

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-Seventh Legislature
State of Maine

Daily Edition

Second Regular Session

beginning January 6, 2016

beginning at page H-1188

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
SECOND REGULAR SESSION
38th Legislative Day
Tuesday, April 12, 2016

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

Prayer by Reverend Joan Smith, United Congregational Church, Rockland.

National Anthem by Jewel Clark, Bethel.

Pledge of Allegiance.

Doctor of the day, Richard Swett, M.D., Dover-Foxcroft.

The Journal of yesterday was read and approved.

SENATE PAPERS

Non-Concurrent Matter

An Act Regarding the Sale of Alcohol by a Manufacturer with an On-premises Retail License

(S.P. 563) (L.D. 1462)

(C. "A" S-355)

PASSED TO BE ENACTED in the House on April 7, 2016.

Came from the Senate **FAILING** of **PASSAGE TO BE ENACTED** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Resolve Inconsistencies in the Drug Laws"

(S.P. 609) (L.D. 1554)

Minority (4) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-418)** in the House on March 31, 2016.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Majority (9) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-417)** in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (H.C. 523)

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

April 11, 2016

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 1601, "An Act to Implement the Recommendations of the Task Force to Ensure Integrity in the Use of Service Animals."

I appreciate the issue that this bill seeks to address. The misuse of our service animal laws in public accommodations and in housing situations is a real problem. The problem is often compounded by overreach by the Maine Human Rights Commission, which then penalizes Maine's businesses and landlords for problems ultimately created by those who deem their pets "service animals." This situation also affects those who truly rely on service animals, as more and more Mainers question the legitimate use of these animals because of observed abuses of the law.

Unfortunately, this bill does not address the problem head on and would actually accomplish very little. In an attempt to bring some clarity to the law, this legislation bifurcates this issue somewhat by defining both "assistance animals" and "service animals" and re-writes the statute regarding misrepresentation of a service animal or assistance animal. While this is an attempt to improve the current state of the law, it does not go far enough. Rather, we need to resolve this matter completely by creating a state-wide registration and certification system for these animals. We must provide our business owners and landlords clarity and certainty, lest they face further threats from the Maine Human Rights Commission, while protecting the needs of the people who daily rely on their service animals to live independently.

Because this bill does not fully address this matter, I return LD 1601 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

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

The accompanying item An Act To Implement the Recommendations of the Task Force To Ensure Integrity in the Use of Service Animals

(H.P. 1092) (L.D. 1601)

(C. "A" H-590)

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

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

ROLL CALL NO. 590V

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

Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Mr. Speaker.

NAY - NONE.

ABSENT - Buckland, Campbell R, Harrington, Hawke, Martin J, Wood.

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

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

The Following Communication: (S.C. 973)

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

April 8, 2016

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted Report "B" Ought to Pass as Amended by Committee Amendment "A" (H-540), pursuant to the Maine Revised Statutes, Title 36, section 199-E from the Committee on Taxation on Bill "An Act To Provide Tax Revenue To Offset Transfers to the Maine Clean Election Fund" (H.P. 1110) (L.D. 1634), 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. 974)

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

April 8, 2016

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Health and Human Services on Bill "An Act To Assist Working Families with Young Children" (H.P. 867) (L.D. 1267), 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. 975)

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

April 8, 2016

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 Indefinitely Postponed "Joint Order, Directing the Joint Standing Committee on State and Local Government To Report Out a Bill Directing the Issuance of the Senior Housing Bonds" (H.P. 1146) and all accompanying papers, in non-concurrence.

Please be advised the Senate today insisted to its previous action whereby it Indefinitely Postponed "Joint Order, Directing the Joint Standing Committee on Taxation To Report Out a Bill To Adjust the Property Tax Valuation of Old Town Following the Closure of the Old Town Expera Pulp Mill" (H.P. 1145) and all accompanying papers, in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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

An Act Regarding the Sale of Alcohol by a Manufacturer with an On-premises Retail License

(S.P. 563) (L.D. 1462)

(C. "A" S-355)

Which was **TABLED** by Representative McCABE of Skowhegan pending **FURTHER CONSIDERATION**.

The House voted to **INSIST**.

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

Bill "An Act To Resolve Inconsistencies in the Drug Laws"

(S.P. 609) (L.D. 1554)

Which was **TABLED** by Representative McCABE of Skowhegan pending **FURTHER CONSIDERATION**.

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

The same Representative **PRESENTED House Amendment "A" (H-664) to Committee Amendment "B" (S-418)**, which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "B" (S-418) as Amended by House Amendment "A" (H-664) thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (S-418) as Amended by House Amendment "A" (H-664)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

**REPORTS OF COMMITTEE
Ought to Pass Pursuant to Statute**

Representative GATTINE for the **Joint Standing Committee on Health and Human Services** on Resolve, Related To Legislative Review of a Change to the MaineCare Benefits Manual, Chapters II and III, Section 17 (EMERGENCY)

(H.P. 1163) (L.D. 1698)

Reporting **Ought to Pass** pursuant to the Maine Revised Statutes, Title 5, section 11115.

Report was **READ**.

Representative GATTINE of Westbrook **REQUESTED** a roll call on the motion to **ACCEPT** the **Ought to Pass** pursuant to the Maine Revised Statutes, Title 5, section 11115 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 **Ought to Pass** pursuant to the Maine Revised Statutes, Title 5, section 11115 Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 591

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

NAY - NONE.

ABSENT - Buckland, Harrington, Wood.

Yes, 148; No, 0; Absent, 3; Excused, 0.

148 having voted in the affirmative and 0 voted in the negative, with 3 being absent, and accordingly the **Ought to Pass** pursuant to the Maine Revised Statutes, Title 5, section 11115 Report was **ACCEPTED**.

The Resolve was **READ ONCE**.

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

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

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

Divided Reports

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-507)** on Bill "An Act To Address Employee Recruitment and Retention Issues at State Mental Health Institutions" (EMERGENCY)

(S.P. 670) (L.D. 1645)

Signed:

Senators:

HAMPER of Oxford

KATZ of Kennebec

VALENTINO of York

Representatives:

ROTUNDO of Lewiston

FREY of Bangor

GRANT of Gardiner

JORGENSEN of Portland

MARTIN of Eagle Lake

SANBORN of Gorham

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

Signed:

Representatives:

NUTTING of Oakland

SIROCKI of Scarborough

TIMBERLAKE of Turner

WINSOR of Norway

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-507)**.

READ.

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

The **SPEAKER**: The Chair recognizes the Representative from Augusta, Representative Doore.

Representative **DOORE**: Thank you, Mr. Speaker, Ladies and Men of the House, I rise in support of LD 1645. Even under the best of circumstances we ask the staff at our psychiatric hospitals to do extremely difficult work. And the Maine workers at these state psychiatric hospitals do a tremendous job under extreme conditions. And as we've talked over the past three years about the problems at Riverview, the core problem always comes back to staffing and although the Legislature has stepped up and provided additional funds for additional staff, the administration still tells us that there is a crisis and staffing is the key problem.

Direct care staff like mental health workers and nurses have been working excessive overtime hours. Mental health workers at Riverview worked over 23,000 hours of overtime in 2015. Often, this overtime is mandated. You finish your shift and instead of punching out and going home, your supervisor comes to you and tells you, that you cannot leave; you must work and stay another shift. Imagine that. You spend eight hours doing one of the toughest health care jobs imaginable, maybe providing one-to-one care to an extremely mentally ill person who poses a danger to you, himself and to other people and then at the end of your eight hour shift your boss tells you, you cannot leave.

Workers cannot plan their lives, care for their families, or get enough rest to function at their best. Because of the understaffing and mandated overtime, patient care suffers and

everyone at the hospital is less safe. Sometimes there aren't enough staff on the floor to provide therapeutic care for the people. Just this morning, I saw a photo of a Dorothea Dix worker who received a black eye from a patient while at work. Attracting people to work at the hospital is difficult. Turnover is high and there continues to be vacancies for mental health workers and nurses at both Riverview and Dorothea Dix. Qualified staff are leaving for higher paying jobs with more regular hours, more stable working conditions, and reliable schedules without forced overtime.

We need to increase wages so we can recruit qualified people to fill these positions. By increasing the wages for mental health workers and nurses, we can recruit, and importantly, retain staff. It will make the hospital safer and make sure patients get the high quality care that they deserve. Last year the Legislature did this same thing for corrections officers, and it worked. The DOC was 68 positions short at the Maine State Prison less than a year ago. That number has declined dramatically thanks to the wage adjustment that helped immensely with recruitment and retention. It's time we do the same at our state psychiatric hospitals. We need to make Riverview a great place to work and the best way to do that is to make sure that the staff we have is paid fairly, well-trained, want to come to work, ready to work, and ready to help patients in the hospital retain their health.

Our predecessors placed our state hospital where they did so this body would never forget. So please, follow my light to take care of these patients and to take care of the people who take care of them. Thank you, Mr. Speaker.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-507)** 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-507)** in concurrence.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass pursuant to Joint Order 2016, H.P. 1156** on Resolve, To Establish a Moratorium on Rate Changes Related to Rule Chapter 101: MaineCare Benefits Manual, Sections 13, 17, 28 and 65

(H.P. 1162) (L.D. 1696)

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 pursuant to Joint Order 2016, H.P. 1156** on same Resolve.

Signed:

Senators:

BRAKEY of Androscoggin

McCORMICK of Kennebec

Representatives:

HEAD of Bethel

MALABY of Hancock

SANDERSON of Chelsea

VACHON of Scarborough

READ.

