

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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
 65th Legislative Day
 Friday, June 19, 2015

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

Prayer by Honorable Heidi E. Brooks, Lewiston.

National Anthem by Honorable Matthea Elisabeth Larsen Daughtry, of Brunswick and Honorable Craig V. Hickman, of Winthrop.

Pledge of Allegiance.

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

The Journal of yesterday was read and approved.

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

COMMUNICATIONS

The Following Communication: (H.C. 246)

**STATE OF MAINE
 HOUSE OF REPRESENTATIVES
 SPEAKER'S OFFICE
 AUGUSTA, MAINE 04333-0002**

June 19, 2015
 Honorable Robert B. Hunt
 Clerk of the House
 2 State House Station
 Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Jeff M. McCabe of Skowhegan to serve as Speaker Pro Tem to convene the House on June 19, 2015.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

COMMUNICATIONS

The Following Communication: (H.C. 245)

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

June 18, 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 1080, "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway 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."

A sound transportation infrastructure, especially roads and bridges, is critical to a good quality of life and economic prosperity. Many in the Legislature have asked me to raise the gas tax to fund these improvements – but there is another way. My Administration has adopted a policy of stretching the transportation dollar to ensure funding for the basics – quality roads, safe bridges, and prosperous ports. No longer do we spend millions of dollars planning projects that we know we will never build. So too, we must scrutinize the Highway Fund Budget to ensure that we are directing as much funding as possible to core infrastructure. Paying per diems for legislators to meet in the summer, funding cold case squads or computer crimes do not result in better roads and bridges. Moreover, the Constitution of the State of Maine mandates that highway fund dollars be spent solely on highway fund activities. I took an oath to uphold the Constitution and I intend to honor that oath.

Until Augusta politicians allow us to focus limited resources on the most important transportation needs, I will continue to veto legislation that is not in the best interest of all Mainers. I ask each one of you to stand up for the Maine people and support these vetoes.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE. Sent for concurrence.

Pursuant to Article IV, Part Third, Section 2-A the accompanying line item vetoes on An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway 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 (EMERGENCY)

(H.P. 740) (L.D. 1080)

(C. "A" H-457)

The accompanying line item veto

Legislature 0081

Initiative: BASELINE BUDGET

HIGHWAY FUND 2015-16

Personal Services	\$6,720	\$0
-------------------	---------	-----

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I wanted to get up just for a quick minute here to let you know my feelings on some of these line items. I will be voting to override all the line items in this Highway Fund document. I thought we did a great job in the Transportation Committee working through the Highway fund budget. There was a couple of things that we did add: the Cold Case Squad, two state police detectives and a chemist, and we also added outfitting the Mobile Crime Unit.

And actually, we funded most of that by taking something away that really wasn't—and I agree with the Chief Executive on some of his things in his letter—that weren't Highway Fund related at all, I felt. And the committee agreed on that and so we moved that money to help fund the Cold Case Unit and the outfitting of the Mobile Crime Unit. And all the other line items that were line itemed were in the original budget, so I will be voting to override all the items today. Thank you.

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

Representative **McLEAN**: Thank you, Mr. Speaker, I concur with the remarks from the good Representative from Arundel. The Transportation Committee did some really great work, some very good bipartisan work on this budget and I would urge everyone in this chamber to override all the vetoes in front of us this morning. Thank you very much.

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

The SPEAKER PRO TEM: 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. 109 voted in favor of the same and 2 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto
Legislature 0081

Initiative: BASELINE BUDGET

HIGHWAY FUND	2016-17	
Personal Services	\$3,575	\$0

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 PRO TEM: 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. 111 voted in favor of the same and 3 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto
Legislature 0081

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	
All Other	\$7,280	\$0

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 PRO TEM: 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. 114 voted in favor of the same and 2 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto
Legislature 0081

Initiative: BASELINE BUDGET

HIGHWAY FUND	2016-17	
All Other	\$4,550	\$0

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 PRO TEM: 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. 109 voted in favor of the same and 2 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

Computer Crimes 0048

Initiative: Provides one-time funding for equipment related to the evidence van in the computer crime unit.

HIGHWAY FUND	2015-16	
All Other	\$27,000	\$0

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 PRO TEM: 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. 112 voted in favor of the same and 4 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

State Police 0291

Initiative: Provides funding for equipment for the crime laboratory including a genotyping software package and an uninterruptable power supply for a gas chromatograph.

HIGHWAY FUND	2015-16	
Capital Expenditures	\$43,750	\$0

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 PRO TEM: 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. 110 voted in favor of the same and 1 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

State Police 0291

Initiative: Transfers and reallocates one DNA Forensic Analyst position from 100% Federal Expenditures Fund to 65% General Fund and 35% Highway Fund within the same program.

HIGHWAY FUND	2015-16	
Personal Services	\$33,671	\$0

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 PRO TEM: 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. 117 voted in favor of the same and 2 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

State Police 0291

Initiative: Transfers and reallocates one DNA Forensic Analyst position from 100% Federal Expenditures Fund to 65% General Fund and 35% Highway Fund within the same program.

HIGHWAY FUND	2016-17		
Personal Services	\$34,006		\$0

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 PRO TEM: 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. 115 voted in favor of the same and 1 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

State Police 0291

Initiative: Provides funding for 2 State Police Detective positions and one Forensic Chemist position and related All Other costs to establish a cold case homicide unit.

HIGHWAY FUND	2015-16		
Personal Services	\$128,730		\$0

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 PRO TEM: 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. 111 voted in favor of the same and 1 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

State Police 0291

Initiative: Provides funding for 2 State Police Detective positions and one Forensic Chemist position and related All Other costs to establish a cold case homicide unit.

