The Growth Management Act now contains 10 State goals. Moreover, comprehensive plans must inventory 11 separate resources; develop policy related to four criteria (with one of the criterion being the 10 State goals); and follow guidelines for implementation that contain 23 different points and sub-points. Where does it end?

Apparently, proponents of this bill do not think that planning efforts are complicated enough. This bill would create a new State goal and would add additional elements to comprehensive plans. Under this bill, "coastal municipalities," such as Augusta and Chelsea, would add sea level rise to the myriad of other legislatively created planning "priorities." This legislation is not needed; nothing now inhibits truly coastal towns from planning for such eventualities.

We do not need to further complicate the Growth Management Act. For this reason, I return LD 408 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying item An Act To Help Municipalities Prepare for Changes in Sea Level

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

The SPEAKER: The Chair recognizes the Representative from York, Representative Blume.

Representative **BLUME**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise just to remind you about this bill. It's been a while since we've seen it. This bill is an act to help municipalities prepare for changes in sea level.

It's a bill that is to make prudent public policy without a mandate and what it does is it adds anticipated sea level changes as a consideration in both state and municipal planning efforts. It adds addressing sea level changes and its effects in the coastal zone as part of Maine's coastal management policy. Finally, it recognizes the effects of sea level change are an important environmental, fiscal, and public safety issue for Maine and all its coastal communities. And importantly, what it does not do, is it does not stymie development. It, in fact, makes it much easier to have smart and lasting development that will outlast any changes in sea level or storm inundation.



The SPEAKER: Would the Representative defer? The House will be in order. If you're behind the glass and the conversation's too loud, Members cannot hear the debate. I would ask you to take the conversation into the hallway. The Representative may proceed.

Representative **BLUME**: Thank you, Mr. Speaker. And what it doesn't do is mandate or require towns to take action or does it add a fiscal note. Neither does it address the causes of sea level change. This will protect, and this is a way of helping our coastal communities do the right thing and protect what we have. I urge you to please help me and overturn this veto. Thank you.

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

Representative **TUELL**: Thank you, Mr. Speaker, I know it's late, but I rise in support of sustaining this veto. I got in a little bit of trouble when I spoke about this bill before, but I will say, it is what it is and Maine towns do not need any more mandates or encouragements or top-down legislation like this is. It is time to put this down, to vote red, to get this done. Let's get on with it. Beyond that point, I would just say my own town chose not to do a comprehensive plan in large part because of this. We opted not to pay \$30,000 to a group that would help us come up with, that would encourage us to do certain things. So there is a cost to updating one's comprehensive plan that may not appear in the fiscal note. And as it is getting late, I will urge you, once again, to sustain the veto, to vote red, and thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Kruger.

Representative **KRUGER**: Thank you, Mr. Speaker. Members of the House, it's late and I'll be brief. I would like to quote in reference to this override, the great Louis Pasteur who said, "Chance favors the prepared mind." Thank you.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Foley.

Representative **FOLEY**: Thank you, Mr. Speaker, with all due respect to my good friend from East Machias, I had an opportunity to go to the Jersey Shore after Hurricane Sandy and viewed the damages that were sustained down there and those towns that had prepared for the changes in sea level and then prepared for the storm survived very well. Those that did not, did not. So, planning for the eventual impacts of the changes in the sea level is an important factor. You can choose to do it if you want to, or not. This is just a good reminder that it is an important thing for coastal communities to consider it in their planning documents. Thank you very much.

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

Representative **DEVIN**: Thank you very much, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I just want to state that my good friend from East Machias, Representative Tuell, as much as he will tell you it's a mandate, this is not a mandate. Thank you.

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

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

**ROLL CALL NO. 277V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Frey, Gattine, Gideon, Gilbert, Gillway,

Golden, Goode, Grant, Grohman, Hamann, Hanington, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Vachon, Verow, Warren, Welsh, Mr. Speaker.