Representative GATTINE of Westbrook moved that the House **ACCEPT** the Majority **Ought to Pass pursuant to Joint Order 2016, H.P. 1156** Report.

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

Representative **GATTINE**: Thank you, Mr. Speaker, Men and Women of the House, in order to understand the importance of this measure, I think it's important to understand the how and the why of how it came to be before us. And in order to do that, you need to go back to last year's budget, where DHHS proposed significant cuts to the rates for services to kids with autism and adults with mental illness.

And last year, as the budget process moved forward through public hearing and work session, the AFA and the HHS committees came to understand why it was important to tread very carefully when considering these cuts. We heard loud and clear from the people who rely on these services and their families and their providers on what the impacts of these rate cuts would be. And at the end of the day the budget we enacted did not include those cuts. And one of the reasons that we rejected those cuts last year is because it wasn't clear how the Department had developed the rates.

So when we rejected the cuts we didn't just say "no". We did more than that. We told the Department to move ahead with a formal rate study. And we told DHHS to bring that rate study back to the legislature this January. We put that language in black and white. It's right in the budget we passed. The budget included the specific requirement for the Department to bring the Legislature back a rate study by January 1, 2016. And we put that requirement there so that when we reconvened this session, we could continue the conversation about what the right rates are and should be for providers of services to kids with autism and adults with mental illness.

So fast forward to today. January has come in gone. We are now in the final days of the session. And where is the rate study? The answer is: we don't have it. The Department didn't provide it in January because they hadn't finished it. And here we are in April, about to finish our session, and the rate study is still not completed and still has not been provided to the Legislature, as required in the budget that we passed last year.

So where is the rate study? Well a couple of weeks ago, the Department produced a draft. And they held a series of meetings with providers to show them the draft. And the draft rate study that they have shared with providers, proposes deep cuts to these same critical services, and even some more services. Cuts that are even deeper and potentially more devastating than the rate cuts proposed in last year's budget. And when they met with the providers a couple of weeks ago, DHHS told providers that they were going to move forward with rule-making to implement

new rates later this spring and have the new rates in place by the fall.

So, Mr. Speaker, that's why we are here today. And what this bill does is slow this process down until the Department finishes the rate study and provides it to us, as it was required to do last January. It tells the Department to finish the rate study and bring it to the Legislature when we reconvene next year. And it tells the Department that it can't move forward with rule-making on the new rates until 60 days after we receive the rate study.

So why is this so important? Well, there are a couple of reasons. First, of course, it's important because the process that we put in the budget last year is important and we need to get it back on track. These rate studies are complicated and take a while to do right, so we don't need to spend a lot of time worrying about why the Department hasn't finished it. We just need them to finish it and get it to us. But second, even more important, if these cuts, which, in some respects, range up to 48 percent for some services, are enacted by rule and if they are anywhere near what is proposed in the draft rate study that the Department has released, they would have a profound impact on the community mental health system that the people of Maine have worked so hard to build over the past three decades as we've moved past the dark days of AMHI and Pineland. These rate cuts will result in huge revenue losses for mental health agencies across Maine and providers made it clear when they came before the HHS Committee that they cannot absorb these cuts.

These cuts translate into roughly \$30 million. They translate into lost services for about 31,000 people—children and adults. Over 12,000 children with autism and mental illness would lose services if the new rates are anywhere near what these cuts propose that they would be. For example, one provider, Kennebec Behavioral Health, which provides services through a large part of the central Maine—Somerset, Kennebec and Androscoggin County, all the way down to the midcoast area—would lose \$4.2 million, which is 24 percent of its total revenue. Providers just can't be expected to absorb these kinds of cuts and still deliver service to the thousands of kids and adults who need them.

So, Mr. Speaker, we probably wouldn't be here today if the Department had delivered the rate study in January. And we probably wouldn't be here today if the Department hadn't told providers that it was going to move swiftly to implement the new rates. And we probably wouldn't even be here today if the Department would just publicly acknowledge that it won't move forward with the new rates until after the Legislature convenes next year. We've asked the Department to make that commitment and up to this point, they're not willing to do so. We're not in the middle of a budget crisis. There's no budget gap to fill. It seems like a pretty reasonable request, given the panic that these proposed cuts have caused among families and providers. If they had made that verbal commitment, I don't think we'd be here today, but here we are.

Mr. Speaker, I don't see how we can afford to walk out of here this week or next week, or whenever we leave, with so much uncertainty about something that is so important to so many kids with autism, so many people with mental illness. \$30 million in cuts? That translates into thousands upon thousands of hours of services for about 30,000 Mainers who need these services and rely on them to lead the best lives possible. Kids with autism, adults struggling to stay out of institutions—they deserve our support. We have spent the past three decades, Mr. Speaker, here in Maine, trying to build a community mental health system that meets the needs of Mainers to get ourselves from out from underneath the Consent Decree. And we've made a lot of progress and it's been really slow and it's been really painful and

we can't afford to move backwards. And that's why I think that this matter is so important. We need to slow this down and put ourselves in a position to take this up when we come back next January. And I hope the Members of the body will support this bill. Thank you, Mr. Speaker.

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

Representative **HYMANSON**: Mr. Speaker, Men and Women of the House, this bill seeks to settle "fragile" people with mental health problems living in the community with their families. Many of these people react poorly to change and uncertainty. Many of these families count on the mental health services their loved ones receive so they, the families, can work and attend to their own lives. We had 300 people, a week ago, at a public hearing to hear concerns about the new rates. DHHS is in the middle of a rate setting process and I appreciate the diligence of the process that they have set up. Done well, it will set up a modifiable rate process as things change in the future and I appreciate that.

But here is the crux of the matter: the Department admits that the process will likely be completed after January 1, 2017. The 300 people at the public hearing overwhelmingly wanted the rate setting process to be completed while the oversight body, the Legislature, was in session in order to have access to the oversight that is our job. A simple, "Yes, we will allay your considerable worries and complete the rate study after January 1st," would have settled the worry. DHHS refused to settle it, so this bill became necessary. Please support this moratorium on the rate setting of your worried constituents with mental health problems and their families and the providers who care for them. Please support this motion. Thank you.

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

Representative **SANDERSON**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise in opposition to the pending motion. I think it's important that you understand and know the rest of the story. The whole story. The Department has been engaging in rate setting models across a broad spectrum of MaineCare sections. They've done three others including this one.

Well, what I find ironic is, when we had the rate study come before us for our personal care supports in people's homes, they were applauded for the depth of knowledge, the attention to detail, and the attention to the minutia that all went into this, and it actually showed that we were underfunding our personal care supports by \$8.1 million a year. They've also conducted two other rate studies that showed either our rates were at a good place or maybe needed to increase a little bit. With that being done, you did not hear an outcry. When it came to the Section 17, 65, 13, and, I believe, 28 rate study, some rates are going up and, yes, it is proposed. And that's the important word right there: "proposed." Proposed that some of these rates may be a little higher than what we should be paying.

I think it's important for everybody in here to understand that when you look across nationally, right now, most of the US, the national average is paying \$119 per capita on their mental health services. Maine is almost three times higher than the national average. We are paying \$349 per capita for our mental health services.

Now, what goes into a rate study? What happens? Well, what happens is the Department engages and creates a survey and they engage with what they call "provider advisory groups." They brought in provider advisory groups and these are actual providers across the four sections of MaineCare services that were going to be addressed in the rate study. And they build a

survey. They build a questionnaire. They build this up, they send it to the provider advisory group, the providers who actually deliver these services in our state send back their comments on these questions to make sure that they are clear, that we are capturing the data necessary in order to make a rate change projection. Once that is all agreed to, they send it out to every MaineCare biller under these sections. So, every provider who delivers services under these sections of MaineCare had the opportunity to participate in the survey that was sent out.

What this survey asked for, it asked for, "What are your current wages?" "What are your current benefits?" "What are your current administration costs?" "What are your physical plant costs?" All the criteria and data that is needed in order for them to plug these into a sheet and be able to take a look at: What are we billing? Is that appropriate? Do we need to go higher to be able to help our provider sustain the services that they need? Or, are we overpaying and should we maybe ratchet it back a little bit? The Department got the results back to that and they sent all those off to Burns and Associates who conducted the three other surveys, which had no uproar whatsoever, and then they came up with a draft model with some proposed rates. Those proposed rates were shared with the provider advisory group.

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

Representative **HYMANSON**: I ask that the relevance of the bill to the current speech is commented upon.

On **POINT OF ORDER**, Representative HYMANSON of York asked the Chair if the remarks of Representative SANDERSON of Chelsea were germane to the pending question.

The SPEAKER: The Chair would remind all Members to keep remarks relevant to the motion at hand, Accepting the Majority Ought to Pass as Amended Report.

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

The SPEAKER: The Representative may proceed.

Representative **SANDERSON**: With all due respect, Mr. Speaker, I believe the process is quite relevant, especially where my colleague and the Representative from Westbrook had a different opinion on the process.

So, when those came back, they were shared with the provider advisory groups and then they were sent out to everybody on the list serve, everybody who've received the opportunity to participate in the survey. Now we're here today. We have some proposed rates at hand. Normally, the comment period on behalf of providers once they see proposed rates would be 30 days. Because the Department recognizes the vulnerability of these individuals who receive services under these MaineCare sections, they've actually extended it. The deadline would've been April 8th, last Friday. But now, the comment deadline has been pushed out all the way to May 16th in order to be able to capture any data, any comments that providers would like to share and deliver information, show us a demonstration of why these rates may not be appropriate.