HIGHWAY FUND	2016-17		
Personal Services	\$132,744		\$0

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 PRO TEM: 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. 116 voted in favor of the same and 1 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

State Police 0291

Initiative: Provides funding for 2 State Police Detective positions and one Forensic Chemist position and related All Other costs to establish a cold case homicide unit.

HIGHWAY FUND	2015-16		
All Other	\$39,377		\$0

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 PRO TEM: 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. 109 voted in favor of the same and 1 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

State Police 0291

Initiative: Provides funding for 2 State Police Detective positions and one Forensic Chemist position and related All Other costs to establish a cold case homicide unit.

HIGHWAY FUND	2016-17		
All Other	\$25,144		\$0

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 PRO TEM: 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. 114 voted in favor of the same and 4 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

Multimodal - Passenger Rail Z139

Initiative: BASELINE BUDGET
OTHER SPECIAL REVENUE FUNDS 2015-16

All Other	\$2,000,000	\$1,000,000
-----------	-------------	-------------

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 PRO TEM: 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. 107 voted in favor of the same and 16 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto

Multimodal - Passenger Rail Z139

Initiative: BASELINE BUDGET
OTHER SPECIAL REVENUE FUNDS 2016-17

All Other	\$2,000,000	\$1,000,000
-----------	-------------	-------------

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 PRO TEM: 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. 100 voted in favor of the same and 17 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

The accompanying line item veto
State Infrastructure Bank 0870

Initiative: Provides the allocation to make a loan to a municipality for a transportation project.

OTHER SPECIAL REVENUE FUNDS 2015-16
All Other ~~\$450,000~~ \$0

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 PRO TEM: 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. 114 voted in favor of the same and 12 against, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

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

SENATE PAPERS

Bill "An Act To Amend Education Laws"

(S.P. 548) (L.D. 1448)

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

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

On motion of Representative KORNFIELD of Bangor, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

Non-Concurrent Matter

Bill "An Act To Ban the United Nations Agenda 21 in Maine"

(H.P. 119) (L.D. 161)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on June 18, 2015.

Came from the Senate with the Minority (5) **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-463)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Protect Rights and Privileges Granted under the United States Constitution and the Constitution of Maine"

(H.P. 224) (L.D. 330)

Majority (10) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on June 18, 2015.

Came from the Senate with the Minority (3) **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-462)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Increase the Minimum Wage to \$8.00 per Hour"

(H.P. 75) (L.D. 92)

Report "A" (7) **OUGHT TO PASS AS AMENDED** of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-317)** in the House on June 8, 2015.

Came from the Senate with Report "B" (3) **OUGHT TO PASS AS AMENDED** of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-318)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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

Non-Concurrent Matter

Bill "An Act To Establish the Municipal Gigabit Broadband Network Access Fund"

(H.P. 818) (L.D. 1185)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-288) in the House on June 5, 2015.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-288)** **AS AMENDED BY SENATE AMENDMENT "A" (S-257)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Feed Rural Citizens of the State"

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

Majority (7) **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 3, 2015.

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

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Reward Work Performed by Welfare Recipients"

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

Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED** in the House on June 17, 2015.

Came from the Senate with the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-421)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

An Act To Protect Children in School Facilities by Requiring Boiler Inspections

(S.P. 114) (L.D. 299)

(C. "A" S-191)

PASSED TO BE ENACTED in the House on June 8, 2015.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-191) AS AMENDED BY SENATE AMENDMENT "A" (S-303)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Increase the State Earned Income Credit"

(H.P. 79) (L.D. 96)

Unanimous **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-230)** in the House on June 1, 2015.

Came from the Senate with the Unanimous **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Improve Forest Ranger Safety"

(H.P. 498) (L.D. 745)

Unanimous **OUGHT TO PASS** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in the House on April 29, 2015.

Came from the Senate with the Unanimous **OUGHT TO PASS** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (S.C. 448)

**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 649, "Resolve, To Ensure That MaineCare-eligible Children Have Equal Access to Providers of Dental, Hearing and Vision Services."

This resolve requires the Department of Health and Human Services to consult with no fewer than 16 distinct interested parties in order to develop a comprehensive strategy to address disparities in MaineCare children's access to certain healthcare services. The resolve is incredibly broad in scope: the Department has to evaluate the level of disparity by type of service and geographic location; must figure out why disparities exist and how to remedy them; and must generate pilot project ideas for good measure. Since the resolve is not of an emergency nature, the Department will have approximately three months to perform this work—a completely unrealistic length of time.

Let me make it simple. To the extent that access is a problem, it is because providers do not want to accept low Medicaid reimbursement. If the Legislature wishes to fix the problem, it should fund third-party Medicaid rate studies to establish appropriate reimbursement, then provide funding for the higher rates. Unfunded mandates like this resolve get the Legislature nowhere nearer its goal.

For these reasons, I return LD 649 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, To Ensure That MaineCare-eligible Children Have Equal Access to Providers of Dental, Hearing and Vision Services

(S.P. 242) (L.D. 649)

(C. "A" S-127)

In Senate, June 17, 2015, this Resolve, 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 Resolve become a law notwithstanding the objections of the Governor?'

24 voted in favor and 10 against, and 24 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Resolve become law and the veto was overridden.

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 hope you'll join me today in overriding this veto. Again, this is a matter that the Health and Human Services Committee worked very hard to get a unanimous report out of committee. I want to appreciate and acknowledge all the work that my colleagues did on both sides of the aisle, and also acknowledge the fact that this was unanimous in this chamber and in the other body when we ran this bill.