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

ABSENT - Campbell J, Marean, Skolfield, Timmons.

Yes, 87; No, 60; Absent, 4; Excused, 0.

87 having voted in the affirmative and 60 voted in the negative, with 4 being absent, and accordingly the Veto was **SUSTAINED**.

**SENATE PAPERS  
Non-Concurrent Matter**

Bill "An Act To Provide Reasonable Accommodations for School Attendance for Children with Disabilities for Whom Medical Marijuana Has Been Recommended"

(H.P. 381) (L.D. 557)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-207)** in the House on May 28, 2015.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-207) AS AMENDED BY SENATE AMENDMENT "A" (S-148)** thereto in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**REPORTS OF COMMITTEE  
Divided Reports**

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-277)** on Bill "An Act To Strengthen the Protections for Senior Citizens in the State" (EMERGENCY)

(S.P. 454) (L.D. 1272)

Signed:

Senators:

BURNS of Washington  
JOHNSON of Lincoln  
VOLK of Cumberland

Representatives:

HOBBINS of Saco  
EVANGELOS of Friendship  
GINZLER of Bridgton  
HERRICK of Paris  
McCREIGHT of Harpswell  
MONAGHAN of Cape Elizabeth  
MOONEN of Portland  
SHERMAN of Hodgdon  
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-278)** on same Bill.

Signed:  
Representative:  
GUERIN of Glenburn

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-277)**.

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-277)** 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-277)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-276)** on Bill "An Act To Increase Government Efficiency"

(S.P. 446) (L.D. 1241)

Signed:  
Senators:  
BURNS of Washington  
JOHNSON of Lincoln  
VOLK of Cumberland

Representatives:  
HOBBS of Saco  
EVANGELOS of Friendship  
GINZLER of Bridgton  
HERRICK of Paris  
McCREIGHT of Harpswell  
MONAGHAN of Cape Elizabeth  
SHERMAN of Hodgdon  
WARREN of Hallowell

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

Signed:  
Representatives:  
GUERIN of Glenburn  
MOONEN of Portland

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-276)**.

**READ.**

Representative HOBBS of Saco 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**: The Chair recognizes the Representative from Glenburn, Representative Guerin.

Representative **GUERIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, today our halls were full of people who wanted to see us face-to-face before our vote. And it was very important to them. Our committees have public hearings where folks can look us in the eye.

I believe that part of the American political experience at all levels should continue to require a physical presence of the voting members at public meetings. Calling in and not facing the public could very well be an appealing alternative if a board or committee member knew that there could be some conflict expected over a vote. If the weather is bad, reschedule the meeting. We do it all the time. If the issue caused it to be too hot in the kitchen and you decided to stay home, pleading sickness, then you've made that choice not to have a vote that day. Please follow my light to keep public meetings public.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise to agree with my good colleague from Glenburn. The Judiciary Committee has been round and round and round about remote participation in public meetings and it's a complicated issue because our constituents deserve to be able to look us in the eye when we are taking the tough votes that are going to affect their lives.

And we thought we had come up with a solution two years ago and sent it to the Chief Executive and it was returned with a veto because he did not agree that we had a good solution. I still think we have not come up with a good solution and I think this vote was hastily decided and I think our committee should go back to work on the idea of remote participation. So I ask you to vote against this motion. Thank you, Mr. Speaker.

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

**ROLL CALL NO. 278**

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

NAY - Alley, Austin, Bates, Battle, Beebe-Center, Bickford, Black, Buckland, Campbell R, Chace, Chenette, Corey, Crafts, Daughtry, DeChant, Dillingham, Dunphy L, Edgecomb, Espling, Farnsworth, Farrin, Fecteau, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Harlow, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Hobbins, Kinney J, Kinney M, Kumiega, Lockman, Long, Lyford, Maker, Malaby, McClellan, McElwee, Moonen, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Short, Sirocki, Stearns, Stetkis, Theriault, Timberlake, Tipping-Spitz, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Campbell J, Marean, Skolfield, Stuckey, Timmons. Yes, 69; No, 77; Absent, 5; Excused, 0.