Once that is closed, then the Department will go into a time period where they answer all these comments and make adjustments to these rates. They estimate it will be the end of October, early November, before they actually get to the end of that period and finalize something. At that time, and not until that time, then they will go into the official rulemaking process. This takes four to six months. When you go into the official rulemaking process, there is, once again, once again, an opportunity for public and provider input on these rules and we will also be back in session or the next Legislature will be back in session. So, there will be plenty of opportunity to be able to

address any rates that may not seem appropriate to providers, may seem too low.

But I would caution stopping the process and halting the department and not allowing them to administer and to exercise their executive authority to again engage in the rulemaking process surrounding this. Because keep in mind, there were several rates in there, many rates in there in fact, that actually increased. So, if you have a provider who is performing services under a section that increased, you're taking money out of their hands. I say let the Department continue on this journey. It is not going to be stopped before the next Legislature is seated, and we will be able to address these appropriately at this time. I urge you to vote "no" against the pending motion.

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass pursuant to Joint Order 2016, H.P. 1156 Report**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass pursuant to Joint Order 2016, H.P. 1156 Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 592

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

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

ABSENT - Buckland, Harrington, Skolfield, Tuell, Wood.

Yes, 85; No, 61; Absent, 5; Excused, 0.

85 having voted in the affirmative and 61 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass pursuant to Joint Order 2016, H.P. 1156 Report** was **ACCEPTED**.

The Resolve was **READ ONCE**.

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

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

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

ENACTORS
Emergency Measure

Resolve, To Provide Funding for the County Jail Operations Fund

(S.P. 652) (L.D. 1614)
(S. "B" S-508 to C. "A" S-400)

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

Representative McCABE of Skowhegan **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.

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

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 593

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

NAY - Chace, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Fredette, Gillway, Ginzler, Hanley, Herrick, Kinney J, Lockman, Lyford, Malaby, Marean, McClellan, Nutting, Ordway, Parry, Pickett, Pierce J, Prescott, Reed, Sanderson, Sirocki, Stetkis, Timberlake, Wadsworth, Wallace, White, Winsor.

ABSENT - Buckland, Harrington, Skolfield, Wood.

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

115 having voted in the affirmative and 32 voted in the negative, with 4 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

Acts

An Act To Implement Certain Recommendations of the Maine Proficiency Education Council

(S.P. 660) (L.D. 1627)
(C. "A" S-504)

An Act To Amend and Clarify the Laws Governing the Brunswick Naval Air Station Job Increment Financing Fund

(S.P. 698) (L.D. 1692)

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

The **SPEAKER**: The Chair recognizes the Representative from Amherst, Representative Lockman, who wishes to address the House on the record.

Representative **LOCKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, it was four weeks ago today that LD 1652 was tabled by Representative McCabe. I'm a realist. I understand the chances of it getting a public hearing at this late are probably slim to none. I'm having a hard time finding any constituent in my district who is against the bill on its merits and nobody who thinks it's a good idea not to have public hearings. So, I would like to ask this morning through the Chair if Representative McCabe could articulate for all of us in this chamber and those who are watching or listening online, why he believed LD 1652 is not worthy of a public hearing. Thank you, Mr. Speaker.

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

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

UNFINISHED BUSINESS

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

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "B" (H-659)** - 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 - April 11, 2016 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT**.

Subsequently, on motion of Representative McCABE of Skowhegan, the Bill and all accompanying papers were **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and sent for concurrence.

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

An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund

(H.P. 1106) (L.D. 1629)
(C. "A" H-648)

TABLED - April 11, 2016 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **PASSAGE TO BE ENACTED.**

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

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

Representative BECK of Waterville moved that the House **RECONSIDER** its action whereby it voted to **INSIST** on Bill "An Act To Improve Teaching Assignments in Maine's Public Schools"

(S.P. 604) (L.D. 1544)

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

Representative **FREDETTE**: Thank you, Mr. Speaker, can we Table this item until later in today's session?

The SPEAKER: Currently, the motion is Reconsideration. If that passes then the next motion could be to Table.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on the motion to **RECONSIDER** whereby the House voted to **INSIST**.

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

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

Representative **McCABE**: Thank you, Mr. Speaker, Point of Order. At this present time, are we roll calling the motion for Reconsideration?

The SPEAKER: The Chair would answer in the affirmative. The pending motion is Reconsideration.

On motion of Representative McCABE of Skowhegan, **TABLED** pending the motion of Representative BECK of Waterville to **RECONSIDER** whereby the House voted to **INSIST** and later today assigned. (Roll Call Ordered)

ENACTORS

Acts

An Act To Amend the Law Regarding Temporary Powers of Attorney over Minors and To Require Organizations To Screen Agents before Providing Care

(H.P. 734) (L.D. 1065)
(C. "A" H-657)

An Act To Improve the Evaluation of Elementary and Secondary Schools

(H.P. 853) (L.D. 1253)
(C. "B" H-658)

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

Resolves

Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of the Maine Biomass Industry

(H.P. 1158) (L.D. 1693)
(C. "A" H-662)

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

COMMUNICATIONS

The Following Communication: (S.C. 977)

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

April 12, 2016
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 Indefinitely Postponed "Joint Order, Directing the Joint Standing Committee on Veterans and Legal Affairs To Report Out a Bill Exempting Federally Recognized Tribes from State Gaming Laws for Certain Types of Gaming" (H.P. 1140) and all accompanying papers, in non-concurrence.

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought to Pass as Amended by Committee Amendment "B" (H-625) Report from the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Improve Workplace Safety by Simplifying and Improving Employers' Substance Abuse Policy Requirements" (H.P. 937) (L.D. 1384), 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**.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Limit Liability for Certain Successor Corporations under Specific Circumstances"

(H.P. 814) (L.D. 1181)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on April 8, 2016.

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

The House voted to **INSIST.**

Non-Concurrent Matter

Bill "An Act To Increase Fairness in Campaign Financing"
(H.P. 623) (L.D. 904)

Majority (12) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-568)** in the House on April 7, 2016.

Came from the Senate with the Minority (1) **OUGHT NOT TO PASS** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ and ACCEPTED** in **NON-CONCURRENCE**.

Speaker EVES of North Berwick moved that the House **INSIST**.

Representative McCABE of Skowhegan moved that the House **RECEDE AND CONCUR**.

Subsequently, the same Representative **WITHDREW** his motion to **RECEDE AND CONCUR**.

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

Non-Concurrent Matter

An Act To Improve Student Retention in Maine' Postsecondary Institutions

(S.P. 84) (L.D. 215)

PASSED TO BE ENACTED in the House on April 28, 2015. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-21)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-21) AND SENATE AMENDMENT "A" (S-489)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Resolve, To Provide the Engineering Study and Planning Needed for a Statewide, Centrally Located Emergency Services Training Facility and Several Regional Training Facilities

(H.P. 436) (L.D. 655)

FINALLY PASSED in the House on March 15, 2016. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-528)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-528) AS AMENDED BY SENATE AMENDMENT "A" (S-502)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act

(S.P. 312) (L.D. 867)

PASSED TO BE ENACTED in the House on June 8, 2015. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-178)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-178) AS AMENDED BY SENATE AMENDMENT "B" (S-505)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Require the State To Adequately Pay for Emergency Medical Services

(H.P. 1006) (L.D. 1465)

PASSED TO BE ENACTED in the House on March 28, 2016. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-547)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-547) AS AMENDED BY SENATE AMENDMENT "A" (S-496)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Simplify and Expand the Educational Opportunity Tax Credit

(S.P. 678) (L.D. 1657)

PASSED TO BE ENACTED in the House on March 29, 2016. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-438)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-438) AND SENATE AMENDMENT "A" (S-509)** in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (S.C. 976)

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

April 11, 2016

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 1532, "An Act to Clarify Financial Responsibility in Gestational Carrier Agreements."

Like most legislation, this bill is deceptively titled. The title implies that it simply seeks to clarify the language of private, gestational carrier agreements. Rather, this bill proposes the creation of a new, statutory liability scheme that runs roughshod over the terms of these private, gestational carrier agreements by prescribing financial liability. Under this bill, not only will the intended parents be welcoming a new child into their life, but also the hospital's billing department, backed up by the force of State law, will be standing in the delivery room looking for payment.

I understand that under these private agreements, intended parents typically agree to cover the costs of healthcare. What I do not hear is there is an epidemic of these parents skipping out on their obligations, at least not to the degree that legislation and State interference in these situations are necessary. Rather, this is more legislating by anecdote and laws being proposed and written by special interests—in this case, Maine's hospitals. For these reasons, I return LD 1532 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 Clarify Financial Responsibility in Gestational Carrier Agreements (EMERGENCY) (S.P. 594) (L.D. 1532) (C. "A" S-427)

In Senate, April 11, 2016, 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?'

33 voted in favor and 2 against, and 33 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

ROLL CALL NO. 594V

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

NAY - NONE.

ABSENT - Harrington, Sanborn, Wood.

Yes, 148; No, 0; Absent, 3; Excused, 0.

148 having voted in the affirmative and 0 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

**REPORTS OF COMMITTEE
Divided Reports**

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass pursuant to Joint Order 2016, S.P. 695**) on Bill "An Act To Raise the Base Assessment for Correctional Services for Oxford County" (S.P. 704) (L.D. 1697)

Signed:

Senators:

ROSEN of Hancock

GERZOFISKY of Cumberland

Representatives:

DAVITT of Hampden

GERRISH of Lebanon

LONG of Sherman

NADEAU of Winslow

THERIAULT of China

TIMMONS of Cumberland

WARREN of Hallowell

Minority Report of the same Committee reporting **Ought Not to Pass pursuant to Joint Order 2016, S.P. 695** on same Bill.

Signed:

Senator:

BURNS of Washington

Representatives:

FOWLE of Vassalboro

CHENETTE of Saco

LAJOIE of Lewiston

Came from the Senate with the Majority **OUGHT TO PASS PURSUANT TO JOINT ORDER 2016, S.P. 695** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED. READ.**

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-511)** on Bill "An Act To Establish a Presidential Primary System in Maine" (S.P. 685) (L.D. 1673)

Signed:

Senators:

CYRWAY of Kennebec

COLLINS of York

PATRICK of Oxford

Representatives:

LUCHINI of Ellsworth

GOLDEN of Lewiston

HANINGTON of Lincoln

KINNEY of Limington

LONGSTAFF of Waterville

MONAGHAN of Cape Elizabeth

SAUCIER of Presque Isle

SCHNECK of Bangor

TURNER of Burlington

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

Signed:

Representative:

DILLINGHAM of Oxford

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-511). READ.**

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

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

The House recessed until 2:00 p.m.

(After Recess)

The House was called to order by the Speaker.

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

SENATE DIVIDED REPORT - Majority (9) **Ought to Pass pursuant to Joint Order 2016, S.P. 695** - Minority (4) **Ought Not to Pass pursuant to Joint Order 2016, S.P. 695** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Raise the Base Assessment for Correctional Services for Oxford County"

(S.P. 704) (L.D. 1697)

Which was **TABLED** by Representative FOWLE of Vassalboro pending **ACCEPTANCE** of either Report.

Subsequently, Representative FOWLE of Vassalboro moved that the House **ACCEPT** the Minority **Ought Not to Pass pursuant to Joint Order 2016, S.P. 695** Report.

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought Not to Pass pursuant to Joint Order 2016, S.P. 695** Report.

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

The **SPEAKER**: The Chair recognizes the Representative from Norway, Representative Winsor.

Representative **WINSOR**: Thank you, Mr. Speaker, Men and Women of the House, the bill before you, the Ought Not to Pass motion by the good Representative from Vassalboro, especially will force Oxford County into technical bankruptcy in about 10 to 12 months. I'm not allowed to talk about why that would happen, I suppose, but really, I think it's one of the very serious consequences of the debate that's been going on for several years here on the county consolidation of jails.

The result is that Oxford County is a 72-hour holding facility. Eight years ago, they set the cap that Oxford County was allowed to raise by taxes. In the subsequent years, Oxford County has enjoyed the ability to transfer their prisoners to other jails with the cost of that housing those jails being paid for by the corrections committee, or by the state fund that operates the jails. And this June, we changed the law last year, the result was in changing the law, the receiving jails are now allowed to charge sending jails for housing prisoners. That was a charge that's brand new, was never assessed before, and even though the jails were all allowed to raise their taxes by three percent, that amount of money does not make up the monthly cost that it costs to house our 40-some-odd prisoners in other counties.

Predominantly, most of Oxford County's prisoners are held by Cumberland County. They charge Oxford County approximately \$50 per prisoner per night and that amounts to about \$50,000 or \$60,000 a month. That's money that we do not have. It is not in the taxable cost to the jail and it has to be paid. Or, we don't know what would happen. We don't know where to send our prisoners. Right now, all those prisoners are being sent to Cumberland County, or not all of them, but the vast majority are

being sent to Cumberland County. Oxford County would love to be able to figure out how to assess that charge to somebody else, but under the current statutes in law, they cannot. The only option a county has to raise money is to raise money through fees and we haven't figured out how to charge the prisoners for their overnight stays, or to raise property taxes.

What Oxford County, if you will reject the motion before you, that we would look at the Majority Report and that would allow Oxford County to simply raise their taxes to about \$170,000 more than they're raising now that would allow them to pay for the cost of housing their prisoners, and for one year. And their hope is, the county hopes that that one year would give them time to come back to the Legislature, see if some long-term, more equitable solution could be found for their problems.

This is a serious, serious issue. This is not a game. There's no lie involved here. The county simply does not have a way to pay for these prisoners without raising local property taxes or without the state coming up for money that would be directed to them in an amount of money that would allow them to pay for the prisoners. Therefore, I respectfully ask that the body reject this current motion and allow us to look at the Majority Report of the committee. Thank you.

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

Representative **McCABE**: Thank you, Mr. Speaker, Men and Women of the House, I rise in support of the pending motion, understanding that many, many of our counties are facing tough decisions, needing to tighten their belts. But at the same time, I think back to how we've got here, to trying to repeal the LD 1 cap. And the LD 1 cap was put in place to protect property tax payers, to prevent them from what they were facing with rapid growth in their property tax bill, both on a municipal and county level.

So, as we take this vote today, I hope that folks think long and hard about what we are actually voting on and what type of message we are sending to the property tax payers here in the State of Maine. I think for me, when I rise today to speak and when I cast my vote, I'm going to side with the property tax payers, the folks who expect us to make important decisions in the state, and also expect counties and municipalities to live in with, what I would consider is a reasonable growth rate. So, just to be clear, voting today, in essence, is voting to open up and allow a county to live what I would feel is much beyond their means, beyond the property tax payers' means, and really is opening up a can of worms and creating a slippery slope to further discussions. Thank you, Mr. Speaker.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Minority Ought Not to Pass pursuant to Joint Order 2016, S.P. 695 Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 595

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Guerin, 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, Sanborn, Saucier, Schneck, Short, Stanley, Stuckey, Tepler, Tipping-Spitz, Tucker, Turner, Verow, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Davitt, Dillingham, Dunphy L, Edgcomb,

Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nutting, O'Connor, Ordway, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Sawicki.

Yes, 80; No, 70; Absent, 1; Excused, 0.

80 having voted in the affirmative and 70 voted in the negative, with 1 being absent, and accordingly the Minority **Ought Not to Pass pursuant to Joint Order 2016, S.P. 695** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

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

Bill "An Act To Improve Teaching Assignments in Maine's Public Schools"

(S.P. 604) (L.D. 1544)

Which was **TABLED** by Representative McCABE of Skowhegan pending the motion of Representative BECK of Waterville to **RECONSIDER** whereby the House voted to **INSIST**. (Roll Call Ordered)

Subsequently, Representative FREDETTE of Newport **WITHDREW** his **REQUEST** for a roll call.

Subsequently, the House **RECONSIDERED** its action whereby it voted to **INSIST**.

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

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

SENATE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (S-511)** - Minority (1) **Ought Not to Pass** - Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Establish a Presidential Primary System in Maine"

(S.P. 685) (L.D. 1673)

Which was **TABLED** by Representative McCABE of Skowhegan pending **ACCEPTANCE** of either Report.

Subsequently, on motion of Representative LUCHINI of Ellsworth, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

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

The SPEAKER: The Representative may pose his question.

Representative **CAMPBELL**: On this bill, is there going to be an open primary, like New Hampshire, where Independents, like me, can go in and pick a ballot and vote?

The SPEAKER: Would the Representative defer? The appropriate time to ask that question would be after we dispense with the reading of Committee Amendment "A."

The Chair recognizes the Representative from Brooksville, Representative Chapman, and inquires as to why the Representative rises.

Representative **CHAPMAN**: Point of Order. The prior vote was taken without your request of the body, whether we accepted the motion or not, and I'm wondering if that was in order or

whether we will have an opportunity to ask for a roll call. And I'm interrupting you now so that we can deal with that Point of Order question before we get to the present motion.

The SPEAKER: Would the Representative clarify the question and what bill he is referring to?

Representative **CHAPMAN**: Yes, thank you, Mr. Speaker, the bill that dealt with the presidential primary had come up and a motion was made to accept a committee report and you hit the gavel, said, "It's a vote," but you had, prior to that, you did not ask if that was, without objection, was that okay with membership. So, there was no opportunity for those of us who would've requested a roll call to do so.

The SPEAKER: So I do believe that the Chair did say that, "Is it the pleasure of the House to accept the Majority Ought to Pass as Amended Report?" Well, we've already accepted that Report. It went under the hammer. The House has accepted the Majority Ought to Pass as Amended Report.

The Chair recognizes the Representative from Newfield, Representative Campbell, and inquires as to why the Representative rises.

Representative **CAMPBELL**: I think what the Representative is talking about is, I believe, Representative Fredette asked for a roll call just as you went under the hammer.

The SPEAKER: I think the Representative is referring to a previous matter. The matter before us right now is LD 1673. The House Accepted the Majority Ought to Pass as Amended Report. It went through First Reading. The Clerk will now read Committee Amendment "A."

Subsequently, **Committee Amendment "A" (S-511)** 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**.

Representative CHAPMAN of Brooksville **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (S-511)**.

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

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

Representative **CAMPBELL**: I just got a note, Mr. Speaker, from Representative Dillingham saying it's a closed primary. So, that means someone like me that pays taxes and paid for this bill won't get a chance to—unless I belong to a party—a chance to vote in the primary.

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

Representative **BABBIDGE**: Thank you, Mr. Speaker, since we are going to have a roll call on this, then I would like to explain why I'm going to vote the way I'm going to vote. I fully expect that the bill, as amended, to include a presidential primary, will pass. I just wanted to point out that, I think the *Bangor Daily*, I believe, had an editorial which said, "Let's not rush into things."

We all are stinging, or at least some of our municipalities are stinging, from having had a little bit of disruption and inefficiency in the way the caucuses were run. Some other ones were very successful. As a person that's attended caucuses since 1980, I guess, 1978, 1980, I can tell you that in 2008 and 2016 we did have challenges due to new numbers that we had not had before.

What I'd like to address the body for right now is to just explain that democracy in the United States to me is about community. And caucuses are an opportunity to get away from the 30-second ad and the media blitz and to have the political process be more than the media and the voting booth. To actually meet with the people in your community and find out

what they think and learn. I guess I'm approaching this as an educator as much as anything.

I do understand the reason for the proposal as such and I guess I'm in the position of a minority. And what I mean by that is there is, the primary is not a bad alternative and it definitely solves some problems. So, I can vote against this today knowing full well that the alternative is not a bad choice. But, I just want to say that efficiency is desirable, but that the quality of democracy depends on human interaction. And I think that personal human interaction is something that's very, very valuable.

One of the reasons I think that I don't feel badly about the fact that you're going to pass a presidential primary today is the fact that national campaigns are asking that their supporters vote earlier and earlier. And the political parties are in-equipped to, not only handle the expense, but the organization that's required of thousands and thousands of people voting by absentee ballot. Of course the Democrats already had that provision, but it was a particularly difficult challenge. That is better handled through organization through the Secretary of State's office, no doubt about it.

But, as we go forward here, we're going to have to tweak this in a year or two. And when we do, I want to point out the value of community and the value of knowing your neighbors and discussing politics in a civil way. And I think in small group meetings, what Alexis De Tocqueville talked about as being the institutions of democracy, I will say that when we're nation building overseas, we put in the voting process and wonder how come democracy doesn't work as well over there and it's because the institutions of democracy are not established. And Alexis De Tocqueville talked about the political small meeting that Americans had as being essential to the health of their democracy. So, I share that with you today. Thank you, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker, I rise in support of the motion to Engross this bill. I think it's time that we have a presidential primary here in this state. We had one for a number of years. We had increased turnout at the time. I think since we have gone to a caucus, turnout has gone down. This year's caucuses, whichever side of the aisle you were on, had any number of problems, from lack of locations to lack of opportunity to vote to overall chaos, whichever side you were on. And I think that's a common thread that both had. And I think it's time that in this day and age, we go back to the way of doing a primary for our most important office in the country.

I know in rural Maine, folks had to travel hours and hours and hours to get to the caucus. They got there and the parking lot was full. That's a good thing. But some kept on driving. Others couldn't make it there. Some had kids on a Saturday and Sunday afternoon that they had to take care of.

I'm not pointing fingers at either party because I think both could have done better, but I think we, as a state, could do better by going to a primary system. And I believe this bill sets that process in motion. And yes, Mr. Speaker, I encourage you to vote for the pending motion.

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

Representative **GUERIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in agreement with my good friend from Kennebunk. I think that, although there may be flaws in the caucus system, it is something that brings our communities together. It makes people be more involved, more informed. They have a chance to hear the opinions of their peers in the towns that they come from. It

brings in out-of-state candidates that would probably never come to our small state.

A good example of community involvement took place in Glenburn last night. Since I've been in the Legislature, there really has not been a town committee that was active at all in Glenburn. And last night, a bunch of folks that had met at the caucus, the presidential caucus, got together and formed a town committee and elected officials. I think this is something that we would lose if we went to the primary system and I will be voting against the pending motion.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, the way I vote today won't change this. I know that. But we call this a democracy. I sat on the other side of the chamber, here, and now I sit over here. But I'm an Independent. But I don't have to answer to anybody. I answer to the Speaker of the House, who is everybody's leader in this chamber. But I don't speak to either leader on either end of this horseshoe here in the front row.

I look at the primary that's going on now for the president and it's not a democracy either. Donald Trump was going to run as an Independent, but got promises from the Republicans and now they're trying to stick it to him big time. Bernie Sanders joined the Democratic party so he'd belong to a party to run, and they're just about ready to stick it to him now, too. So, I'll be voting against this. If I can't vote in the primary and we can't have a true democracy, why should I worry about whether we pass it or we don't pass it? And as far as the presidential primaries now, I hope Donald Trump runs as an Independent and Bernie Sanders does, too. Thank you.

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, and I appreciate the good comments from Representative Campbell. Look, you know, I come from a district that has five towns in it in southern Penobscot County: Corinna, Newport, Etna, Dixmont, and Plymouth. Five small towns, roughly 7,500 voters, as we all know. And in Penobscot County, we essentially have a mega-caucus on the Republican side. And that mega-caucus is held in Bangor. And I attended the mega-caucus this year and, you know, there were probably 10 people from my district that attended that mega-caucus to vote in this presidential election season.

Now, the reality is, if we had a primary, I suspect that out of those five town there might've been 500 people that would've actually participated in and voted in the presidential process. And I think that's a reasonable estimate. So, in our busy lives today where everything is just so much busier and faster, while it's critically important that people be involved in our civic duties and our responsibilities in the caucus system, the reality is, is a lot of people sometimes just aren't going to make that choice to take, essentially, a Saturday and spend that most of the entire day driving to some place and then sitting down and going through the caucus process. I think it plays an important part in our process in terms of our parties and the development of our parties, the growth of our parties. But I think the reality is today, is that our busy lives aren't as conducive to the caucus system. But more importantly, going into the fundamental issue of participation in the process of selecting a president, I think today, particularly, given rural Maine, you know, I go back to my youth of, you know, thinking about the small town of Danforth which is up in northern Washington County and, you know, the county seat is down in Machias some two and a half hours away. Are

we going to ask people from Danforth to get in their car and drive down to a central caucus in Machias to be able to have a vote in a caucus system to vote for a president? I think it's unreasonable.

And so, I don't think there's, the reality is, is neither system is perfect and so we're being asked to select the least non-perfect solution to this. And I think the least non-perfect solution to this is, is to have a primary system at this point in time. And so, I will be supporting the pending motion. Thank you, Mr. Speaker.

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

Representative **KINNEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, for many years, I have attended my own town caucuses. Often, my husband and I were the only members who attended the caucus. This year, our caucus had a few more members, but only a few who stayed for the entire caucus. Most members of our town came, voted, and left. I've worked at the polls on primaries and general elections in the past and more people vote in primaries than in caucuses. And finally, I'd like to point out that our caucuses currently are closed, so a closed primary is not really out of the question at this point.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, it's a rare occasion I get to rise in support of a motion that my good colleague from Newport has also risen in support of. So, I'd like to mark that milestone on my way out of the House.

More importantly, there's a fine gentleman that comes every year and not only does he sing the "National Anthem" for us, but he serves as the Doctor of the Day. He's been doing it for about 20 years. I would argue that he's pretty much an upstanding citizen and very much in keeping with the spirit of voting if he's willing to come and stand before us and sing the "National Anthem." Because the lines were so long in Portland, he was unable to cast his ballot for Hillary Clinton because he has an ankle issue.

Another friend of mine who is in her early 30's thought, "It's a spring day. I'm going to come out and I'm going to be in line for a half hour, 45 minutes. Wore a nice spring coat, some heels, and discovered four hours later that it's not quite so springy after four hours. As she stood in line, she watched parents with children leave the line to go home. She noticed that elderly people were having a very difficult time standing in line. They went home.

So, it wasn't that people didn't show up to be part of the process. They actually showed up and it was impossible to get in the door. That is what disenfranchisement looks like. It's not because people actively tried to disenfranchise voters—quite the contrary. But the very system of trying to put 4,000 people through two doors in a building that could probably house half that, really caused problems. I remember at 1:30 looking at how packed the gymnasium was in Portland and thinking, "I can't even see the end of the line outside. We are already at capacity. How are we going to fit those people in here safely?"

We need to move to a more rational system. I understand we have some soft spots for the caucus system and in other parts of the state it certainly may work well. But I'm not interested in seeing people disenfranchised simply because of a system that's archaic and outdated. You know, my small town went through a challenge many, many years ago, a little over three decades ago, when it was looking at, "Do we hold onto the past, or we look to the future?" In that instance, it was the crank phone. We were the last town in the country to have them and we wanted to hold onto that history. We wanted to preserve that heritage. But the

town voted to move forward because it no longer served our purpose. We erected a monument which still is there. You can go across the way to the museum and you can see plenty of crank phones. But in front of you, I guarantee you, or in your purse or in your pocket, you have a smart phone.

At various parts of our history, we have to make the determination whether our heritage is something that we should fight for or whether it's time that we put it in the history books to preserve the memory of it. The caucus is one of those occasions. This is too important, too important, to make sure that the leader of the free world, that we have people able to participate in that process. We are at a crossroads and I think it's time to take the next step and move back to a presidential primary system that will work better for everyone and make sure that the very people that come here to sing the national anthem and serve as our doctor of the day year after year after year do not get disenfranchised, to make sure that our elderly, parents with children do not get disenfranchised, and that all across the state people are able to cast their ballot in a manner that reflects their values for the leader of the free world of this country. Let's not leave Maine on the chopping block. Let's make sure that our voters have a voice in the most important election ever and let's make sure that they get to vote. That's why I'm voting in support of the presidential primary system.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition of Engrossment and like to address a couple of things that've been said and what we had heard in committee. First of all, I don't believe that this is an emergency nature. There's plenty of time to address the issues. And in committee and on the floor today, we've heard a lot of talk about the issues of people standing in line and traveling distances. And to me, that's an organizational problem that should be addressed by the parties and they have plenty of time to address those issues.

And speaking of Portland, they did, I think, see the longest lines and people being turned away. But during testimony, we were told per the party rules for Democrats, Portland could've had six caucusing locations, but their organizers chose to go with just one. Having six locations probably would've helped those folks turning out and having to wait in those long lines. And just for those reasons alone, I believe that these costs for a primary should be borne by the parties and not by the taxpayers of the state, especially where we are a closed primary state. Thank you.

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

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I will try to keep this pithy. I have been the Chair in the Town of Limington for the Republican party for quite some time. In 2012, the party held a York County caucus in the City of Sanford. Limington had six people show up to that caucus and it was crowded and it was crazy. It was kind of funny the next day when I got to read the tallies of the towns. Limington had 26 votes cast that day, even though I was the Town Chair. Out of that 26, there were six people present, there was 20 votes for Ron Paul, to which I tried to get to the bottom of that one and had no luck.

At this last caucus that was held in Biddeford, while I did get through the door, the fire marshal shut down the caucus because the building was overcrowded, so the Town of Limington had the chance of not holding any caucus due to the overcrowded situation. And of the people from Limington that did show up, there was many that just turned around and drove home because

there was no place to park and the line went around the school. And, Mr. Speaker, I'd request that the Clerk read the Committee Report. Thank you.

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

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

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

Representative **SKOLFIELD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I've heard some reference the last few days about how much primaries cost us, how much money it will cost to have primaries take place. Well, all I can say, Ladies and Gentlemen, is that I'm not a veteran, but there are veterans who have given and sacrificed—some have given all, some have some—for the freedom for us to vote and hold a presidential election once every four years. And it seems to me that if they can give of themselves, that we can give a few dollars and pay for once every four years to have a presidential election. Thank you.

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

Representative **BEAVERS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen, I do support the motion, but I'm in agreement with the Representative from Newfield that it should be open. And I hope in a future year that that will be considered because in my district, 40 percent are unaffiliated with a party. So, to me, that's disenfranchising 40 percent of my district and I'd like to see that not happen in the future.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (S-511). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 596

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

NAY - Babbidge, Bates, Buckland, Campbell J, Chapman, Devin, Dillingham, Gillway, Greenwood, Grohman, Guerin, Head, Hickman, McClellan, Pickett, Rotundo, Short, Stetkis, Sukeforth, Tepler, Tipping-Spitz, Winsor.

ABSENT - Sawicki.

Yes, 128; No, 22; Absent, 1; Excused, 0.

128 having voted in the affirmative and 22 voted in the negative, with 1 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-511)** in concurrence.

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

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

UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Majority (7) Ought to Pass as Amended by Committee Amendment "A" (H-651) - Minority (6) Ought to Pass as Amended by Committee Amendment "B" (H-652) - Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Reduce the Liability of Maine Taxpayers by Aligning Maine's Welfare Programs with Federal Law"

(H.P. 1107) (L.D. 1631)

TABLED - April 7, 2016 (Till Later Today) by Representative GATTINE of Westbrook.

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

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

Representative **HAMANN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise today to share with you an alarming statistic. Between 2010 and 2014, extreme child poverty rose by a shocking 50 percent in Maine. Extreme child poverty, which would be a family of three surviving on an annual income of about \$10,000—less than a thousand dollars per month—extreme child poverty was 50 percent higher in 2014 than it was at the height of the recession, while during the same time period extreme child poverty did not rise in our two neighboring states. In fact, not only have more of our children fallen into deep poverty, Maine experienced the sharpest increase in the entire United States. So it was neither a regional nor a national trend. Maine is sadly an outlier in this regard; 17,000 Maine children living in extreme child poverty in 2010. That increased to 23,000 just four years later.

We owe it to these children to do everything we can to protect these young Mainers from the harm we know poverty can cause. Harm related to brain development, educational achievement, workforce readiness, risk for chronic child hunger related diseases like obesity and type 2 diabetes, overall lifetime health outcomes—these are the societal costs we pay down the road if we make a choice to neglect our most needy children today.

With the pending motion, Mr. Speaker, we have an opportunity to take immediate action as a body to stop this dire trend. This amendment establishes a commission to look at the root causes of child poverty in Maine, and authorizes that commission to make recommendations to the Legislature in the first regular session of the 128th so this body can start addressing it on day one.

In addition, the commission will examine how best to align Maine's welfare programs with federal law, and doing so in ways that do not reduce support for children. Let's be clear: We ought to do everything we can to ensure Maine is satisfying federal law; it's the responsible thing to do. But it would be irresponsible to make changes to our TANF program that further exacerbate, or make worse, the rising child poverty crisis that 23,000 children are already facing in the State of Maine.

So, how does cutting an adult off of welfare impact kids? What's the connection? TANF households are households with children. So when we talk about cutting TANF rolls, let's acknowledge the reality of what we're really saying. We're talking

about taking financial resources away from a child and their guardian.

As originally proposed, this bill would have slashed the TANF rolls in some of the most near sighted ways one could imagine. And since TANF households are households with children, this would have increased child poverty in the State of Maine and as a responsible policy maker I could not, in good conscience, stand by and watch.

The solution to poverty is not more poverty. The solution to poverty is opportunity. First and foremost, let's stabilize the lives of Maine children who are living in the crisis of poverty. And I pray to God this is not a partisan notion.

Rather than trying to fight poverty with more poverty, this amendment offers a different diagnosis. This amendment, and the motion before you, envisions an all-hands-on-deck strategy to explore the root causes of child poverty here in Maine. Let's convene the experts and ask them to make recommendations that are evidence-based. Because whatever we're doing now, it's not working. Men and women of the House, we are failing an entire generation.

Now, I don't have all the answers and I don't think any of us do. But we owe it to our kids to start asking the right questions. Questions like: How can we help families and children escape poverty? What tools do we currently have at our disposal to fight child poverty, and how can we make those tools more effective for children and families? What opportunities can help a parent transition off of public assistance so they have a job where they can afford to make ends meet for their children? How can we help parents on public assistance obtain the education that will prepare them for a higher paying job in the workforce? And yes, while we're at it, let's look at ways to stay in compliance with federal regulations, but without making poverty worse for children. Let's take care of our kids.

Let's ask: Why has extreme child poverty in Maine risen by 50 percent since 2010, when it has not increased in either of our neighboring states and it has not increased nationally across America? What did we start doing differently in 2010, and why are those policies failing children? I don't want to imagine what the next four years will bring if we allow this shameful trend to continue. We have 23,000 children who are falling through the cracks in Maine. I know none of us find that acceptable, so it's time we stop accepting it, especially in the first five years of life. We all know how vital those first five years of life are for a child's developing brain. We all know the permanent damage that can be caused by adverse childhood experiences like poverty and hunger in those fragile first five years. We all know the long-term financial costs to the state for remedial education for a child whose brain development has been undermined by child poverty or child hunger.

If we know the financial cost of inaction, and since we all want to protect children from poverty and suffering, and since this commission will also find ways to align Maine's welfare programs with federal law without having a negative impact on children in poverty, the pending motion accomplishes the goals of both reports. 23,000 Maine children are crying out for our help. Will we stand up as a body and do everything in our power to protect children living in the crisis of poverty? 23,000 Maine children are pleading with us to shed our partisan tendencies, and form this commission to address child poverty and extreme child poverty and get it right. Because our kids deserve no less. Thank you, Mr. Speaker.

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

Representative **SANDERSON**: Thank you, Mr. Speaker, Men and Women of the House, I rise in opposition to the pending

motion. This is a divergence from the intent of the original bill that was put on in committee. I think we should need to support the original bill the way it was. While changing this may sound good and we do need to keep doing some work, we're still going to be at a loss here.

Right now, under our TANF program, we are not meeting our federal requirements. We are being assessed fines and penalties and in the past, folks have said, "You'll never have to pay those back." Well, the bill has come due. The bill has come due on this because the federal government is asking for their money back because we are not in compliance with federal law. That's why this bill is very important. What it seeks to do, sought to do, was to realign our programs and our exemptions under the TANF program with federal law so we don't continue adding five to seven million dollars per year to this bill that's already grown to \$29 million a year. That's why I would ask you to please reject this report, move forward the Minority Report. Thank you.

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

Representative **GILBERT**: Mr. Speaker, Ladies and Gentlemen of the House, the Department of Health and Human Services took everyone by surprise on January 15th when they announced that they were planning to contract out Maine's ASPIRE program, the program that is tasked with helping TANF families overcome barriers and engage in education, training and employment.

This means that more than 70 Maine workers will lose their jobs. It also means that community programs like New Ventures, Adult Ed programs and the Vocational Department of Maine Medical Center may also lose their contracts resulting in more Maine jobs lost. Several big corporations from out of state attended the bidders' conference of this RFP.

The Department argues that this change is needed to meet our federal participation requirements and avoid future penalties. But, Ladies and Gentlemen, we are currently meeting our federal rates. In fact Maine had the second highest participation rate in the country for the most recent ranking.

Maine's rate of extreme child poverty has grown more than any other state in the last five years. Before we make any such fundamental change like the Department is proposing, it makes sense to look at the real problems that we are facing and then design any changes, if necessary, in the manner that best addresses those problems. That is why this bill establishes a moratorium on the ASPIRE RFP until the Legislature receives the commission's report and makes a decision on what to recommend to address this very serious issue of extreme child poverty. Join me in voting for the Majority Report.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this is kind of a classic example of a bill that was submitted to committee with one intention and it was totally morphed into a whole other bill. So, I would like to request a roll call on this and I encourage you to follow my light and vote against this motion. Thank you.

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

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

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

ROLL CALL NO. 597

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

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

ABSENT - Dunphy L, Sawicki.

Yes, 81; No, 68; Absent, 2; Excused, 0.

81 having voted in the affirmative and 68 voted in the negative, with 2 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-651)** 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-651)** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-650)** - Minority (6) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Reform Welfare by Establishing Bridges to Sustainable Employment"

(H.P. 868) (L.D. 1268)

TABLED - April 7, 2016 (Till Later Today) by Representative GATTINE of Westbrook.

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

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

Representative **GATTINE**: Thank you, Mr. Speaker, Women and Men of House, we've talked about it for a long time, but I think it's time to really do it. Let's fix welfare in Maine. Let's fix it so it does what it's supposed to do. Let's fix it so that it can have a real impact on helping low income families, single moms, move out of poverty permanently. So that kids are on a path to success. So that working moms can develop skills and build careers. So that it doesn't just prop up the status quo but becomes an investment in a better future for all Mainers.

We have an opportunity to do this. To make welfare work better and to do what it's supposed to do and we need to take advantage of that opportunity, and that's what this bill, this motion in front of us does.

It replaces the one-size-fits-all approach with a new structure that provides customized tracks to ensure that families get timely, individualized help they need to overcome crises, remove barriers and move more reliably toward economic security and independence. It is based on an understanding of the things that drive people to welfare in the first place—crisis, domestic violence, economic volatility, lack of job training. It engages employers in a partnership with low income parents by creating a transitional job program to help people develop the skills they need to stay in the workforce. Moms receiving TANF look for work, but often struggle to find a job. There are lots of reasons for this, including a difficult job market, lack of job training or a lack of competitive work experience. This bill would subsidize employers who provide temporary positions that would give parents the chance to work in the paid labor market while at the same time gain valuable job experience.

It recognizes that real opportunity begins with education. This amendment would increase access to the Parents as Scholars program for parents with incomes below 150 percent of poverty. It gives parents who are churning in and out of insecure, low-paying jobs an opportunity and the support to go back to school where they can earn a degree and take steps towards economic mobility and self-sufficiency. Maine educational institutions like the University of Maine System, our community college, and adult education programs would help identify and enroll low-income parents in Parent as Scholars.

It makes sure that children have a secure home. Kids can't learn, they can't succeed if they are constantly couch surfing, moving from place to place and from school to school. This bill promotes housing stability for families at risk of homelessness by replacing a little bit of the cash benefit with a housing voucher. This would apply to the poorest of the poor—people whose housing costs exceed 50 percent of their incomes. And finally, Mr. Speaker, it holds everybody accountable—including us, including the government—for making the system work. It forces us to dive into the numbers to measure and report on what is working and what is not working.

So why is this important? Why do we need to do this now? Well, Maine needs to change course. Compared to the rest of the nation, the well-being of Maine children has taken a dramatic turn for the worse. And I can't say it any better than my colleague from South Portland said it with respect to the previous bill. But here's what we've seen over the last five years: Maine has had the sharpest increase of any state in the country in the number of children living in extreme poverty. Extreme poverty has increased by 50 percent. And again, let me repeat what extreme poverty means. It means kids living in a household where the income is below 50 percent of federal poverty. It means a family of three living with about \$10,000 a year in income. And while food insecurity has declined in the rest of the nation, Maine continues to move in the wrong direction. Maine currently has the third highest ranking in the United States for very low food security and the highest rate of child food insecurity in New England. And since the Affordable Care Act passed in 2010, every state in the nation except Maine has seen an increase in the percentage of people with health insurance. Approximately 40,000 Mainers have lost MaineCare and Maine is also the only state that has seen a statistically significant increase in the number of children without health insurance.

So, Mr. Speaker, these troubling trends for Maine children demand an immediate response and the amendment before us

fighters these trends by providing real opportunity for Maine families. Fixing these problems so that parents can provide better for their kids and for themselves shouldn't be political. It should be something we can all get behind.

And all of these things can be accomplished without any additional general fund cost. All of this can be done within the block grant funding that Maine already receives to run the TANF program. So, Mr. Speaker, we can walk out of here having preserved the status quo, and we can fail to address a system that we all acknowledge doesn't do nearly enough to make people self-sufficient and successful. I think both sides of the aisle understand that. Or we can come together and do something that will really make a difference and help move moms and their kids out of poverty forever. And I hope we take advantage of this opportunity and move Maine forward. Thank you.

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

Representative SANDERSON: Thank you, Mr. Speaker, Men and Women of the House, these are a lot of big changes that were just outlined by the good Representative from Westbrook and it does reform welfare, but it doesn't do it in the way that he wants. This is a huge expansion of welfare, folks. It's talking about housing vouchers for folks who don't qualify for TANF. Their income doesn't qualify for them. It's expanding many of the services that we do, so before you vote for this, I want you to think about and remember the individuals who we've been talking about over in this chamber for the last few years. Nursing homes closing, senior citizens, individuals with disabilities on waitlists. Any time we utilize these grant monies—and they are grant monies—for something like this, it makes us less able to support others within under the umbrella of the Department of Health and Human Services.

Also, these grant funds. It sounds good to say we have the TANF block grants available for this. However, and it sounds good to say that we've got a slush fund of \$89 million of TANF block grants in there. But what you're not hearing is what is already being done with these grants. These monies have been used to create programs. They're already spent. They're already encumbered. There's already a program in place that supports and tightens the weave under the individuals already in the programs so we can help them up and off. So we don't need to expand it to this measure. So I would urge you to vote "no" on the pending motion. Thank you.

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

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

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

Representative GATTINE: Thank you, Mr. Speaker, I just want to comment on something that was said by my friend, the Representative from Chelsea. Again, I want to be very clear. This amendment, this bill, does not expand eligibility for TANF to any person who is not currently eligible. Thank you, Mr. Speaker.

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

Representative SANDERSON: Just very quickly, I did not say it expanded eligibility for TANF. I said it expanded housing vouchers for folks who normally only qualify for TANF. It raises that level of eligibility and supports people who do not qualify for TANF. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to

Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 598

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, 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, Sanborn, Saucier, Schneck, Short, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

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

ABSENT - Dunphy L, Jorgensen, Sawicki.

Yes, 80; No, 68; Absent, 3; Excused, 0.

80 having voted in the affirmative and 68 voted in the negative, with 3 being absent, and accordingly the Majority Ought to Pass as Amended Report was ACCEPTED.

The Bill was READ ONCE. Committee Amendment "A" (H-650) 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-650) and sent for concurrence.

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act Regarding the Maine Clean Election Fund" (EMERGENCY)

(H.P. 1071) (L.D. 1579)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-661) in the House on April 11, 2016.

Came from the Senate PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-661) AS AMENDED BY SENATE AMENDMENT "A" (S-510) thereto in NON-CONCURRENCE.

The House voted to RECEDE AND CONCUR.

ENACTORS
Emergency Measure

An Act To Address Employee Recruitment and Retention Issues at State Mental Health Institutions

(S.P. 670) (L.D. 1645)
(C. "A" S-507)

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

Representative McCABE of Skowhegan **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

Representative **SANDERSON**: Thank you Men and Women, Speaker of the House, I urge you to vote "no" on this. As recently as February, the Bureau of Human Resources and DAFS did an analysis. And what they did was they found that there was actually no disparity between the pay for mental health workers and LPN's. There was a small, but very slight disparity for RN's. But this bill certainly gives away, through the process up here, much, much, much, much more than that disparity needs to make them on a level playing field. They can already, through the Department, get some raises to help make up for that.

Another thing is part of this bill is to recruit and retrain. I want to go over a couple numbers with you, if you wouldn't mind please. Mental health workers, as of 12/12/2015, they had 34 vacancies. They've filled 33. They only have one vacancy remaining there. Mental health workers II, the total recruitment needed was 15. They've been able to fill 12 of these positions, so there's only three vacant there. Mental health worker III's, they had a total recruitment need of three. They filled two. There's only one remaining and there's an internal posting that's active at this time. While they do need two psychologist II's, they have filled one of the three positions. And of the nurses, they were able to fill five of the eight positions, so there they have a remaining vacancy of about three.

As you can see, the Department is doing a very, very good job of going from yes, incredibly low staffing levels before the first of the year, but since that time, they have really been working hard to recruit and get staffing there to be able to stabilize the hospital and make sure that there's relief provided for the rest of the workers that we already there. Thank you. I urge you to vote "no" against this.

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

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

The SPEAKER: The Representative may pose his question.

Representative **McCABE**: Thank you, Mr. Speaker, the good Representative from Chelsea, Representative Sanderson, spoke of recent hiring and positions filled. But my question, Mr. Speaker, is how many vacancies, or are folks aware of vacancies and voids right now presently? And if so, what are those vacancies and those voids?

The SPEAKER: The Representative from Skowhegan, Representative McCabe, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Augusta, Representative Pouliot.

Representative **POULIOT**: Thank you, Mr. Speaker, recently we had a forum at the University of Maine at Augusta. It was extremely well attended with individuals that work at Riverview Psychiatric Center. They shared with us a number of their concerns, the majority of them relating to the health and safety

and welfare of those people that work there, but also talking about how a number of the patients who work at Riverview are going underserved because of the chronic shortages, the number of people that work at Riverview. To answer the question of the good Representative from Skowhegan, I contacted Riverview directly. Currently, there are nine mental health vacancies and 11 registered nurse vacancies.

One of the struggles that Riverview has is keeping good employees on staff at that facility. We have a brand new, state of the art hospital right in the middle of Augusta with wages that are some of the best in central Maine. When people have an opportunity to go and work there or go and work in an environment that is detrimental to their health and safety, with hours that, at times, are not even safe. There are occasions where people that go to work at Riverview have worked a 12 hour shift and at the end of that 12 hour shift they're called to cover for somebody that can't come in and they work another eight to ten, sometimes 12 hours. I know a lot of us put a lot of hours in at the end of session, but I can't imagine working 18-24 hours straight and being underpaid for that same role and being expected to stay in that position when something across the river pays better with better hours.

So, this bill seeks to reallocate some resources that are already within the salary plan. It's not asking for a new appropriation of funds that aren't currently existing. It's asking to reallocate those funds so that these individuals can be paid a competitive wage and so that they can keep people on, and beyond that, recruit some of the people to fill some of these vacancies that are going unfilled on a continual basis, which is significantly compromising the health, safety, and welfare of the people that work at that facility. I hope you will all follow my light and vote to support this bill today. Thank you.

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 599

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

NAY - Austin, Buckland, Crafts, Dillingham, Edgecomb, Espling, Farrin, Fredette, Greenwood, Hanley, Harrington, Hawke, Head, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, McElwee, Nutting, O'Connor, Ordway, Parry, Pickett, Prescott, Reed, Sanderson, Seavey, Sirocki, Skolfield, Stearns, Stetkis, Timberlake, Timmons, Turner, Vachon, Wallace, White, Winsor.

ABSENT - Dunphy L, Sawicki.

Yes, 109; No, 40; Absent, 2; Excused, 0.

109 having voted in the affirmative and 40 voted in the negative, with 2 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

Acts

An Act To Improve Student Retention in Maine's Postsecondary Institutions

(S.P. 84) (L.D. 215)
(C. "A" S-21; S. "A" S-489)

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-432)** on Bill "An Act To Improve the Quality of Teachers"

(S.P. 502) (L.D. 1370)

Signed:

Senator:

MILLETT of Cumberland

Representatives:

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

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

Signed:

Senators:

LANGLEY of Hancock
EDGEComb of Aroostook

Representatives:

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

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-432)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-432)** in **NON-CONCURRENCE** and sent for concurrence.

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

ENACTORS

Acts

An Act To Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act

(S.P. 312) (L.D. 867)
(S. "B" S-505 to C. "A" S-178)

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

On motion of Representative McCABE of Skowhegan, 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: The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'll be voting against the pending motion because they're proposing to take the money out of the marijuana fund. It only, as of today, has \$142,000 in it and this bill says that they're going to pay for these tax deductions with the money that's in this fund and if there's no money there, it'll come out of the general fund. They say that in the future the money will be there, but we have no guarantee it's going to. So I hope the body joins me in voting against the pending motion.

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

ROLL CALL NO. 600

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

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

ABSENT - Dunphy L, Sawicki.

Yes, 80; No, 69; Absent, 2; Excused, 0.

80 having voted in the affirmative and 69 voted in the negative, with 2 being absent, and accordingly the Bill was

PASSED TO BE ENACTED, signed by the Speaker and sent to the Senate.

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

Acts

An Act To Simplify and Expand the Educational Opportunity Tax Credit

(S.P. 678) (L.D. 1657)
(C. "A" S-438; S. "A" S-509)

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

On motion of Representative McCABE of Skowhegan, 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**: 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.

The Chair would inquire as to how the Representative from Turner, Representative Timberlake, would like to be recorded.

Representative **TIMBERLAKE**: Well, Mr. Speaker, I'm trying to figure out if this bill got amended to the other funding source.

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

ROLL CALL NO. 601

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

NAY - Austin, Crafts, Farrin, Fredette, Greenwood, Hanington, Hanley, Lockman, Long, Lyford, O'Connor, Reed, Sanderson, Sirocki, Skolfield, Stetkis, Theriault, Timberlake, Timmons.

ABSENT - Dunphy L, Sawicki.

Yes, 130; No, 19; Absent, 2; Excused, 0.

130 having voted in the affirmative and 19 voted in the negative, with 2 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

Resolves

Resolve, To Provide the Engineering Study and Planning Needed for a Statewide, Centrally Located Emergency Services Training Facility and Several Regional Training Facilities

(H.P. 436) (L.D. 655)
(S. "A" S-502 to C. "A" H-528)

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

On motion of Representative McCABE of Skowhegan, was **SET ASIDE**.

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

ROLL CALL NO. 602

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Golden, Goode, Grant, Greenwood, Grohman, Hamann, Harlow, Harrington, Herbig, Hickman, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Ordway, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Seavey, Sherman, Short, Stanley, Stearns, Sukeforth, Tepler, Theriault, Timberlake, Tipping-Spitz, Tucker, Turner, Vachon, Verow, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Buckland, Campbell R, Crafts, Dillingham, Edgcomb, Espling, Farrin, Fredette, Gillway, Ginzler, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Kinney M, Lockman, Long, Lyford, Malaby, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sirocki, Skolfield, Stetkis, Timmons, Tuell, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Dunphy L, Sawicki, Stuckey.

Yes, 103; No, 45; Absent, 3; Excused, 0.

103 having voted in the affirmative and 45 voted in the negative, with 3 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

Resolves

Resolve, To Require the Department of Health and Human Services To Conduct a Study of Ambulance Services

(H.P. 1006) (L.D. 1465)
(S. "A" S-496 to C. "A" H-547)

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

On motion of Representative McCABE of Skowhegan, was **SET ASIDE**.

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**: The Chair recognizes the Representative from Calais, Representative Maker.

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

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

Representative **MAKER**: This is a very important bill, but I understand they stripped all the funding off from it and I want to know why we're going to have an empty bill. Because they're supposed to be studying the rates, my understanding was when we discussed this bill already, that they had compromised on a rate that they were going to pay them, because they need to pay them. But now, it's an empty bill and it's going to do a study—which they supposedly already going to do a study. So, my question is, why do we keep bills on the books that really aren't doing anything?

The **SPEAKER**: The Representative from Calais, Representative Maker, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, in answer to the Representative from Calais's answer, they stripped the funding off because the initial funding was to provide for a very short-term rate increase. That piece is not going to go through. However, there is still the directive in the bill asking the Department to perform a rate study and come back to us next year, which is equally important. So, the bill had two functions and it's still performing one that we feel is very important.

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

Representative **LAJOIE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, there was supposed to be funding with this and as you can see, it was taken away. However, I believe one of the most important parts with this bill is to continue that study for the charging of ambulance services, which is well overdue. I think the Committee on Human Services did a good job in letting it run through and the Appropriations had no choice but to remove the funding. However, I really feel it's important that this bill go through as it is being presented at this time, especially for that cost study. Thank you.

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

ROLL CALL NO. 603

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy M, Edgcomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Harrington, Hawke,

Head, Herbig, Herrick, Hickman, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Nutting, O'Connor, Ordway, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Schneck, Seavey, Sherman, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Long.

ABSENT - Dunphy L, Higgins, Sawicki.

Yes, 147; No, 1; Absent, 3; Excused, 0.

147 having voted in the affirmative and 1 voted in the negative, with 3 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

Emergency Measure

Resolve, Related To Legislative Review of a Change to the MaineCare Benefits Manual, Chapters II and III, Section 17

(H.P. 1163) (L.D. 1698)

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

Representative GIDEON of Freeport **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**: The Chair recognizes the Representative from Newport, Representative Fredette.

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

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

Representative **FREDETTE**: Thank you, Mr. Speaker, if someone could just briefly answer the question what this bill does, I would appreciate it. Thank you.

The **SPEAKER**: The Representative from Newport, Representative Fredette, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Westbrook, Representative Gattine.

Representative **GATTINE**: Thank you, Mr. Speaker, the answer to the Representative's question, this is a bill that we moved through the HHS Committee last week and through the floor this morning. What this bill does is for people who are potentially losing their eligibility for some community mental health services under Section 17. This provides a longer transition period that the Department's able to provide for them. It was unanimous through the committee and I believe it was under the hammer this morning.

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 604

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

NAY - NONE.

ABSENT - Dunphy L, Sawicki.

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

149 having voted in the affirmative and 0 voted in the negative, with 2 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, today is Equal Pay Day. Just a reminder that women make 79 cents on the dollar in comparison to our male colleagues. Over the course of a lifetime, that means that we will not earn \$431,000 that we otherwise would have, simply because we were born as women. I hope that we will all work to change that and I just, on Equal Pay Day had to make sure that we put it on the record, a reminder that this is still an ongoing problem.

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

On motion of Representative VACHON of Scarborough, the House adjourned at 4:16 p.m., until 10:00 a.m., Wednesday, April 13, 2016, in honor and lasting tribute to the Reverend James E. Knox, of Scarborough and Pauline E. Michaud, of Scarborough.

Acts

An Act To Clarify Medicaid Ombudsman Services

(H.P. 1021) (L.D. 1498)

(C. "A" H-620)

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

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

Acts

An Act To Establish a Presidential Primary System in Maine

(S.P. 685) (L.D. 1673)

(C. "A" S-511)

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

Acts

An Act Regarding the Maine Clean Election Fund

(H.P. 1071) (L.D. 1579)

(S. "A" S-510 to C. "A" H-661)

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