Access to dental, hearing, and vision services for children on MaineCare is a problem throughout the state, especially in rural areas. The Chief Executive is right in this letter: we do need to

work on rates. But this isn't a problem that just money will solve and what this Resolve does is it directs the Department to engage with people to try to find more creative solutions to this problem. I hope that's something that we can all support here today. Thank you, Mr. Speaker.

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 PRO TEM: 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. 297V

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Ginzler, Golden, Grant, Greenwood, Grohman, Hamann, Hanley, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Long, Longstaff, Luchini, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Nutting, O'Connor, Peterson, Picchiotti, Pierce J, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanderson, Saucier, Schneck, Seavey, Sherman, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Winsor, Wood.

NAY - Buckland, Chace, Foley, Fredette, Gerrish, Gillway, Guerin, Hanington, Hilliard, Kinney J, Lockman, Lyford, McClellan, McElwee, Parry, Pickett, Prescott, Reed, Skolfield, Stetkis, Theriault.

ABSENT - Bickford, Davitt, Dunphy M, Goode, Malaby, Noon, Sanborn, Sawicki, Shaw, Sirocki, Wallace, Mr. Speaker.

Yes, 118; No, 21; Absent, 12; Excused, 0.

118 having voted in the affirmative and 21 voted in the negative, with 12 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 446)

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

This bill seeks to amend Maine's law regarding shellfish aquaculture permits, whereby municipalities that have adopted ordinances meeting State statutory requirements may issue aquaculture permits for sites on land between the high- and low-water marks. The underlying law has been on the books in some form since 1911. In all that time, the Department of Marine

Resources is unaware of any municipality adopting a local ordinance to engage in this practice. Perhaps, instead of strengthening this law, the Legislature should be contemplating a repeal of this unnecessary statute, as the Department of Marine Resources already has the statutory authority to lease the intertidal zone and the protection of the associated gear is already included in this law.

Nevertheless, this bill seeks to strengthen this vestigial law by completely excluding any economic activity within a shellfish aquaculture permit site other than shellfish aquaculture. Under this proposed bill, merely "disturbing" shellfish within the intertidal zone will result in a civil violation. Municipalities are not equipped to administer this type of permitting and the conflicts that will arise. It is better left to the Department of Marine Resources.

Our marine resources belong to the people of Maine. For these reasons, I return LD 255 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 Preserve the Integrity of Maine's Shellfish Industry by Increasing the Penalty for Interfering with Permitted Harvest

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

(C. "A" S-84)

In Senate, June 17, 2015, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 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.

On motion of Representative KUMIEGA of Deer Isle, **TABLED** pending **RECONSIDERATION** and later today assigned.

The Following Communication: (S.C. 458)

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

June 17, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Majority Ought to Pass Report from the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Allow Grocery Stores under 10,000 Square Feet To Be Open on Sundays" (H.P. 589) (L.D. 855), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (S.C. 460)

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

June 17, 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 Unanimous Ought to Pass as Amended Report on Bill "An Act To Improve Snowmobiling in Maine" (H.P. 725) (L.D. 1056), in non-concurrence.

Best Regards,

S/Heather J.R. Priest
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 461)

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

June 18, 2015

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

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Majority Ought Not to Pass Report from the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Allow Maine Residents To Personally Import Medications as Permitted under the Federal Food, Drug, and Cosmetic Act" (H.P. 968) (L.D. 1422), in non-concurrence.

Best Regards,

S/Heather J.R. Priest
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 462)

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

June 18, 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 adhered to its previous action whereby it accepted the Minority Ought to Pass as Amended Report from the Committee on Taxation on Bill "An Act To Base the Excise Tax Imposed on the Purchase of a Motor Vehicle on the Price Paid" (H.P. 77) (L.D. 94), in non-concurrence.

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 Labor, Commerce, Research and Economic Development on Bill "An Act Regarding the Work Permitting Process for Minors" (H.P. 943) (L.D. 1393), in non-concurrence.

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Judiciary on Bill "An Act To Establish the Maine Fourth Amendment Protection Act" (S.P. 200) (L.D. 531), in non-concurrence.

Please be advised the Senate today insisted to its previous action whereby it Engrossed Bill "An Act To Remove the Municipal Mandate To Enforce the Maine Uniform Building and Energy Code" (S.P. 418) (L.D. 1191) as Amended, in non-concurrence.

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

READ and ORDERED PLACED ON FILE.

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

ORDERS

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 28)

ORDERED, that Representative Ryan M. Fecteau of Biddeford be excused June 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative David P. Sawicki of Auburn be excused June 12 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas H. Skolfield of Weld be excused June 15 for health reasons.

READ and PASSED.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-302)** on Bill "An Act To Prevent the Shackling of Pregnant Prisoners" (S.P. 353) (L.D. 1013)

Signed:

Senators:

ROSEN of Hancock
GERZOFISKY of Cumberland

Representatives:

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

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

Signed:

Senator:

BURNS of Washington

Representatives:

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

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-302)**.

READ.

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

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

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

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

Representative **DION**: Good morning, Mr. Speaker, Ladies and Gentlemen of the House, I rise on this bill to ask for your support in passage. Seventeen years ago when I became sheriff, I had the opportunity to go to a hospital because a female prisoner was being held there. When I arrived, she was handcuffed to the gurney. Her medical condition is that she was in labor. And I asked the deputies in all sincerity, why was she handcuffed. And they were afraid she could escape. And I wondered, let's see if she can. I thought maybe her condition was such, escape was the last thing on her mind.