69 having voted in the affirmative and 77 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative HOBBS of Saco, the House **RECONSIDERED** its action whereby the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

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

**CONSENT CALENDAR**

**First Day**

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

(S.P. 307) (L.D. 862) Bill "An Act To Clarify Who May Authorize Repairs in a Burying Ground" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-285)**

(S.P. 391) (L.D. 1119) Bill "An Act To Amend the Laws Governing the Filing of Wage Statements by Employers and To Clarify the Statute of Limitations under the Maine Workers' Compensation Act of 1992" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-286)**

(S.P. 506) (L.D. 1376) Bill "An Act To Establish a Local Food Producers and Processors to Consumers Pilot Program" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-284)**

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.

**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass pursuant to Resolve 2013 chapter 111, section 3** on Bill "An Act To Authorize a Casino To Benefit Federally Recognized Indian Tribes in the State"

(H.P. 990) (L.D. 1446)

Signed:

Senators:

CYRWAY of Kennebec  
COLLINS of York  
PATRICK of Oxford

Representatives:

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

Minority Report of the same Committee reporting **Ought Not to Pass pursuant to Resolve 2013 chapter 111, section 3** on same Bill.

Signed:

Representative:

SCHNECK of Bangor

Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought to Pass pursuant to Resolve 2013 chapter 111, section 3** Report.

**READ.**

Representative GIDEON of Freeport moved that the House **ACCEPT** the Majority **Ought to Pass pursuant to Resolve 2013 chapter 111, section 3** Report.

On motion of Representative ESPLING of New Gloucester, **TABLED** pending the motion of Representative GIDEON of Freeport to **ACCEPT** the Majority **Ought to Pass pursuant to Resolve 2013 chapter 111, section 3** Report and later today assigned.

**ENACTORS**

**Acts**

An Act To Protect Consumers against Residential Real Estate Title Defects

(H.P. 215) (L.D. 321)

(C. "A" H-425)

An Act To Clarify That the Information Gathered during Investigations of Attorneys by the Maine Commission on Indigent Legal Services Is Confidential

(H.P. 247) (L.D. 360)

An Act To Prohibit the Unauthorized Dissemination of Certain Private Images

(H.P. 460) (L.D. 679)

(C. "A" H-430)

An Act To Amend the Law Regarding Medical Examiners

(H.P. 700) (L.D. 1005)

An Act To Make Technical Changes to the Sex Offender Registration and Notification Acts of 1999 and 2013

(H.P. 773) (L.D. 1112)

An Act To Create and Sustain Jobs through Development of Cooperatives

(H.P. 886) (L.D. 1300)

(C. "A" H-396)

An Act Regarding Licensed Children's Programs

(H.P. 927) (L.D. 1365)

An Act To Require the Documentation of the Use of Seclusion and Restraint at Mental Health Institutions in the State

(H.P. 929) (L.D. 1368)

(S. "A" S-264 to C. "A" H-372)

An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws

(H.P. 958) (L.D. 1409)

(C. "A" H-435)

An Act To Include Muzzle-loading Firearms, Bows and Crossbows as Dangerous Weapons for Purposes of Protection from Abuse Orders

(H.P. 982) (L.D. 1438)

(C. "A" H-424)

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

**Resolves**

Resolve, To Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse Disorders

(H.P. 751) (L.D. 1090)  
(C. "A" H-438)

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

**BILLS RECALLED FROM GOVERNOR**

(Pursuant to Joint Order - House Paper 989)

An Act To Extend the Funding Period for Landfill Closure Costs

(H.P. 404) (L.D. 580)  
(C. "A" H-115; S. "B" S-182)

- In House, **PASSED TO BE ENACTED** on June 9, 2015.

- In Senate, **PASSED TO BE ENACTED** on June 10, 2015.

On motion of Representative WHITE of Washburn, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENACTED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Senate Amendment "B" (S-182)** was **ADOPTED**.

On further motion of the same Representative, **Senate Amendment "B" (S-182)** was **INDEFINITELY POSTPONED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-115)** in **NON-CONCURRENCE** and sent for concurrence.

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

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2016 and June 30, 2017"

(H.P. 702) (L.D. 1019)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-415) AS AMENDED BY HOUSE AMENDMENTS "A" (H-439) AND "B" (H-448)** thereto in the House on June 16, 2015.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-415) AS AMENDED BY SENATE AMENDMENTS "A" (S-287) AND "B" (S-288)** thereto in **NON-CONCURRENCE**.

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

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

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

The SPEAKER: The pending question before the House is to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 279**

YEA - Alley, Austin, Babbidge, Battle, Beck, Beebe-Center, Bickford, Black, Blume, Bryant, Buckland, Campbell R, Chace, Chenette, Cooper, Corey, Davitt, DeChant, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Farrin, Foley, Fowle, Fredette, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Grant, Grohman, Guerin, Hanington, Hanley, Hawke, Head, Herbig, Herrick, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hymanson, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Lyford, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Picchiotti, Pierce J, Pierce T, Pouliot, Powers, Prescott, Rotundo, Rykerson, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Sirocki, Stanley, Stearns, Sukeforth, Theriault, Tucker, Tuell, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Bates, Beavers, Brooks, Burstein, Chapman, Chipman, Crafts, Daughtry, Devin, Dillingham, Dion, Evangelos, Farnsworth, Fecteau, Frey, Gattine, Golden, Goode, Greenwood, Hamann, Harlow, Hickman, Hubbell, Jorgensen, Lockman, Long, McClellan, Melaragno, Monaghan, Moonen, Peterson, Pickett, Reed, Russell, Sanborn, Short, Stetkis, Stuckey, Tepler, Timberlake, Tipping-Spitz, Turner.

ABSENT - Campbell J, Marean, Skolfield, Timmons.

Yes, 105; No, 42; Absent, 4; Excused, 0.

105 having voted in the affirmative and 42 voted in the negative, with 4 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

**COMMUNICATIONS**

The Following Communication: (S.C. 455)

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

June 16, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 782, "An Act To Improve the Quality of Life of Persons with Serious Illnesses."

Palliative care is medical care that is focused on the patient's quality of life. I have no opposition whatsoever to this valuable and beneficial type of medical treatment. However, I'm opposed to setting up a government council to consult with and advise another government entity on palliative care initiatives, analyze

the palliative care now being provided, and make recommendations for improvement in an annual report.

An existing government entity, the Maine Hospice Council, now provides "continued development and delivery of high quality hospice and palliative care to all Mainers" and educates "both professionals and laypersons in the best practices of hospice and palliative care medicine." The Council's mission overlaps greatly with the palliative care initiatives of this bill. Indeed, the proposed 14-member council would include the executive director of the Maine Hospice Council, as well as three persons she appoints.

With this bill, another permanent governmental entity will be set up, with the Maine people paying members' expenses, and it will continue to exist long after its usefulness has evaporated. Not every well-intended idea must take up permanent residence in the halls of government. For these reasons, I return LD 782 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

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

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

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

In Senate, June 16, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

35 voted in favor and 0 against, and 35 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 280V**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Burstein, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgcomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Golden, Goode, Grant, Greenwood, Grohman, Hamann, Hanley, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Long, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Short, Sirocki, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, Winsor, Wood, Mr. Speaker.

NAY - Buckland, Campbell R, Dillingham, Ginzler, Guerin, Hanington, Hilliard, Lockman, Lyford, McClellan, Picchiotti, Pickett, Stetkis, Wallace, White.

ABSENT - Campbell J, Marean, Skolfield, Timmons.