For those of you not familiar, shackling is when they handcuff your ankles together and sometimes there's a running chain to your waist and it connects your wrists as well. In the years since, I made sure that in Cumberland County we didn't shackle pregnant females. But this bill was brought forward because of some young law students were working in other parts of the state and that case is the condition. And therefore, they sought relief here from the Legislature. There are some judges who support this position, that shackling should not occur, but in order to direct all judges to inquire that fact in all the districts of Maine, it's yet to be resolved or achieved. The purpose for this bill, therefore rised. So I hope that you will support this and send a voice to sheriffs and to the judiciary that this is improper conduct for pregnant females. Thank you.

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

ROLL CALL NO. 298

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, DeChant, Devin, Dion, Doore, Duchesne, Edgecomb, Espling, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Ginzler, Golden, Grant, Grohman, Guerin, Hamann, Hanley, Harlow, Hawke, Herbig, Herrick, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Saucier, Schneck, Shaw, Sherman, Short, Skolfield, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, White, Wood.

NAY - Black, Buckland, Chace, Crafts, Dillingham, Dunphy L, Farrin, Foley, Fredette, Gerrish, Gillway, Greenwood, Hanington, Head, Higgins, Hilliard, Hobart, Lockman, Long, Lyford, Marean, McClellan, Nutting, O'Connor, Parry, Prescott, Reed, Sanderson, Seavey, Stearns, Stetkis, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Ward, Winsor.

ABSENT - Davitt, Dunphy M, Goode, Malaby, Noon, Sanborn, Sawicki, Sirocki, Wallace, Mr. Speaker.
Yes, 101; No, 40; Absent, 10; Excused, 0.

101 having voted in the affirmative and 40 voted in the negative, with 10 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-302)** 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-302)** in concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Integrate the State's General Assistance and Temporary Assistance for Needy Families Programs"

(S.P. 136) (L.D. 368)

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 "A" (S-200)** on same Bill.

Signed:

Senators:

BRAKEY of Androscoggin
McCORMICK of Kennebec

Representatives:

HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea
VACHON of Scarborough

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-200)**.

READ.

On motion of Representative GATTINE of Westbrook, **TABLED** pending **ACCEPTANCE** of either 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" (S-271)** on Bill "An Act To Align Municipal General Assistance Programs with the Immigration Status Policies of the Department of Health and Human Services"

(S.P. 137) (L.D. 369)

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" (S-272)** on same Bill.

Signed:
Senators:
BRAKEY of Androscoggin
McCORMICK of Kennebec

Representatives:
HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea
VACHON of Scarborough

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-271) AS AMENDED BY SENATE AMENDMENT "A" (S-292)** thereto.
READ.

On motion of Representative GATTINE of Westbrook, **TABLED** pending **ACCEPTANCE** of either 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" (S-298)** on Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Supplement Benefits for the Purchase of Taxable Food Items (EMERGENCY)
(S.P. 195) (L.D. 526)

Signed:
Senators:
BRAKEY of Androscoggin
McCORMICK of Kennebec

Representatives:
BURSTEIN of Lincolnville
HEAD of Bethel
HYMANSON of York
MALABY of Hancock
PETERSON of Rumford
SANDERSON of Chelsea
VACHON of Scarborough

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-299)** on same Resolve.

Signed:
Senator:
HASKELL of Cumberland

Representatives:
GATTINE of Westbrook
HAMANN of South Portland
STUCKEY of Portland

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-298)**.
READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Prioritize Use of Available Resources in General Assistance Programs"
(S.P. 362) (L.D. 1036)

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 "A" (S-194)** on same Bill.

Signed:
Senators:
BRAKEY of Androscoggin
McCORMICK of Kennebec

Representatives:
HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea
VACHON of Scarborough

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-194)**.
READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Establish a 180-day Residency Requirement for Welfare Benefits"
(S.P. 363) (L.D. 1037)

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 "A" (S-263)** on same Bill.

Signed:

Senators:

BRAKEY of Androscoggin
McCORMICK of Kennebec

Representatives:

HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea
VACHON of Scarborough

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

On motion of Representative GATTINE of Westbrook, **TABLED** pending **ACCEPTANCE** of either 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" (S-230)** on Bill "An Act To Encourage Good Nutrition and Healthy Choices in the Supplemental Nutrition Assistance Program"

(S.P. 420) (L.D. 1193)

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 Not to Pass** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea
VACHON of Scarborough

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

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Increase Accountability in Maine's Welfare Programs"

(S.P. 505) (L.D. 1375)

Signed:

Senator:

HASKELL of Cumberland

Representatives:

GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HYMANSON of York
STUCKEY of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-237)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea
VACHON of Scarborough

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED Report READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-237). READ.**

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

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-139)** on Bill "An Act Regarding Residential Drinking Water Arsenic Testing"

(S.P. 328) (L.D. 937)

Signed:

Senators:

VOLK of Cumberland
CUSHING of Penobscot
PATRICK of Oxford

Representatives:

HERBIG of Belfast
BATES of Westbrook
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:

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

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

On motion of Representative HERBIG of Belfast, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Attract Entrepreneurs to the State"

(S.P. 481) (L.D. 1332)

Signed:

Senators:

VOLK of Cumberland
 CUSHING of Penobscot

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-228)** on same Bill.

Signed:

Senator:

PATRICK of Oxford

Representatives:

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

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-228) AS AMENDED BY SENATE AMENDMENT "A" (S-250)** thereto.

READ.

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

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **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 Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, if you notice, I'm on the Majority Report on this one here. We have so many poor people and elderly people and sick people that need help, and this thing here has a fiscal impact of \$250,000, a quarter of a

million dollars. We talk about not having enough money for this and for that. Well, you know how I support the elderly and the poor and disabled. And three or four of these come in front of us. One of them came in front of us looking for interest free because of their religion. So, I voted against most of them. You know, this Legislature's been slapped around and accused of giving it big to the taxpayers of this state for \$13.5 million. And until we get that back, I won't be supporting any of these. Thank you, Mr. Speaker.

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

Representative **FECTEAU**: Thank you, Mr. Speaker, Ladies & Gentleman of the House, I rise in support of the pending motion. First and foremost, this bill was amended and the fiscal note is now \$100,000. I wish I could use a visual presentation rather than a floor speech this morning. If you have not seen a collaborative workspace, take it from me, they truly embody the 21st century and the future of our economy: colorful, high-tech, open space work environments.

According to an MIT report compiled by a manufacturing task force, manufacturing in the United States is not dominated by large firms such as Dupont, IBM, and Kodak anymore. That's no surprise to any of us in this chamber. Instead, Mr. Speaker, manufacturing consists of more and more small firms. Professor Suzanne Berger writes in the report, "There are these holes in the ecosystem, and we have to think about other ways to provide all these capabilities if we want to see manufacturing revived." Certainly, collaborative work spaces represent only a portion of the solution. But they are increasingly vital to the economy and Maine should jump into the water now before it is sponged up by neighboring states like Massachusetts.

You might be wondering how collaborative workspaces translate into manufacturing operations. The examples across the country are numerous. Here is a recent 2014 example from New York City's Economic Development Commission. They invested grant money into a 4,000-square-foot commercial kitchen space. The facility now provides shared workspace for up to 40 food manufacturing businesses. Of course, many businesses in these collaborative spaces will out-grow the walls while others will never need a large team, such as mobile app developers, for example.

This bill establishes a first of its kind grant program in Maine to assist in funding the build-out of collaborative workspaces specifically and requires a match from a collaborative workspace sponsor. A sponsor could be a private company, a law firm, a municipality, an individual, etc. The benefits of being a tenant in these kinds of spaces include shared resources, conference spaces, receptionists, technology, and of course much cheaper rental fees than a start-up might find in a standard office building or manufacturing facility.

Finally, this legislation includes very specific reporting requirements which mirror those used in a Missouri Collaborative Workspace Grant program. These reporting requirements will help this body determine the success of such investments as we move forward. I would invite you to check out the reports from the Missouri program. The success of these start-up businesses are quite impressive.

Mr. Speaker, I hope you will join me in supporting this legislation as we continue to look for creative and innovative ways to attract young people to live and work in our great state. And also retain talented Mainers who are looking for opportunities to grow their bright ideas. Thank you, Mr. Speaker.

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

Representative **GROHMAN**: Thank you, Mr. Speaker, Women and Men of the House, I am also supporting this program. We did not do much for entrepreneurs and small businesses in this budget. In fact, we eliminated the high-tech tax credit and the jobs and investment tax credit. This is one small thing that we can do. I continue to support the budget. I know all of us have some hard times to do so. I think that's the right thing to do. But I'd love to support this program as a small olive branch to the entrepreneurial and start-up community. Thank you.

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

Representative **STETKIS**: Thank you, Mr. Speaker, in my area the business owners are, they're having a tough enough time currently investing in their own business. I don't believe they would appreciate the confiscation of their tax dollars to invest in somebody else's.

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

ROLL CALL NO. 299

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

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

ABSENT - Davitt, Dunphy M, Goode, Kinney M, Lyford, Malaby, Noon, Sanborn, Sawicki, Sirocki, Wallace, Mr. Speaker.

Yes, 80; No, 59; Absent, 12; Excused, 0.

80 having voted in the affirmative and 59 voted in the negative, with 12 being absent, and accordingly the Minority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-228)** 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-228)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Promote Minimum Wage Consistency"

(S.P. 494) (L.D. 1361)

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-142)** 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 Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-142)**.

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-474)** on Bill "An Act To Promote the Safe Use and Sale of Firearms"

(H.P. 282) (L.D. 415)

Signed:
Senators:
ROSEN of Hancock
GERZOFKY of Cumberland

Representatives:
FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
NADEAU of Winslow
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-475)** on same Bill.

Signed:
Senator:
BURNS of Washington

Representatives:
LONG of Sherman
THERIAULT of China

TIMMONS of Cumberland

READ.

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

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

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

The SPEAKER PRO TEM: 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. 300

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

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

ABSENT - Davitt, Dunphy M, Goode, Kinney M, Lyford, Malaby, Noon, Sanborn, Sawicki, Seavey, Sirocki, Wallace, Mr. Speaker.

Yes, 73; No, 65; Absent, 13; Excused, 0.

73 having voted in the affirmative and 65 voted in the negative, with 13 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-474)** 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-474)** 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 Allow for and Regulate the Adult Use of Cannabis"

(H.P. 950) (L.D. 1401)

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
NADEAU of Winslow
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-477)** on same Bill.

Signed:

Senator:

GERZOFISKY of Cumberland

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 **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-476)** on Bill "An Act To Protect Certain Information under the Maine Human Rights Act"

(H.P. 802) (L.D. 1171)

Signed:

Senators:

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 Not to Pass** on same Bill.

Signed:

Senator:

BURNS of Washington

Representative:

GUERIN of Glenburn

READ.

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

On motion of Representative FREDETTE of Newport, **TABLED** pending the motion of Representative HOBBINS of Saco to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-478)** on Resolve, To Modify the State Valuation of the Town of Madison To Reflect the Loss in Valuation of the Madison Paper

Company and To Modify the State Valuation of the Town of Skowhegan To Reflect the Loss in Valuation of the S.D. Warren Company (EMERGENCY)

(H.P. 199) (L.D. 281)

Signed:

Senator:

LIBBY of Androscoggin

Representatives:

GOODE of Bangor
BICKFORD of Auburn
MOONEN of Portland
RUSSELL of Portland
SKOLFIELD of Weld
STANLEY of Medway
TEPLER of Topsham

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

Signed:

Senators:

McCORMICK of Kennebec
DAVIS of Piscataquis

Representatives:

CHACE of Durham
SEAVEY of Kennebunkport
SUKEFORTH of Appleton

READ.