Yes, 132; No, 15; Absent, 4; Excused, 0.

132 having voted in the affirmative and 15 voted in the negative, with 4 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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On motion of Representative KORNFIELD of Bangor, the House **RECONSIDERED** its action whereby it voted to **INSIST** on Bill "An Act To Provide Reasonable Accommodations for School Attendance for Children with Disabilities for Whom Medical Marijuana Has Been Recommended"

(H.P. 381) (L.D. 557)

On further motion of the same Representative, the House voted to **RECEDE AND CONCUR**.

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

**ENACTORS**

**Emergency Measure**

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017

(H.P. 702) (L.D. 1019)

(S. "A" S-287 and S. "B" S-288 to C. "A" H-415)

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

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

Representative **ROTUNDO**: Thank you, Mr. Speaker, Men and Women of the House, because of the late hour, I will forego thanking all those people I would normally thank for their work in this budget process. But before enactment, I do feel I need to express my deepest appreciation to the staff of the Revisor's Office and the Office of Fiscal and Program Review. These people are exemplary public servants. I know I speak on behalf of the entire Appropriations Committee when I thank the OFPR staff for their professionalism, expertise, and patience as they have worked under enormous stress and pressure for weeks. I hope they know how much we appreciate their work. We're particularly grateful to the committee's principle analyst, Maureen Dawson, who has worked unimaginably long hours for months. Not only was Maureen enormously helpful to us in organizing and moving our committee work along, she was also gracious and good natured whenever we went to her for help. To all who have helped in this budgetary process, I extend my greatest thanks.

Representative McCABE of Skowhegan **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

Representative **SIROCKI**: Thank you, Mr. Speaker. Before we vote on this, Mr. Speaker, Ladies and Gentlemen of the House, I just wanted to say a few words. There were days when I thought this day would never arrive, but here we are. To begin with, I would like to thank every Member of the House. While House Republicans' views were marginalized during the committee process, the report backs from the various policy

committees helped those of us on the Appropriations Committee much more than you may imagine.

Our House leadership made a valiant effort to improve upon the majority budget. And some important changes were negotiated, but they came at a cost. Once the cream was put in the coffee, it became clear to me that a new pot needed to be brewed. Thus, House Republicans readied a Minority Report; a report that will never see the light of day.

After careful consideration, I feel compelled to explain why, after all of this work, I am unable to vote for the budget before us. All of us have a stake in this budget. After all, the budget affects every person in the state. It is often said that it is easy to spend other people's money, but I would not describe spending billions of hardworking taxpayer dollars as "easy," nor should it be, especially when so many Mainers are struggling to make ends meet.

When speaking with my constituents, they made it clear to me that they are frustrated with politics and politicians. Why? Because we often refuse to tackle tough issues, we spend more money on programs that yield few, if any, results, we underfund programs that serve our vulnerable, and we spend their hard-earned money on pork and special handouts. And all of this is true.

I am voting against this budget because I know we can do better. We still have time to make improvements. In my mind, there are some things that should go into the budget first. Essential things. Important things. We should have made it a commitment to adequately fund our nursing homes and provide a long overdue cost of living adjustment instead of loading in millions of specific targeted amendments. We should have eliminated the waitlists for our traumatically brain injured before we loaded up the budget with \$4 million in cherry-picked bills from the Special Appropriations Table, and we should have eliminated the waitlists for hundreds of cognitively and physically disabled individuals who will once again be told they must wait, while we made sure to continue a full spectrum of benefits that most other states do not offer for non-citizens.

I know that we are all tired, and we want to go home. And, yes, the clock is ticking, but we still have time to make this a better budget. We can do the right thing, right here, right now for Maine people who are not being served and for struggling Maine nursing homes that care for our elderly. We can choose to finish the job. Or, we can do like we have so many times in the past, being content enough, we vote, we go home, and we quickly forget who we left behind. After all, the disabled, the elderly, the autistic, the traumatically brain injured, have become accustomed to waiting while others are served. Thank you, Mr. Speaker.

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 After Midnight
 

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The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Peterson.

Representative **PETERSON**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. Mr. Speaker, we've heard a number of concerns about the budget before us this evening—and perhaps, more importantly, concerns about the process that brought us this budget. Let me share an example with you.

I have a concern about an issue in the proposed budget that should have been addressed during the most recent budget negotiations amongst leaders, but which, sadly, was not. The issue at hand is a much needed wage increase for home- and community-based workers who serve Maine's elders and people living with a disability. The increase was provided for agencies, some of which are owned by out of state interests and investors, and by extension, the workers associated with those agencies. But the section that would have provided a comparable wage increase for workers in Maine's consumer directed programs, those important programs where people with a disability take responsibility for their care by recruiting, hiring and managing their own workers—and it just so happens the most cost-effective unit of service within our long-term care system—were not included in this across-the-board increase.

Such an action will create inequities in our home- and community-based services that are unsustainable and unfair. I was assured by some members of the Appropriations Committee that this was a technical oversight. However, even though it was pointed out by members of the Health and Human Services Committee, who voted unanimously during the light of day in a public meeting to include all of these workers equally in any rate increase, this omission was not corrected during the recent closed door negotiations conducted by the legislative leadership.

Mr. Speaker, I understand that proposing amendments of this type to the budget at this stage of the process would be cumbersome and I haven't proposed such a change this evening. Instead, my only alternative is to vote against this entire budget, because I think this budget as presented by our leaders will create and perpetuate an inequity which was discussed at length by the Health and Human Services Committee where we agreed unanimously—again, all members of both parties in public, in the light of day—that any rate increases should be equitably applied across all programs, including the consumer-directed programs. Since this inequity would provide an increase in rates to agencies, which may be owned by out-of-state investors, while not providing the same increase to hard-working Maine citizens who care for our seniors and people with a disability, it violates a fundamental aspect of the contract we have as a Legislature with Maine people.

Based on my discussions with AFA members, the omission and variance from the unanimous and bipartisan vote of the Health and Human Services Committee has been described as a drafting error, one which I hope can be handled as a technical correction, and I would seek that commitment from you, Mr. Speaker, that this matter will be appropriately addressed. If such assurances are not forthcoming, this must be a deliberate policy choice made by some legislative leaders which runs counter to the unanimous and bipartisan will of the Health and Human Services Committee. That would be disturbing; unfortunately, re-enforcing the criticism that has recently been leveled by

investigative reporters in our state concerning the lack of transparency of this entire budget process.

The legislative process is one of public debate and discussion and we've strayed from that. That is why I'm voting against this budget and I urge all of my colleagues in this body to join me—and especially my colleagues on both sides of the aisle from the Health and Human Services Committee. Let's maintain our position in endorsing fairness for all direct care workers in home- and community- based services to keep Maine seniors and people living with a disability as independent as possible for as long as possible in their own homes.

Make no mistake about it—this is a moment of truth for all of us in this body. Agreements were made in a way very different from the usual matter of course. Let's send this bill back to the Appropriations Committee to be considered in the light of day, to correct issues like the one I just outlined, and to affirm the faith of the Maine people that sent us here by reopening a transparent and inclusive process. Thank you, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker, I rise in support of enactment of this budget. I know it's tough for a lot of people to do it and I know it is late at night, but since everybody seems to want to talk, I guess I'll throw my two cents in.

When I was a kid, my grandmother taught us many things. One was you had a meal that was set before you. You either ate it for what it was or you went without. What you'd like to have might not be the case. You ate it or you went without. And you learn in the process humility. And I think everyone who has issues with this, and I have issues with this, everyone has issues with this, but it's time for us to get over ourselves, to put our pride aside, to swallow hard, to get this done. It's time. We have been hours and hours and hours and hours and hours of debate on this and everybody has legitimate issues in their own mind, but sometimes you have to go beyond that. The people expect this to be done.