Representative GIDEON of Freeport 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.

CONSENT CALENDAR

First Day

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

(S.P. 252) (L.D. 722) Bill "An Act To Strengthen Penalties for Abuse of General Assistance" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-204)**

(S.P. 365) (L.D. 1039) Bill "An Act To Amend the Polygraph Examiners Act" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-300)**

(S.P. 468) (L.D. 1303) Bill "An Act To Stabilize and Streamline the Department of Environmental Protection's Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-301)**

(H.P. 509) (L.D. 756) Bill "An Act To Enhance the Address Confidentiality Program Regarding Property Records" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-472)**

(H.P. 746) (L.D. 1085) Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Receipt of a Request for Public Records" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-473)**

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

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

(H.P. 941) (L.D. 1391) Bill "An Act Regarding the Treatment of Forensic Patients" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-479)**

On motion of Representative ESPLING of New Gloucester, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

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

ENACTORS

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District

(S.P. 272) (L.D. 742)

(H. "A" H-417 to C. "A" S-129)

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

On motion of Representative GIDEON of Freeport, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Emergency Measure

An Act To Improve Maine's Involuntary Commitment Processes

(H.P. 783) (L.D. 1145)

(C. "A" H-464; H. "A" H-471)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 134 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

Resolve, Reauthorizing the Balance of the 2009 Bond Issue for an Offshore Wind Energy Demonstration Project

(S.P. 546) (L.D. 1445)

(C. "A" S-291)

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Beals, Representative Alley.

Representative **ALLEY**: Thank you, Mr. Speaker and fellow Legislators, there are many questions that we need to answer when considering off-shore wind. The first in my mind is the effect on the Maine lobster fishery. Various studies have looked at how the department off-shore wind projects affect the habitat.

We need to have a healthy lobster industry. This kind of examination is just a starting point. We really don't know exactly how the two would coexist.

Dr. Hill, a scientist, and other fishery experts question how the sediment thrown up by the cable-laying would affect lobster larvae and habitat. Would important lobster beds be covered up? Other threats include vibration from the windmills themselves, plus shadows, heat generated by the electromagnet cables. What is the impact? How far offshore would the project be located and would those areas be closed to fishing? What would be the long term effect?

The Gulf of Maine is very special. We owe it to ourselves to really work through the potential problems to ensure that we are protecting our most valuable resources. About 5,700 lobster fishermen count on this and their families. Thank you, Mr. Speaker, and I request a roll call.

The same Representative **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Newcastle, Representative Devin.

Representative **DEVIN**: Thank you very much, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I share the same concerns that my good colleague from Beals Island, Representative Alley, shares as well. In fact, had this project been fully funded, the large-scale wind turbines would've been placed off the island of Monhegan, which I represent. And which the people of my district, not only the island of Monhegan but the Town of Bristol and Bremen and other areas in the Medomak area, were not in favor of.

However, I do support this particular bill because this is a small-scale project, which is already ongoing and it's off the waters of Castine, in their little harbor. The Town of Castine has found that it's been a bit of a boon for them in terms of tourism. The project, as it's being tested now, will answer a lot of these questions that the good Representative from Beals Island and I have about off-shore wind power.

Additionally, this project is testing a lot of other aspects of having structures out in the water off shore, such as composite materials, the length of time that equipment and sensors will last. This is also money that was appropriated in 2009 and all that we're asking here is so that those funds can continue to be used. I want to stress: I am absolutely against a large scale project right now, today, and would stand up and argue as vehemently as I could because I'm in total agreement with the good Representative from Beals Island. I support this because it's a small-scale project in a part of the state where those people are actually supportive of it, as it is right now. If those people are supportive of it, I say let's let it continue to go forward and get those questions that the good Representative from Beals Island and I and many others have. Thank you very much.

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

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

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

Representative **CAMPBELL**: What is the amount of this, the money amount of this?

The **SPEAKER PRO TEM**: The Representative from Newfield, Representative Campbell, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Dresden, Representative Pierce.

Representative **PIERCE**: This is a \$26 million bond. Right now \$6,085,000 has been spent. It has a four percent interest rate. The interest on this so far is \$1,338,700.

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

Representative **ROTUNDO**: Thank you, Mr. Speaker, Men and Women of the House, I just wanted to explain what this is. This is a reauthorization of bond funding that voters supported in 2009. All of the money from that bond, which Maine people supported, has not gone out yet. And so, because it's been five years, the funding needs to be reauthorized and that's what this does. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Dresden, Representative Pierce.

Representative **PIERCE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, as many of you know, I support the wind industry in the State of Maine. However, I don't support this. The effects that it could have on the marine wildlife and the marine estuarine is unknown. It has been known in other areas to cause migration habits in spawning habitats of marine wildlife to change, whales included. Are we willing to take that risk? This project should be canned. We have a \$7 million cost to it this year. We have a lot of questions in our budget as we just negotiated them. I think this money'd be well-spent some place else.

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

Representative **DUNPHY**: Thank you, Mr. Speaker, I'd like to just, perhaps, state the obvious. I find it very interesting that the same arguments I'm hearing against wind in the ocean, same ones that are experienced by land-based wind. And also, all of those citizens who had a voice to vote on this issue about wind in their communities: God bless them, because it was denied the citizens in my communities. Thank you.

On motion of Representative GIDEON of Freeport, **TABLED** pending **FINAL PASSAGE** and later today assigned. (Roll Call Ordered)

Acts

An Act To Regulate Domestic Unmanned Aerial Vehicle Use
(H.P. 24) (L.D. 25)
(C. "A" H-469)

An Act To Reduce the Penalties for Certain Drug Offenses
(S.P. 46) (L.D. 113)
(C. "B" S-269)

An Act To Improve Tax Expenditure Transparency and Accountability
(S.P. 332) (L.D. 941)
(C. "A" S-296)

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 Improve the Evaluation of Elementary and Secondary Schools
(H.P. 853) (L.D. 1253)
(C. "A" H-467)

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

On motion of Representative GIDEON of Freeport, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 301

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, 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, Long, Longstaff, Luchini, Lyford, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanderson, Saucier, Schneck, Seavey, Shaw, Short, Sirocki, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Winsor, Wood.

NAY - Sherman, Skolfield.

ABSENT - Crafts, Davitt, Dunphy M, Goode, Hanley, Malaby, Nadeau, Noon, Sanborn, Sawicki, Wallace, Mr. Speaker.

Yes, 137; No, 2; Absent, 12; Excused, 0.

137 having voted in the affirmative and 2 voted in the negative, with 12 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

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

UNFINISHED BUSINESS

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

SENATE DIVIDED REPORT - Majority (7) **Ought to Pass** - Minority (6) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Require the Department of Health and Human Services To Distribute Information Regarding Down Syndrome to Providers of Prenatal and Postnatal Care and to Genetic Counselors"

(S.P. 403) (L.D. 1134)

- In Senate, Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, on motion of Representative GATTINE of Westbrook, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

The same Representative **PRESENTED House Amendment "B" (H-480)**, which was **READ** by the Clerk and **ADOPTED**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "B" (H-480)** in **NON-CONCURRENCE** and sent for concurrence.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-458)** - Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory"

(H.P. 759) (L.D. 1099)

TABLED - June 17, 2015 (Till Later Today) by Representative ESPLING of New Gloucester.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT**.

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

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

Representative HICKMAN of Winthrop **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

Representative **KINNEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, after this passed in the ACF Committee, which I'm on, I have had uncomfortable thoughts on this bill.

The new lab has not yet been built—we heard testimony on this in our public hearing and it's been uncomfortable ever since. There's a "carve out" for small—less than 7,000 square foot—stores and I've come to grips with this since there is also an "opt-in" option for these stores, although I doubt a lot will opt in to the program. And the 20 cent per container fee in the amendment gives three cents back to the retailer for costs incurred with collection of this tax or fee. This is my biggest problem because no retailer receives a portion of state sales tax in order to cover incurred costs associated with collection for Maine Revenue Service. By the way the fee is sent in to the state with the store's state sales tax reports in the same report/payment method. So, I think this is a bad precedent to set in our state.

In theory, I appreciate what LD 1099 has set out to do but I do not like the final outcome. I requested to reconsider this bill in committee by email on May 26th in order to change my vote and have a divided report be brought out to the floor, but was denied on May 27th, so I'm glad to have the opportunity to express my concerns here since I can no longer support the bill as currently amended. Thank you.

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

ROLL CALL NO. 302

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Burstein, Campbell R, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dion, Doore, Duchesne, Edgecomb, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Grant, Grohman, Hamann, Hanley, Harlow, Herbig, Herrick, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Peterson, Pierce T, Powers,

Rotundo, Russell, Rykerson, Sanderson, Saucier, Schneck, Shaw, Sherman, Skolfield, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Wadsworth, Warren, Welsh, White.

NAY - Austin, Buckland, Campbell J, Chace, Corey, Crafts, Dillingham, Dunphy L, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hawke, Head, Higgins, Hilliard, Hobart, Kinney M, Lockman, Long, Lyford, Maker, McClellan, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Seavey, Short, Sirocki, Stanley, Stearns, Stetkis, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Ward, Winsor, Wood.

ABSENT - Battle, Davitt, Dunphy M, Goode, Malaby, Noon, Sanborn, Sawicki, Wallace, Mr. Speaker.

Yes, 88; No, 53; Absent, 10; Excused, 0.

88 having voted in the affirmative and 53 voted in the negative, with 10 being absent, and accordingly the Unanimous **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-458)** 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-458)** and sent for concurrence.

SENATE DIVIDED REPORT - Majority (11) **Ought to Pass as Amended by Committee Amendment "A" (S-276)** - Minority (2) **Ought Not to Pass** - Committee on **JUDICIARY** on Bill "An Act To Increase Government Efficiency"

(S.P. 446) (L.D. 1241)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-276)**.

TABLED - June 16, 2015 (Till Later Today) by Representative **HOBBS** of Saco.

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

On motion of Representative **HOBBS** of Saco, the Bill and all accompanying papers were **COMMITTED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE** and sent for concurrence.

An Act To Amend the Maine Spruce Budworm Management Laws

(S.P. 315) (L.D. 870)

(C. "A" S-252)

TABLED - June 16, 2015 (Till Later Today) by Representative **HICKMAN** of Winthrop.

PENDING - **PASSAGE TO BE ENACTED**.

On motion of Representative **BLACK** of Wilton, 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-252)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-466) to Committee Amendment "A" (S-252)** which was **READ** by the Clerk.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Wilton, Representative **Black**.

Representative **BLACK**: Mr. Speaker and Ladies and Gentlemen of the House, this just cleans up some language that was omitted in the Revisor's Office and takes the fiscal note off it. Thank you.

Subsequently, **House Amendment "A" (H-466) to Committee Amendment "A" (S-252)** was **ADOPTED**.