I would also say, to those who are thinking of stopping the process here and now, the full words that the media may want to pick up is, "What's your plan? Where do you go from here? If you shoot this down, where do you go?" There is no plan to go from here. Thank you, Mr. Speaker.

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

Representative **KORNFIELD**: Ladies and Gentlemen of the House, I think we can all find something that we don't like about this budget. But, I want to tell you about what is good about this budget. The Education Committee decided unanimously very early what our priorities were. We were very clear about them when we went before the Appropriations Committee. And the Education Committee wants to thank the Appropriations Committee for working so hard to preserve those priorities.

This budget put money into the University of Maine System, the Community College System, Maine Maritime Academy, while also putting money into the Maine State Grant Program, which is the only needs-based state aid. We want to have a higher ed education system in this state that we are proud of, that educates our Maine students as well as draws in students from other states.

The budget gives money to general purpose aid, which will give money to every public school in the state, and potential tax relief to people in all of our communities. This moves us in the right direction toward the 55 percent, and it shifts the burden away from the taxpayers. It also puts in about a million dollars for job training in various forms. So, from an educational standpoint, this is a very good budget.

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

Representative **BROOKS**: Mr. Speaker, Women and Men of the House, I rise tonight with a heavy heart. Many thoughts come to my mind, but when I look to the Speaker, I see that our Dirigo flag, our Maine flag and our American flag, and the star and the Dirigo—We lead—and the eagle on the top of the American Flag. And I think it's a moment that we need to embrace. We don't want to go gently into this good night. It is the evening and it is late hour. But I felt compelled to rise and encourage people to really search inside.

I will be opposing the current motion of enactment for different reasons. People are deciding to vote on this bill. I just don't, what is paining me tonight is the stripping of the amendment for our residents in Maine, our fellow Mainers, that are new Mainers. Not long ago, four years ago, there were low-cost drugs for the elderly and disabled in the Medicare Savings Program were at risk. And, they were at risk in this current budget as well and that's part of why I have a heavy heart. Is that there were so many people did such hard work for this budget and it is important that we come to an agreement.

However, I think we were faced with many false choices and for plan "b," I believe we do have other options and one of the options was presented by the good Representative Stuckey from Portland, and there are other options and a fair share of solution is available to us. So, I'll be voting against this current motion.

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 281**

YEA - Alley, Austin, Babbidge, Bates, Beck, Beebe-Center, Bickford, Black, Blume, Bryant, Buckland, Campbell R, Chace, Chenette, Cooper, Corey, Daughtry, Davitt, DeChant, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Farrin, Foley, Fowle, Fredette, Frey, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Grohman, Guerin, Hanley, Hawke, Head, Herbig, Herrick, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Lyford, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Monaghan, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Picchiotti, Pierce J, Pierce T, Pouliot, Powers, Prescott, Rykerson, Saucier, Sawicki, Schneck, Seavey, Shaw, Sherman, Stearns, Sukeforth, Tepler, Theriault, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Battle, Beavers, Brooks, Burstein, Chapman, Chipman, Crafts, Devin, Dillingham, Dion, Evangelos, Farnsworth, Fecteau, Gattine, Golden, Goode, Grant, Greenwood, Hamann, Hanington, Harlow, Hickman, Jorgensen, Lockman, Long, McClellan, Melaragno, Moonen, Peterson, Pickett, Reed, Rotundo, Russell, Sanborn, Sanderson, Short, Sirocki, Stanley, Stetkis, Stuckey, Timberlake, Turner.

ABSENT - Campbell J, Marean, Skolfield, Timmons.

Yes, 105; No, 42; Absent, 4; Excused, 0.

105 having voted in the affirmative and 42 voted in the negative, with 4 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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On motion of Representative CAMPBELL of Orrington, the House adjourned at 12:37 a.m., until 10:30 a.m., Wednesday, June 17, 2015.