Committee Amendment "A" (S-252) as Amended by House Amendment "A" (H-466) thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-252) as Amended by House Amendment "A" (H-466)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

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

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-386)** - Minority (6) **Ought to Pass as Amended by Committee Amendment "B" (H-387)** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Enhance Energy Cost Reduction and Facilitate Heating Alternatives in furtherance of the Omnibus Energy Act" (EMERGENCY)

(H.P. 839) (L.D. 1221)

TABLED - June 11, 2015 (Till Later Today) by Representative **DION** of Portland.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-386)** was **READ** by the Clerk.

Representative **DUNPHY** of Embden **PRESENTED House Amendment "C" (H-485) to Committee Amendment "A" (H-386)**, which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (H-386) as Amended by House Amendment "C" (H-485) 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-386) as Amended by House Amendment "C" (H-485)** thereto and sent for concurrence. **ORDERED SENT FORTHWITH**.

Bill "An Act To Remove from the Maine Medical Use of Marijuana Act the Requirement That a Patient's Medical Condition Be Debilitating"

(H.P. 22) (L.D. 23)

- In House, Majority (12) **OUGHT TO PASS** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** on May 28, 2015.

- In Senate, Minority (1) **OUGHT NOT TO PASS** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** in **NON-CONCURRENCE**.

TABLED - June 18, 2015 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **FURTHER CONSIDERATION**.

On motion of Representative RUSSELL of Portland, the House voted to **RECEDE**.

The same Representative **PRESENTED House Amendment "A" (H-484)**, which was **READ** by the Clerk.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, just a clarification. Several weeks ago, we passed LD 23 through Engrossment, with 113 votes in the House. We were a couple votes shy in the other body. Essentially, the original bill that we voted on already would remove the debilitating conditions from the Medical Marijuana Act. It would essentially make it so that we would get politicians out of the doctor's office, we would allow providers to make decisions about what they are seeing medical marijuana being used for.

The amendment before you actually does something different. Instead of repealing the debilitating conditions, it actually adds the following debilitating conditions to the Medical Marijuana Act, which would ultimately allow providers to be able to write recommendations for you. Those debilitating conditions include: anxiety, insomnia, depression, Tourette's syndrome, autism, or Parkinson's disease.

There are anecdotal reports and information coming out from medical studies demonstrating efficacy on these issues and it would be helpful if not only our medical providers could write recommendations for them, but also if they could use this opportunity to research its efficacy, which as you know the federal government has very, very limited capacity to do. So, I would urge you, if you've already voted for the broader bill, I would urge you to vote in support of the current motion. Thank you, Mr. Speaker.

Subsequently, **House Amendment "A" (H-484)** was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-484)** in **NON-CONCURRENCE** and sent for concurrence.

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

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from South Portland, Representative Battle, who wishes to address the House on the record.

Representative **BATTLE**: Thank you, Mr. Speaker, had I been present for bill LD 1099, I would've voted in the "nay." Thank you, Mr. Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Winthrop, Representative Hickman, who wishes to address the House on the record.

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, 150 years ago today on June 19, 1865, union soldiers led by Major General Gordon Granger landed at Galveston, Texas, with the news that the Civil War had ended and that the enslaved were now free. Note that

this was two-and-a-half years after President Lincoln's Emancipation Proclamation, which had become official on January 1, 1863. The Emancipation Proclamation had little impact on Texas, due to the minimal number of Union troops there to enforce the new Executive Order.

However, with the surrender of General Lee in April of 1865, and the arrival of General Granger's regiment, the forces were finally strong enough to influence and overcome the resistance. One of General Granger's first orders of business was to read to the people of Texas General Order No. 3, which began most significantly with this, quote: "The people of Texas are informed that in accordance with a proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of rights and rights of property between former masters and slaves and the connection heretofore existing between them becomes that between employer and free laborer."

The reactions to this profound news ranged from pure shock to immediate jubilation. "Juneteenth Day," also known as "Freedom Day" or "Emancipation Day," remains the oldest known celebration commemorating the ending of slavery in the United States. It is a day, a week, and in some areas, a whole month marked with celebrations, parades, guest speakers, picnics, and family gatherings. It is a time for reflection, rejoicing, and good, good food. A time for assessment and self-improvement. A time for planning the future, emphasizing education and achievement.

Juneteenth Day's growing popularity signifies a level of maturity and dignity in this nation that is long overdue. In cities across the country, people of all races, nationalities, and religions are joining hands to truthfully acknowledge a period in our history that shaped and continues to influence our nation to this day. Sensitized to the conditions and experience of others, only then can we make significant and lasting improvements in our society.

Mr. Speaker, Women and Men of the House, if you would indulge me on this, the 150th anniversary of General Granger's arrival in Texas, please rise if you know the words and join me in singing the first verse of James Weldon Johnson's "Lift Every Voice and Sing," also known as "The Black National Anthem." I believe some lyric sheets have been passed around. Thank you, Mr. Speaker, Women and Men of the House.

*"Lift every voice and sing,
Till earth and heaven ring,
Ring with the harmonies of Liberty;
Let our rejoicing rise
High as the list'ning skies,
Let it resound loud as the rolling sea.
Sing a song full of the faith that the dark past has taught us,
Sing a song full of the hope that the present has brought us;
Facing the rising sun of our new day begun,
Let us march on till victory is won."*

On motion of Representative McCABE of Skowhegan, the House adjourned at 1:30 p.m., until 10:00 a.m., Monday, June 22, 2015, in honor and lasting tribute to the memory of Senator Clementa Pinckney; Tywanza Sanders; Sharonda Coleman-Singleton; Cynthia Hurd; Rev. DePayne Middleton-Doctor; Rev. Daniel Simmons, Sr.; Ethel Lance; Myra Thompson; and Susie Jackson, who lost their lives Wednesday at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina.