

# 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  
39th Legislative Day  
Wednesday, April 13, 2016

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

Prayer by Pastor Tobin Curtis, Christ Community Fellowship, Madison.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

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**SENATE PAPERS**

**Non-Concurrent Matter**

Resolve, To Increase MaineCare Services for Certain Recipients To Allow Them To Remain at Home (EMERGENCY) (H.P. 314) (L.D. 475)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-608) AS AMENDED BY HOUSE AMENDMENT "B" (H-653)** thereto in the House on April 7, 2016.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-608)** in **NON-CONCURRENCE**.

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

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

George N. McNeil, Jr., M.D., of Standish, on the occasion of his retirement as an Attending Physician and Director of Residency and Medical Student Education, Department of Psychiatry, Maine Medical Center after 36 years of service. Dr. McNeil graduated magna cum laude from Amherst College. He earned his medical degree from Columbia University, College of Physicians and Surgeons. After an Internship in Medicine at the Presbyterian Hospital in New York City, Dr. McNeil came to the Maine Medical Center to serve as a Resident in General Practice. He served as a General Medical Officer in the United States Navy before returning to Maine Medical Center for a Residency in Psychiatry. He has touched thousands of lives, giving hope and inspiration. He has trained and mentored numerous physicians. We send our appreciation for his service to his profession and to the people of his community and the State. We extend to him our congratulations as he retires from Maine Medical Center and send him our best wishes;

(HLS 1252)

Presented by Representative BROOKS of Lewiston. Cosponsored by Senator DIAMOND of Cumberland, Representative ORDWAY of Standish, Representative KINNEY of Limington.

On **OBJECTION** of Representative BROOKS of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **BROOKS**: Thank you, Mr. Speaker, Women and Men of the House, I rise today to honor Dr. George McNeil who has, as you've just heard, contributed to the great State of

Maine in a tremendous capacity. I rise today to honor him. He does have, as you've heard, you know, tremendous experience and is, above all, an advocate for patients and I thank you for your time.

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

Representative **SANBORN**: Thank you, Mr. Speaker, I didn't know that Dr. McNeil was going to be here this morning before caucus, but I'm so excited that he is. And I just wanted to share what a truly wonderful man, what a truly wonderful doctor he is. To me, he has the heart of a family doctor. He had that long-term relationship with patients that gave him so much insight and allowed for the best practice and best care of patients.

He was there for me when I needed him in a consult. There were times when I would have a patient in crisis in the office with severe, persistent mental illness and I needed help to know what to do next and I could call Dr. McNeil and he was very soothing, very reassuring, always had some answers, and I couldn't appreciate him more. So, I just wanted to share in honoring him and hope that he has the most wonderful retirement ever. It is so well deserved. Thank you.

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

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**Recognizing:**

Terry Meagher, of Freeport, on the occasion of his retirement from a distinguished career as head coach of men's ice hockey at Bowdoin College. During his 33 seasons, as one of only 2 head men's hockey coaches at Bowdoin College since the 1950s, Coach Meagher carried forward a hockey tradition of statewide and national significance. He compiled a remarkable record of 542 victories, including 2 NESCAC Championships and 2 ECAC Championships, passing lessons of leadership, accountability and work ethic to more than 700 student athletes. Coach Meagher was named the Division II-III New England Coach of the Year 3 times by the New England Hockey Writers Association and twice received the Edward Jeremiah Memorial Trophy awarded by the American Hockey Coaches Association to the National College Division Coach of the Year. We extend our congratulations and best wishes to Coach Meagher on his retirement;

(HLS 1256)

Presented by Representative JORGENSEN of Portland. Cosponsored by Senator GERZOFKY of Cumberland, Representative GIDEON of Freeport, Representative STUCKEY of Portland.

On **OBJECTION** of Representative JORGENSEN of Portland, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **JORGENSEN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise today as a hockey fan—as a person who appreciates a carefully placed check, who admires an unusual offensive formation, and who sees the beauty in a perfectly killed penalty. I'm rising today to note the career of Bowdoin College Hockey Coach Terry Meagher, who in February completed the last of 33 seasons in that post.

Mr. Speaker, I'm a fan, and I admit that. But being a fan of something doesn't itself justify legislative action. It's Terry's accomplishments on a statewide and national scale that make his career so notable. As noted by sport historian Dr. Dan Covell, Bowdoin students played their first intercollegiate ice hockey game in 1907, defeating the University of Maine at home, 4-1.

The program experienced only a few successful seasons over its first four decades. The opening of the modern era in Bowdoin hockey came in 1956, when the college hired Sidney J. "Sid" Watson to lead it. From that time, in the midst of the Eisenhower Era, until today, following 33 years under Terry Meagher, Bowdoin's had only just two head men's hockey coaches, which is a pretty remarkable record.

During that time, Coach Meagher compiled a record of 542 victories, including two NESCAC championships, 2 ECAC championships and a number of other recognitions, some of which are listed in today's House Calendar. I've greatly admired his work as a coach. But just as much, perhaps even more, I've admired Coach Meagher's commitment to his role as an educator, and his role as a faculty member. One of the appealing facts about college hockey in the NESCAC schools is that academics always come first—these are students who happen to be athletes, not athletes who might do some studying—and that's an important distinction in this era of questions about the extent and focus of big-school athletic programs. I'm very glad we could offer this recognition of Coach Meagher on his retirement and thank you very much, Mr. Speaker.

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

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.

Expression of Legislative Sentiment in Memory of Robert Charles Carter, of Marshfield

(SLS 1093)

- In Senate, **READ** and **ADOPTED**.

**TABLED** - April 5, 2016 (Till Later Today) by Representative McCABE of Skowhegan.

**PENDING** - **ADOPTION**.

Subsequently, the Sentiment was **ADOPTED** in concurrence.

Expression of Legislative Sentiment Recognizing Kevin Doran, of Topsham

(HLS 1191)

**TABLED** - April 7, 2016 (Till Later Today) by Representative TEPLER of Topsham.

**PENDING** - **PASSAGE**.

The **SPEAKER**: The Chair recognizes the Representative from Topsham, Representative Tepler.

Representative **TEPLER**: Thank you, Mr. Speaker, Men and Women of the House, I rise to honor my good friend and neighbor, Kevin Doran. Kevin and I have been neighbors for nearly 29 years on the same street and know each other quite well. Kevin has won an award as Educator of the Year from The Learning Tree Project and I am not at all surprised. He is a forester working for our state, but he's an incredible family man, husband, father, and grandfather. And I know that I am not at all surprised that the Bee-Bop of Lily, Sam, and Eli has won this award for educating children. Thank you, Mr. Speaker.

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

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

**REPORTS OF COMMITTEE**

**Divided Report**

Seven Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-666)** on Bill "An Act To Modernize Maine's Solar Power Policy and Encourage Economic Development"

(H.P. 1120) (L.D. 1649)

Signed:

Senator:

HILL of York

Representatives:

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

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-667)** on same Bill.

Signed:

Senator:

MASON of Androscoggin

Representatives:

DUNPHY of Embden  
O'CONNOR of Berwick  
WADSWORTH of Hiram

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "C" (H-668)** on same Bill.

Signed:

Senator:

WOODSOME of York

Representative:

HIGGINS of Dover-Foxcroft

**READ.**

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

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

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

The **SPEAKER**: 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**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, on these amendments, Mr. Speaker, I'd like to ask through the Chair: "Fiscal note required." How much is this going to cost the taxpayers?

The **SPEAKER**: The Representative from Newfield, Representative Campbell, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Good Morning, Mr. Speaker and Ladies and Gentlemen of the House, not to answer the question, wanting to makes comments on. Thank you. This morning I rise in opposition to the Majority Report, even though I'm an advocate of solar development here in Maine. I have a number of concerns with the Majority Report.

First of all, it's a very ambitious program for the development of solar. It's 248 megawatts. We currently have 17 megawatts under operation here in Maine. It's a five year program. I would support this bill if it, in fact, had smaller allocations and if the time frames had been less than five years. The solar Majority Report provides for solar promotion in four areas: residential, commercial and industrial, large scale community, and grid scale. Forty-seven percent of the solar allocation is in residential. I certainly would've preferred to see it a substantially reduced number. And seeing the inclusion of agriculture and municipal as a broader expansion of solar here in Maine.

In addition, the current bill, as structured, provides no opportunity for cost containment. It provides targets and if the target's not met, then the price is increased. That provides absolutely no price predictability and the ratepayers are the ones who will be the ones responsible when there is no rate predictability. I would have preferred to see caps on all of the procurement areas. I would have preferred to have seen caps on the residential so that we have a solid estimate about what the cost implications would be for the ratepayers here in Maine. So, today, I will be voting "no." I will not be supporting the Majority Report and I hope you'll follow my light. Thank you, Mr. Speaker.

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

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this motion. I've not been convinced this proposed policy is in the best interest of the majority of the people of Maine. It is expensive and continues to be non-dispatchable and inefficient. We should not, under any circumstances, be getting inflated rates of return through policy to an energy source, in this case solar, and expect other rate payers to pick up the tab for the benefit of a few at the expense of the many. This bill does that.

The people who will bear the costs of this proposal could not afford access to this luxury of this energy source, yet they will subsidize it. Now that is a very sorry state of affairs. I won't bore you with the facts or the pesky numbers. I am confident that the good Representative Dunphy will fill you in on those in detail. I assure you his whole caucus agrees with him and say his numbers are indisputable. I've seen them and I agree.

That being said, I love solar energy and if you can afford to purchase it, do it. Really, just do it. You'll feel good about saving the world from impending doom and those evil oil companies and you might even get some power when the sun shines or if you can afford big back up expensive batteries, buy them. You will always have power, much to the dismay of the electric companies. Tesla is working on a less expensive, smaller, and more efficient lithium battery and maybe that invention is just around the corner, maybe. Just do it all off the grid and use your own money and I'll be a happy camper.

About this solar policy: if you depend on the grid, which likely you will if you are fortunate to enough to be able to afford a solar installation under this proposal, others will incur the costs of your transmission and distribution and inflated rates of return. I can't vote for something like this that casts burdens on some for the

benefit of others. I think the term for this was coined in the 1800's by Frederic Bastiat in The Law. It's called "legalized plunder." Thank you, Mr. Speaker.

The **SPEAKER**: The Chair would remind individuals in the gallery to not interfere with the deliberation of the debate as it moves forward. The Chair recognizes the Representative from Pittsfield, Representative Short.

Representative **SHORT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of LD 1649 and the pending motion, and I do so for a number of reasons. However, I will only speak to two of those reasons today. My first reason for supporting LD 1649 is that with its passage comes the potential of creating hundreds of jobs—good paying, long-term jobs—around the State of Maine.

My second reason for supporting LD 1649 is that in my town of Pittsfield we are very fortunate to have a currently successful small business that installs solar—electric modules, inverters, and heat pumps. The owner of this company is a very hard working young man, who, by the way, left the State of Maine at one point in time to seek employment in another state and then returned to Maine to start this business. By returning to Maine to start a small business, he has done exactly what I've heard many in this chamber say they want to see happen for our young men and women that have left the State of Maine to come back home for good paying jobs.

This young man, in just four short years, has grown his business from working alone at his home to now employing 10 people. He just recently purchased a long abandoned convenience store in downtown Pittsfield and has turned it into a workshop/warehouse. Last year, his company doubled its gross sales to \$1.2 million and was on track to grow by 60 percent in 2016. Currently, his company has \$100,000 worth of projects on hold due to the uncertainty surrounding the passage of this legislation. At a time of year when the installation of these systems should be ramping up, the owner is instead spending his time down here fighting to protect his hard work, his investments, his workforce and their families. He is also having to contemplate laying off workers if this bill fails to pass.

Mr. Speaker, Ladies and Gentlemen of the House, let's walk the talk and vote in favor of LD 1649, because it will create hundreds of good jobs, will entice many of our young men and women to stay in Maine, and will also entice many of our young women and men that have left Maine to return home. Thank you, Mr. Speaker.

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

Representative **DUNPHY**: Thank you, Mr. Speaker. Mr. Speaker, I'm still puzzled why we're even doing solar and I think the letter from the good Representative from Kittery sort of sums it up: 54 years later, we're still trying to make it work and it doesn't seem to be happening. Why do we need solar? Do we need solar for environmental reasons? There are much more cost-efficient ways to reduce CO2. Is it to get us off oil? One number I saw said just to eliminate the oil use for generation in Maine, it would be a little over 2 million panels. Haven't run the numbers for those who dispute my comment, but I believe that they're relatively accurate.

One hundred nineteen percent increase in installations nationally. Seventy percent decrease in installation costs and an 80 percent decrease in the cost of panels. And as was just stated, the young man from Pittsfield doubled his sales in the past year. If Walmart came to us, or if Milton CAT came to us and said, "Listen, I've increased my business 119 percent, I've cut the cost of operation, but I need you to mandate that I buy Caterpillar parts," or mandate that you buy your groceries from

Walmart, we'd kick them out of here in a heartbeat. So, I still ponder why we're doing this. \$10-\$15 million, or \$15-\$20 million in five years and a "maybe," a "maybe" savings in 20. My understanding is that you can buy a battery for your home and charge it with solar for about \$12,000. Well, I remember when cell phones first came out, they were \$700 or \$800 and they were bigger than, well, bigger than a laptop is today. And with technology advancing the way it is, why would we ever look at a 20 year contract for a technology that I'm hoping, hoping will grow and hoping will stay current with technology and allow us to heat our homes or cool our homes or generate electricity, but store it where we need it, not send it into the grid.

So, anyway, I will not be supporting this. It adds, in my opinion, a cost to ratepayers. In a conversation yesterday with a CEO, a quarter of a cent per kilowatt would have cost his company \$500,000 last year. So, I just can't see doing it. I can't see burdening the ratepayers in Maine for any industry that's showing 119 percent growth and a 70 percent decrease in cost to install. It just doesn't make sense to me. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise today in opposition to the pending motion and ask for your consideration of Report "B." Maine has an opportunity to capitalize on growth opportunities in the solar industry and we want to encourage job creation in this sector. However, as presented, Report "A" raises significant concerns about the future of solar growth in Maine. The concept behind Report "A" has never been tested anywhere in the country. We would be the very first state to try and implement this system. What happens when mistakes are made? What happens when this program and the new layer of bureaucracy that this Report creates becomes too costly? And most importantly, what happens when the ratepayers of Maine are saddled, yet again, by the significant increased costs that this bill will certainly produce?

The answer is pretty clear to me. It creates anything but a predictable climate for solar growth here in Maine. We have been talking about this issue for months, but this bill came to committee very late in the session. It is an extremely important topic that deserves far more consideration than what we just give in just a few short weeks of rushed work. Instead, in light of a coming review of net metering by the PUC, Report "B" strives to achieve the following: protect existing investments in solar and create a predictable climate for solar growth...

The SPEAKER: Would the Representative defer? The Chair would inquire as to why the Representative from Portland, Representative Dion, rises.

Representative **DION**: Point of Order, Mr. Speaker. I'm making an inquiry as to whether the gentleman's debate is relevant to the topic at hand. I don't believe we're at Report "B" yet.

On **POINT OF ORDER**, Representative DION of Portland asked the Chair if the remarks of Representative WADSWORTH of Hiram were germane to the pending question.

The SPEAKER: The pending motion is Acceptance of Report "A," Ought to Pass as Amended Report. If the Representative would please keep remarks to Report "A."

The Chair reminded Representative WADSWORTH of Hiram to confine his debate to the question before the House.

The SPEAKER: The Representative may proceed.

Representative **WADSWORTH**: Maine needs sound, cost-effective renewable policy to protect all ratepayers, existing net metered customers and future solar customers. I urge you all to oppose this motion and move to support "B."

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, I begin with a certain amount of curiosity on my part of failure to hear from the other side on this bill. Nonetheless, I suspect that means I need to stick to what we've got in front of us and I'm curious about where we are today on this issue of solar.

As many people know, we've had a number of mills shut down in Maine. You know, Bucksport, Millinocket, most recently Madison. And we hear time and time and time again that one of the issues that, not only that these mills have with the issue of the cost of energy, but there are companies in southern Maine that are also trying to compete here in Maine and stay here in Maine and still have to deal with cost of energy. It's a recurring theme. It's a fairly simple issue that we continue to hear about the cost of energy as being a major contributor to attracting and retaining businesses here in the State of Maine.

Now, unless I'm misreading something, the bill before us is proposing that we, essentially, subsidize solar. So, we're going to subsidize solar. So, we're going to artificially put into the marketplace. So, the first thing that we're going to do is we're going to go in and we're going to mess with the marketplace. Okay? And so, by suggesting that, what we're saying is, is that we don't believe that the marketplace is working properly. So, you know, I hear from the good Representative from Pittsfield, Representative Short, that there's been some growth in the area of some solar in Maine. And so, to some extent, I'm hearing that the marketplace is working properly. But, evidently, it's not enough to have it working properly; we need to put it on steroids, evidently.

And under this proposal, what we're doing is that we're asking ratepayers to be put on the hook for \$300 million. A third of a billion dollars. Ladies and Gentlemen of the House, \$300 million, putting ratepayers on the hook for that. With a system that has never been implemented in anywhere else in the country. So this concoction of this plan is not something that we're copying and pasting from Vermont or from Texas or from Arizona. It's a new model. And we're going to put ratepayers on the hook for that. We're going to ask ratepayers to say, "It's a third of a billion dollars. We think it's a good investment."

I hear time and time again, and I heard the good Representative from Pittsfield talk about, "We want to keep young people here in Maine." How many more mills have to shut down? How many more businesses have to leave Maine before we start to recognize that energy is a major factor in keeping young people in Maine? And instead, we have a bill where we're artificially raising rates and putting ratepayers on the hook for that, businesses on the hook for that.

We believe in, I believe in renewables. I think they have a place in the marketplace. But they need to be competitive. We need to have rates that are competitive. You know, the price of oil has fallen. You know, we were paying, what, \$1.70 for gas two months ago? And now it's back up to \$2.15 a gallon. I'll suggest to you that, you know, by this time next year, it'll probably be \$3 a gallon. And we all know that it was, what, two years ago when we were paying \$4 a gallon for home heating fuel. It's an uncertain marketplace out there and so we want to intervene into that marketplace and try to structure and fix it and again, try to put these artificial high prices in there so that we can keep a few companies going.

I want to close with what I got as data from Central Maine Power and Emera on those number of people that are currently net metering. And i.e. where the solar is in Maine. And according to the list that I got, I have five towns in my district.

Newport has six people. Corinna has four. Dixmont has two. Etna has zero and Plymouth has zero. Twelve people, ladies and gentlemen. Twelve people in my district of 7,500 people. And I'm being asked to vote on a bill that is going to put ratepayers on the hook for a third of a billion dollars for 12 people in my district. How does that pass the straight face test?

You know where solar is in Maine, according to this list? Brunswick with 88. Freeport with 88. Kennebunkport with 32. Scarborough at 42. Falmouth at 75. Yarmouth at 34. So when I look at this list, what I'm seeing and my interpretation of this list is, is that we want to socialize the cost for solar so that, what is at least appears on this, and I think these are great communities. Falmouth's a great community. Brunswick's a great community. Yarmouth's a great community. But in my district, in RSU 19, where I have 80 percent of the students at RSU 19 that are on free and reduced lunches, we're asking those people in that district, in my district, to go on the hook for \$300 million for 12 people that are subsidizing very specific communities, frankly here, Ladies and Gentlemen of the House. Very specific communities that have an interest in solar.

And I would suggest to you, if you look at the incomes in those communities, you have people that could already afford to put solar on the roofs if they want to do that. But I will not stand by and see people that are in poverty being asked to pay for a luxury of putting solar on their roof. And we ask what are we doing here to try to keep people in Maine, keep businesses in Maine, keep young people in Maine? Solar has a future in Maine. It does. Let the marketplace work.

I believe the PUC, as we all know, there's this issue of net metering and you know, once they reach the one percent threshold the PUC has a role to look into this. And I trust that the PUC is going to do their job in looking at solar and preserving jobs in solar and preserving net metering. Let the system work. We don't need this bill right now. There is no crisis in solar, Ladies and Gentlemen of the House. If you want to talk about a crisis, let's talk about biomass. But there's no crisis in solar energy and we're going to ask people that are in poor counties in northern, rural Maine to subsidize the cost of solar? It's insanity.

Ladies and Gentlemen of the House, again, I want to close by simply stating that I think renewables have a place in Maine. If you look at the energy generation in Maine, most of that energy is done by renewables. We are already at the forefront. We are already at the forefront if you simply look at the data of generating electricity in a clean, environmentally safe way. We are not the polluters. So, I will simply close by saying I don't think this is a bill that's needed. I support the solar industry, want to continue to see the solar industry grow in Maine, but we don't need this bill in order to do it. I will be voting against the pending motion and I ask you to follow my light. Thank you.

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

Representative **GROHMAN**: Thank you, Mr. Speaker, Colleagues, I will speak in advocacy of this bill. I believe the comparisons that are being made are unfair. There are two major gets, two major wins with this new program. I visited a friend's farm on Saturday. He's got a great solar installation on his barn. He's making way more power than he can ever use. That extra power goes out to the grid to power other farms, but the renewable energy credits, the kind of a green tag that gets assigned to that power, just go to waste. Those green tags could be sold to southern New England markets, which would reduce costs for all Maine electric users, solar or not.

The other big get with LD 1649 is for commercial and industrial users. There's a reason that you don't see big rooftop solar installations on big box stores here in Maine. That reason

is that we don't have a mechanism for those types of installations to be compensated and to sell back to the grid. This bill provides that mechanism. I recently worked on a solar installation in Massachusetts where a big box store saved \$300 a day on their power bill. We would have a similar arrangement possible for our local Hannafords and Shaws to make them competitive with the greater New England Market and that is the other major win with this bill. I encourage you to support it. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, for our own health and economic wellbeing, I think it's fair to say that we all believe in the concept of sustainable economic development.

The SPEAKER: Will the Representative will defer. The Chair would inquire as to why the Representative from Newfield, Representative Campbell, rises.

Representative **CAMPBELL**: I just got that from that idiot out in the hallway.

On **POINT OF ORDER**, Representative CAMPBELL of Newfield notified the Speaker that he received materials on his desk of a threatening nature.

The SPEAKER: The Representative will defer.

The Speaker asked the Representative to defer.

The SPEAKER: The Chair recognizes the Representative from the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Thanks again, Mr. Speaker and Ladies and Gentlemen of the House, briefly, as I was saying, that for our own health and economic wellbeing, we all believe in the principle of economic sustainable development and when I say this, I say this in the sense that we've all come to realize that there's no better hydration than fresh water. There's certainly no better way to oxygenate ourselves than fresh air. And for hundreds and hundreds of years here in this land, there has been no more efficient way than solar power to heat and to enjoy our days here.

And so, I'm excited about whether or not this particular amendment is the best to vote on or to support or not. My sense is somewhere that it may be but it's definitely the right direction that we're all going in. And I think it's a matter of timing, as the good Representative from Newport has said, that, you know, we've got to weigh, in considering sustainable economic development, the impacts of making change. But what's exciting is that we're headed in the right direction and that this may be the mechanism, even if it will be the first in the country. Maine is known for doing things first in this country and this would be no surprise to the country. So, those are my comments on this, that, again, nothing better than fresh water, nothing better than fresh air, and nothing more efficient than solar to heat us. Thank you.

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, I oppose the pending motion. I am not opposed to solar, however. I have an organic farm and I like renewable energy—all forms, not just solar. The Majority Report puts a high cost to all ratepayers, but we have alternative Ought to Pass Reports available. My constituents think I have a windmill, which is another form of renewable energy. And I want to clarify that I do not. My in-laws do and I do not benefit from it, however. But it has helped my in-laws, especially when they still had cows on the farm, as I'm sure solar can help those who want to put the panels on their roof. I don't think this Report is the right path and hope for the ability to support a different Ought to Pass Report today. Thank you very much.

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, when you've served in the Legislature for a while, you start to see and hear the same debate over and over again. Eight years ago, we had a very similar debate. We had a debate over whether we should invest in energy efficiency. Some of the same arguments against it were being made. It was untried. It was untrue. It was subsidizing people who would otherwise be able to afford it.

The irony is that eight years later we've discovered that energy efficiency works. We also know from other locations, and other countries even, that solar works. It's absolutely essential that we make the economic investments now to be able to build for a long-term sustainable future. Now, we think often in terms of, "How can this benefit us immediately?" But I think we need to be thinking about the next generation, the generation after that, and even the seventh generation. We need to think about the decisions that we're making and how that impacts the climate and how that impacts the world. When we are well over 350 parts per billion, we are well beyond the point where we need to be investing in clean energy. There is no other option.

More importantly, right here in Maine, we are seeing significant growth in the clean energy sector and when we have invested in solar energy, that energy sector has also grown significantly. We're not just talking about minimum wage jobs, we're talking about jobs that are family supporting, that are good, good paying jobs, jobs that you can go home at the end of the day and feel like you really did something for yourself, for your community and for your world.

Now, I serve on the Taxation Committee now. So I'm hearing a whole bunch of people talk about how we should not be investing in business. If that's the case, there's about \$6 billion that we could just disappear overnight. I would imagine that the industries that our tax credits support would probably have some serious concerns if we chose to do that. That's probably a good thing. We need to invest in businesses, but we can't invest just in the businesses that we think are morally just, that we think are the only businesses that matter. We spend so much money on oil in this state. We send about \$1 billion out of state. I would like to see us invest in distributed generation that gets us independent of those oil companies.

We also, not that long ago, we heard about the amount of money that we would be charging to ratepayers for this. We made other decisions just a couple of years ago to invest, through ratepayers, for natural gas. Now, I understand that some of that was to lower electricity costs. But it was also to move people off from one fossil fuel to a different one. This moves us off of fossil fuels entirely. Yes, innovation needs to happen to develop long-term batteries. There's a lot of stuff that needs to happen to make sure that the energy that we're developing gets to be used in its most effective manner. But innovation only happens if we choose to invest in innovation. Our country was founded on the pioneering spirit.

Now I heard that we should be copying and pasting public policy. There are times when you really shouldn't be reinventing the wheel. That's for sure. But Maine's motto is not "Copy and paste." Maine's motto is "Dirigo." "I lead." Some might say "Dirigamos," if you've studied your Latin. "We lead." I am not comfortable standing here and waiting for someone else to innovate the best new idea, when we might just have it here.

So, let's lead. Let's lead, not just for our generation, but for the seventh generation. Let's lead for the folks that are sitting in the balcony who are advocating so strongly for solar. This is not just an urban issue. My dad would love to put solar on his roof in

Bryant Pond. There are a whole bunch of people that would love to do this all across the state if we gave them the opportunity, just like we had to give them the opportunity and make it affordable to invest in energy efficiency. The return on investment in energy efficiency turned out to be one of the best investments this state has ever made and I would argue that the same arguments being used against solar are exactly the same arguments that were used against energy efficiency. They were wrong then. They were wrong now, and it's time to invest in solar. It is time to do what we do best in this state and that is lead.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Prescott.

Representative **PRESCOTT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, page 13, lines 33-39: This is where residential, small business credits expire. You will have a cutoff date. Every year, they take everything you have and you roll on to the next year with zero. If you have a cutoff date of December, you go right in to the worst months of the year paying full boat for your electricity. Page 10, lines 17-22: Commercial and industrial. They get to keep their credits. This is clearly a big business bill at the expense of the taxpayers. Page eight, lines 13-16: This is where you buy back your own credits. You put 10 credits in and you use them before your cutoff date, you get two back for free, pay full boat for the other eight. Page 11, lines 18-33: This is where it talks about rate increase until they meet a certain benchmark. Now, because there's no contract in place, which will be 20 years, we don't know what that is and we're not going to be around when they make this contract. Page 10, lines 11-16: It's a 20-year contract. Would anybody here sign a contract with ATT or Time Warner for 20 years? No. You don't do that because you want to have latitude to move around and find something better that works for you. Page nine, lines 19-21: This is where the entities recover all losses at taxpayers' expense. We are going to put our money in to get this thing going. And then until it reaches a certain benchmark, we are going to keep subsidizing it till they get there and even after that for the next 20 years, any time they don't meet that benchmark, taxpayers have to foot the bill. Built right into this contract is no loss situation for the people that are involved in this. It's all profit with no risk of loss. Thank you.

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

Representative **POULIOT**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I've always been extremely pro-solar, especially on days like today. It's a wonderful day to be pro-solar. Last year, I sponsored a bill to help individuals who wanted to install solar panels on their roof and run heat pumps in your house. What better way to provide for your own energy and your own heating and cooling needs?

I've made a lot of commitments to folks in my district and around the state about supporting this bill, but in the recent weeks, the content of this bill has changed significantly, and it's not in the fashion that it was in when it was first brought forward. I think that it's important for us to take advantage of months of hard work that was put forward to develop a comprehensive policy that has the support of all major stakeholders, and unfortunately, all the stakeholders aren't at the table anymore like they were at the beginning of this.

I think we need to add additional features and ratepayer protections that increase confidence in the benefits of the bill by blending some aspects of both the Majority and the Minority Report. And I think we need to maintain or increase measurable benefits of the bill, in terms of ratepayer benefits, job creation, transparency, and increased solar installations. So, this current report falls, unfortunately, just a little bit short, and I'm looking



forward to an improved version that I can support. So, I'll be voting "no" on the current pending motion, but I look forward to making some changes that, hopefully, we can get more support for. Thank you.

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

Representative **DAUGHTRY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in favor of the pending motion. I just wanted to thank the good Representative from Newport for highlighting how successful solar has been in Brunswick. As a community, we've committed to try and do all we can to support green energy. We started a partnership with Revision Energy to create Solarize Brunswick and to enable us to buy solar installations as a group and make them much more affordable for Brunswick residents. Still, even with this effort, not everyone could afford solar panels, myself included.

The measure in front of us would help it be much more affordable for all Maine residents. It'll help residents in Corinna, Dixmont, Etna, Newport, and Plymouth be able to access solar energy. But most importantly, this bill in front of us is a forward thinking measure that helps our state commit to solar and renewable energy, so residents from Brunswick to Newport can make sure that our state is moving forward with the most green and affordable energy possible. I urge you to follow my light.

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

Representative **SAWICKI**: Thank you, Mr. Speaker, Members of the House, I rise in opposition to this pending motion and I want to dispel any myth that folks like myself, who are opposed to this bill, are in any way disfavorable to solar power. I think it makes perfect sense to generate electricity through solar, but this is just not the bill that we need to promote solar adoption in the State of Maine. And it's not like we're not doing anything as taxpayers in this state or in this country because there is a 30 percent tax credit for solar systems, both residential and commercial use. And for those folks here today speaking on behalf of solar, I encourage each of you to do what you can to take advantage of that tax credit before it expires at the end of 2016, and help promote the growth of solar adoption in the State of Maine, and also giving yourself a 30 percent discount on that bill through your federal taxes. Thank you very much.

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, I rise because my first eight years up here were with Health and Human Services, and my biggest concern was the elderly, senior citizens. I get an electric light bill every month for \$253 plus sales tax, Mr. Speaker. And can I afford it? I guess I can, I've been paying it for quite a while. But I'm concerned about the elderly widower as I was the first eight years up here that's left alone to shuffle for herself and try to pay a bill like that. And I don't want to put any more burden on these senior citizens in this state.

You know we have the highest per capita of seniors in the country living in the State of Maine. They have got no raise the last couple of years in Social Security from our federal government, the money that they paid in, and a couple of years ago, they got the same thing: nothing. And I put a bill in, in the US Senate in Washington, and it failed by three votes. So, I stand here today, not speaking against solar power—I'll speak for it and wind power and the environment—but my concern is if the taxpayers, the ratepayers have to pay for this bill and it's going to affect the seniors in this state, I can't support it. If you can guarantee me that it's not going to hurt the elderly in this state,

then I will support it, but you're going to have to prove it to me this morning. Thank you, Mr. Speaker.

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

The Chair would inquire as to why the Representative from Newfield, Representative Campbell, rises.

Representative **CAMPBELL**: I asked a question and it never got answered.

On **POINT OF ORDER**, Representative CAMPBELL of Newfield asked the Speaker to address his previous **POINT OF ORDER**.

The SPEAKER: The vote is open. The Chair will address the question with the Representative after the vote is closed.

The Chair informed Representative CAMPBELL of Newfield that he would address his question with him after the vote was closed.

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

#### ROLL CALL NO. 605

YEA - Alley, Babbidge, 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, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Seavey, Short, Stanley, Stuckey, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

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

ABSENT - Bates.

Yes, 81; No, 69; Absent, 1; Excused, 0.

81 having voted in the affirmative and 69 voted in the negative, with 1 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-666)** 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-666)** and sent for concurrence.

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

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

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

**COMMUNICATIONS**

The Following Communication: (H.C. 526)

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

April 12, 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 1325, "An Act To Ensure a Public Process When Discontinuing or Abandoning a Public Road."

This bill intends to improve the discontinued and abandoned roads law. It contains some positive provisions; however it fails to include language to address a very important issue relating to public easements on discontinued roads. The bill does not address the issue of ensuring that one party is held responsible for safe travel on a public easement.

If a municipality retains a public easement on a discontinued road, in which there are legal residents abutting it, the municipality should be responsible for plowing snow and ensuring the road is safe and reasonably passable. If the municipality does not have the necessary resources, it can relinquish the public easement and give the discontinued road to the abutting property owners.

I am concerned for Maine residents that live along these public easements. What happens when these residents are in need of first responders, but emergency vehicles are unable to come due to too much snow on the road? This important issue must be addressed.

For this reason, I return LD 1325 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 Ensure a Public Process When Discontinuing or Abandoning a Public Road (MANDATE) (H.P. 903) (L.D. 1325) (S. "A" S-414 to C. "A" H-558)

The SPEAKER PRO TEM: The Chair recognizes the Representative from Sinclair, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, this LD 1325 is simply an act to require public process when a municipality has discontinued abandoned a public way. It's a piece of legislation, Mr. Speaker, that was carried over from the first session of 127th last year, and it was carried over because simply the committee, State and Local Government Committee, could not reach consensus on the bill. This is something that was worked on in the 126th. We're obviously in the 127th, three years later.

The presiding officers at that point in time authorized a working group. This working group, the subcommittee was created. This working group met four, potentially five times over the summer and earlier in this current session and made it very

clear to both sides of the folks regarding this bill, mainly the Maine Municipal Association, SWOME, and certain municipalities, that if a consensus wasn't reached, if agreement wasn't reached, then the bill would simply die. Well, after five working sessions, the parties came together, they reached consensus, and as a result, the Committee on State and Local Government reached a unanimous agreement on this bill. It came before both bodies of the Legislature. It does have a mandate on it, which required that this body and the other body, the upper body, enacted this piece of legislation with a two-thirds vote.

I would urge Members of this body to vote to override. As a matter of fact, the veto message reads the following: "This bill intends to improve the discontinued and abandoned roads process." It contains many positive provisions, but the Chief Executive claimed that it doesn't go far enough. If we can override this veto, I'm sure future Legislatures will improve to enhance it. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Mr. Speaker, I would concur with the good Representative from Sinclair, Representative Martin, that this bill was a significant challenge and all parties involved came together to make this bill happen. During the process, we had consensus and agreement, as he indicated, from the Maine Municipal Association, from the Small Woodlot Owners of Maine. It's a good piece of legislation. I would agree with the Chief Executive that there could be improvements and it could go further, but at this time, I would ask you to support the bill. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Mr. Speaker Pro Tem, LD 1325, this is a carryover bill. We've been working on this bill for four years. Through the State and Local Government, who instructed Small Woodland Owners and Maine Municipal to go to the table and work together. They did and they did very well. I was lucky enough to meet with them over the time to ensure that this was going to be good.

The bill allows for a well-defined public process for discontinuance, including public notice, to abutting property owners. As indicated in the veto letter, the Chief Executive's veto references easements. This, in no way, is easements. This is discontinuance. We didn't get as far as we wanted to get. We met with concessions and the concessions were based on discontinuance, not easements, as indicated in the veto letter. It requires that when a road is discontinued, or found to be abandoned, that a record is filed in the registry of deeds. That's the mandate. That is approximately an \$8 charge, so it's an insignificant mandate. Very insignificant.

I was very proud to work with this team. It worked well together to reach this compromise and this was a compromise. It isn't everything that the 126th got together as a group. It isn't that. They got together and they made a working group. They met over the summer in the 126th. It was extensive, too extensive, and it didn't pass. This was a compromise. This was a little bit of the puzzle. And this is a good compromise and this is two people, two different entities, that worked together to get to this. This is 40 years in the making. Forty years. We worked on it for the last four years. This is a very good compromise. I commend Representative Greenwood for everything that he has done to help. So, again, this is a very good compromise reached by everyone and thank you to the State and Local Government also for indicating they wanted this to happen. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Burlington, Representative Turner.

Representative **TURNER**: Thank you, Mr. Speaker, Men and Women of the House, I rise today because in the 125th, when I first came here, I was on State and Local Government. This issue was huge, just as it was this year. In the 125th, as it had been for so many years, we could not reach consensus. This year, I want to thank the good Representative from Winslow for bringing the bill to us again and for sticking in there and fighting for her bill, because this bill is a good bill. I urge you to support the bill going forward. I understand that the Chief Executive wanted more and I understand that, but this is a good start. So, please vote for the bill. Thank you.

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

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

**ROLL CALL NO. 606V**

YEA - Austin, Babbidge, 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, 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, Sawicki, Schneck, Seavey, Sherman, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood.

NAY - Alley, Tuell.

ABSENT - Bates, Mr. Speaker.

Yes, 147; No, 2; Absent, 2; Excused, 0.

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Norridgewock, Representative Farrin, who wishes to address the House on the record.

Representative **FARRIN**: Thank you, Mr. Speaker, I rise to recognize a neighbor of mine from Norridgewock, Game Warden Tom McKenney is here today. He was recently named Maine Game Warden of the Year. You most likely have seen him on North Woods Law. Tom grew up in Harmony and graduated from Dexter High before going to college in West Virginia. He returned to our state in 1995 and took the Game Wardens tests and when he didn't get a reply, he did what most Mainers did and went to work.

And then one day, he was in a swamp here in Maine and came across a blind old moose and he called the Game Warden Service to come take care of that situation and ended up having a conversation and going along with a ride along and this is, like I said, a story you can only happen here in Maine. And as they say, the rest is history.

He serves us now in our community, both in and out of uniform. He's involved in baseball and up and down the river and I'm very fortunate to call him a neighbor as well as have him as a constituent and just wanted to welcome him to the chambers today and applaud him for being recognized as Maine's Game Warden of the Year.

The Following Communication: (H.C. 527)

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

April 12, 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 1499, "An Act To Increase the Safety of Social Workers."

This bill would remove from the public record the addresses and phone numbers of licensed social workers in Maine. It would carve out a special exemption, leaving dozens of other professions and occupations licensed under Title 32 without this consideration.

The original purpose of making licensee contact information public was to support the role of the state and the licensing boards in ensuring that licensees are accountable to the public. If a social worker fears for his or her safety, he or she may provide a Post Office box number to the Department of Professional and Financial Regulation or take advantage of the Secretary of State's alternative address program.

The purpose of publicizing contact information is not to ensure that anybody may glean a social worker's home address, but that the public is able to contact that social worker or other licensee directly with complaints, requests or other relevant communications. There are countless legitimate reasons members of the public may have for trying to contact a licensed social worker. They should not be deprived of that ability lightly or unnecessarily.

Furthermore, if somebody really wants to find a licensee in the internet age, they will do so. Making previously public information confidential for the purposes of a state website will only make legitimate contact more difficult while serving merely as a speed bump to anyone with ill intent.

For these reasons, I return LD 1499 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 Increase the Safety of Social Workers

(H.P. 1022) (L.D. 1499)  
(C. "A" H-605)

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

Representative **GOODE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I just wanted to give a few brief comments about this bill. I was the sponsor of this bill and it went to the Judiciary Committee. I wanted to let folks know that the Judiciary Committee had a unanimous report in support of this bill. We had a great public hearing. The chairs and the committee members were all very helpful. The prime supporter of the bill and myself worked with the Department of Professional and Financial Regulation to help meet their concerns, which I believe the committee met.

I did read the veto letter from the Chief Executive and I would just like to point out that regarding other professions, it's my understanding that the committee has sent to the Right To Know Committee, a request to review other professions. So, my understanding is that other professions are going to be reviewed within the proper path that is typical. And I would just add that we have made this type of action regarding other professions recently. That this is a profession that is disproportionately female. There is a lot of stress with the people that you work with in this profession. I definitely trust the Judiciary Committee and their unanimous report and hope that you all vote with me on the motion before us. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Saco, Representative Hobbins.

Representative **HOBBS**: Thank you very much, Mr. Speaker, and Men and Women of the House, this bill was presented by the social workers and had a very good and thorough hearing before the committee. I want to commend my committee members and also the stakeholders in the social worker group and individual social workers for bringing this to our attention. The good gentleman from Bangor, Representative Goode, is correct that this particular issue has come to light and you'll be seeing more of this issue because of the arguments that have been raised about the delicate balance between the public's right to know and the privacy of individuals such as social workers who, because of the licensing process, are required to file a license, and also confidential information including telephone numbers, their addresses and the like.

What the Judiciary Committee did is hear testimony from this group. Also, interestingly enough, other health care groups who are licensed by the State Board of Licensure, really started thinking about their own issues and the potential safety issues involved. What the legislative Judiciary Committee did is send a letter to the Maine Right To Know Advisory Committee—and that letter was sent on March 23rd of this year—essentially requesting that the Maine Right To Know Advisory Committee take note of this issue that has come to light, not only with the social workers—and I commend them for bringing this to light—but also other groups. And what the committee essentially said was that we recognize that the state regulates these occupations in the interest of public safety and welfare, and that we address the letter, we also sent a copy of this letter to the Professional and Financial Regulation Commissioner, Anne Head. And essentially, it appears that Commissioner Head and the state will be working with the Judiciary Committee in the future and the Maine Right To Know Advisory Committee.

You know, in the case of social workers, their privacy interest includes the need to manage their risk in a profession that can present itself a dangerous environment because of the nature of their work. And this is a concern that may apply to several other professions and occupations. We're hoping that this is the first step in the process—and quite frankly, this is one that was initiated proactively by the social workers and I commend them

for it—and it's my hope that this veto by the Chief Executive can be overridden in order to implement this process and begin the work of the Maine Right To Know Advisory Committee in going forward and looking and examining the other risk factors involving other professions so that we can have a safe working environment, but also understanding the need for exceptions to the Maine Right To Know Law. This went through the stringent test of the Committee on Judiciary and was granted, and we thought that they met the need and requirements of an exemption to the Maine Right To Know Advisory Act. So, I hope you would all support my light and overriding the Chief Executive's veto. Thank you.

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

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

#### ROLL CALL NO. 607V

YEA - Alley, Babbidge, Battle, Beavers, Beck, Beebe-Center, Bickford, 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, Ginzler, Golden, Goode, Grant, Grohman, Guerin, Hamann, Harlow, Herbig, Herrick, Hickman, Higgins, 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, Nutting, Ordway, Peterson, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Sawicki, Schneck, Seavey, Sherman, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Theriault, Tipping-Spitz, Tucker, Tuell, Turner, Verow, Wallace, Ward, Warren, Welsh.

NAY - Austin, Black, Buckland, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Fredette, Gillway, Greenwood, Hanington, Hanley, Harrington, Hawke, Head, Hilliard, Kinney M, Lockman, Long, Lyford, Malaby, McClellan, McElwee, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sanderson, Sirocki, Skolfield, Stetkis, Timberlake, Timmons, Vachon, Wadsworth, White, Winsor, Wood.

ABSENT - Bates, Campbell R, Mr. Speaker.

Yes, 105; No, 43; Absent, 3; Excused, 0.

105 having voted in the affirmative and 43 voted in the negative, with 3 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

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

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#### ENACTORS Resolves

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)

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

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**Acts**

An Act To Resolve Inconsistencies in the Drug Laws  
(S.P. 609) (L.D. 1554)  
(H. "A" H-664 to C. "B" S-418)

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

On motion of Representative FOWLE of Vassalboro, was **SET ASIDE**.

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

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

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

**ROLL CALL NO. 608**

YEA - Alley, Austin, Babbidge, 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, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Grohman, Guerin, Hamann, Hanington, Harlow, Harrington, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kruger, Kumiega, Lajoie, 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, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Sherman, Short, Sirocki, Skolfield, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Theriault, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Winsor, Wood.

NAY - Crafts, Dillingham, Edgecomb, Fredette, Greenwood, Hanley, Hawke, Kinney M, Lockman, Long, Parry, Reed, Stetkis, Timberlake, Timmons, Turner, Wallace.

ABSENT - Bates, Mr. Speaker.

Yes, 132; No, 17; Absent, 2; Excused, 0.

132 having voted in the affirmative and 17 voted in the negative, with 2 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Knox, Representative Kinney, who wishes to address the House on the Record.

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

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

Representative **KINNEY**: I was driving toward New York City on Tuesday, September 11, 2001, in an 18-wheeler. I left home for a three week trip on Monday, September 10th. I was in the Portland Jetport on Saturday, September 8, 2001, when the terrorists who destroyed the World Trade Center buildings were there, although I had no idea they were a threat at the time. As I drove through Connecticut on the morning of September 11th, I was panicking about my safety and whether I would see my family ever again. The bridges I needed to use to get to my destination were all shut down before I could cross them, and had to change my route on the fly. Mr. Speaker, I had family in

both New York City and Washington, DC, that morning. Fortunately, they were unharmed. But that was not the case for over 3,000 people in the World Trade Center alone.

The terrorists began their trip to destroy our nation right here in Maine. The people of our great state have a right to have their voices heard regarding the Tabled bill, LD 1652. Just because a bill is sent to committee for public hearing does not mean it will pass the bodies, but at least the people's voices will be heard. My question is to anyone who cares to answer. When will this bill be assigned to committee so the people may be heard?

The **SPEAKER PRO TEM**: The Representative from Knox, Representative Kinney, has posed a question through the Chair to anyone who may care to respond.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General

(H.P. 435) (L.D. 654)  
(C. "A" H-548)

**Administration - Attorney General 0310**

Initiative: Provides funds for the additional cost for 5 detectives employed in the Office of the Attorney General on July 1, 2016 to participate in the 1998 Special Plan on a prospective basis.

**GENERAL FUND**

Personal Services **2016-17** \$3,984 Changed to \$0

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

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

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, first of all, just a Point of Order. My understanding is, this is a line item veto, and as such it requires a simple majority to pass the line item. Is that correct?

The **SPEAKER PRO TEM**: The Chair would answer in the affirmative and clarify that it needs a Constitutional Majority, which consists of a majority of the entire elected membership of the House.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on **RECONSIDERATION**.

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

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

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

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

Representative **MAKER**: Mr. Speaker, could someone in the House explain what this special plan is and the cost before I vote?

The **SPEAKER PRO TEM**: 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 Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Mr. Speaker Pro Tem, in reference to the special plan, I have to tell you that this was another carryover bill of mine. The \$3,900 for the AG detectives. This is a very special, dear to my heart bill that, if enacted, \$3,900—which, that is the most it can be. It probably only affects one person in the AG detective part of this. And, what I was told

was it was being line item vetoed for, we didn't know what it was going to cost next year.

Well, they're not doing any more hires. It's still only going to affect one AG detective. So, this year is \$3,900 and next year there's going to be \$3,900. The AG detectives are not in the special retirement plan. That is the idea of this bill and was the idea of this bill all along, was to get recruitment and retention for the new members. As what was asked of me and asked of the AG detectives was, "Why are we just doing it for new people? Why don't we see if anybody that's already there can do this?" So, with the help of a good friend who asked that question, they put it out to the people that were already there. Only one will take advantage of this. Only one person. So, it will cost \$3,900 this year to put him on this plan. It'll cost \$3,900 next year to put him on this plan.

These are our law enforcement. These are people that are very important. They're very important to me. They're very important to you. These people do a job that we could never even imagine doing. So, I am very proud that when they approached me to be part of this. It, you know, it's just the right thing to do, to retain them in this most difficult position that they have and I was very proud to be part of this. Thank you.

The SPEAKER PRO TEM: The Chair will remind all Members to direct comments through the Chair.

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

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

Representative **TIMBERLAKE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I don't want to speak for the Chief Executive Officer, but I think part of the concerns was with this bill was not the \$3,900 that it was going to cost this year, but its potential costs in the out years and we don't know what that is. But the potential is there for it to be big and that's why I believe that he has concerns.

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

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

**ROLL CALL NO. 609V**

YEA - Alley, Babbidge, Battle, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, 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, Harlow, Herbig, Herrick, Hickman, Hobbins, Hogan, Hubbell, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Nutting, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Sherman, Short, Skolfield, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Verow, Warren, Welsh.

NAY - Austin, Black, Buckland, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Harrington, Hawke, Head, Higgins, Hilliard, Hobart, Hymanson, Kinney J, Kinney M, Lockman, Long, Lyford, Malaby, Marean, McClellan, McElwee, O'Connor, Ordway, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Sirocki, Stearns, Stetkis, Theriault, Timberlake,

Timmons, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Hamann, Mr. Speaker.

Yes, 86; No, 62; Absent, 3; Excused, 0.

86 having voted in the affirmative and 62 voted in the negative, with 3 being absent, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

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Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General

(H.P. 435) (L.D. 654)  
(C. "A" H-548)

**Administration - Attorney General 0310**

Initiative: Provides funds for the additional cost for 5 detectives employed in the Office of the Attorney General on July 1, 2016 to participate in the 1998 Special Plan on a prospective basis.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**GENERAL FUND 2016-17** \$3,984 Changed to \$0

Representative FREDETTE of Newport **REQUESTED** a roll call on **RECONSIDERATION**.

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

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

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

**ROLL CALL NO. 610V**

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

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

ABSENT - Bates, Grohman, Hamann, Mr. Speaker.

Yes, 85; No, 62; Absent, 4; Excused, 0.

85 having voted in the affirmative and 62 voted in the negative, with 4 being absent, and accordingly the Line Item Veto was **NOT SUSTAINED**. Sent for concurrence.

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

Representative **LOCKMAN**: The question that was posed by Representative Kinney was, "When will LD 1652 be assigned to committee so that the people may be heard?" and the answer to that question is: Never, as long as current leadership is in place. Current leadership has labeled the bill "blatantly racist" and current leadership believes the people aren't smart enough to figure that out on their own. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair would remind all Members that it is inappropriate to speculate on the motives of other Members.

**REPORTS OF COMMITTEE**  
**Divided Report**

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-406)** on Bill "An Act To Encourage Health Insurance Consumers To Comparison Shop for Health Care Procedures and Treatment"

(S.P. 470) (L.D. 1305)

Signed:

Senator:

GRATWICK of Penobscot

Representatives:

BECK of Waterville

BROOKS of Lewiston

COOPER of Yarmouth

MELARAGNO of Auburn

MORRISON of South Portland

TUCKER of Brunswick

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-407)** on same Bill.

Signed:

Senators:

WHITTEMORE of Somerset

BAKER of Sagadahoc

Representatives:

FOLEY of Wells

PICCHIOTTI of Fairfield

PRESCOTT of Waterboro

WALLACE of Dexter

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-407).**  
**READ.**

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

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

Representative **BECK**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, please support the pending motion. The pending motion represents truly meaningful reform for Maine people and businesses who pay for private health insurance. The pending report addresses that scenario, Mr. Speaker, where you are privately insured and you are, in several weeks' time, going to have lab work done or an

office visit. And what the pending report says, it says that you are entitled as a matter of law to call your insurance company and your insurance company, in a reasonable time, must give you an estimate of what that procedure will cost you out of your pocket. That's actually a requirement in Title 22 for people without health insurance. We borrowed that concept and put it in the insurance code.

The pending report also requires that insurance companies, as a condition of doing business in Maine, are required by a certain time to provide, on their websites, an interactive tool so consumers and patients may shop around, look at different prices for procedures, and in this age of high insurance premiums, high co-pays, and high deductibles, that will be helpful for Maine people so they can save money out of their pocket. I urge the House to support the pending motion and I will conclude also by thanking every member of the Insurance and Financial Services Committee, every sponsor of this bill. This bill was not unduly rushed. It was not unduly delayed. No arms were twisted. It was the subject of a subcommittee approved by the presiding officers during the interim. We deferred to the sponsors and supporters on any issue of scheduling or presentation. I'm very proud of our work and I believe every Member of this House can vote for something meaningful and positive today to help Maine people and businesses. Finally, Mr. Speaker, I request a roll call.

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

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Wells, Representative Foley.

Representative **FOLEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to the pending motion. For far too long health insurance companies and the healthcare providers have dictated yours, mine and our constituents' health care needs. Where we go, who we see, what services will be provided and what we will pay for those services. This has led to higher insurance premiums, higher deductibles, and much higher healthcare costs. That trend needs to end and it will only end when the consumer of healthcare begins to re-engage in those health care decisions.

Unfortunately the original version of LD 1305, which is the Minority Report, would have started us down that road. The Majority Report and the pending question does little to help Maine's healthcare consumers. I ask that you vote with me to defeat the pending motion so that we can have an opportunity to re-engage the healthcare consumers in those decisions once again and share in those savings. Thank you, Mr. Speaker.

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

Representative **ALLEY**: Thank you, Mr. Speaker Pro Tem, Men and Women of the House, I don't believe that this bill is going to help small hospitals like we have down in Washington County or in Hancock County. I think that this will be their demise if we pass this through, that it's not going to help us at all. It's going to run them out of business. Thank you.

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

Representative **TUCKER**: Thank you, Mr. Speaker Pro Tem, Colleagues, at the public hearing backers of the original bill presented us with lots of anecdotes about wild cost variations for medical services and also stories about the difficulty of obtaining cost information from health insurers. As with airlines tickets, hotel rooms, and other products in the free market, medical prices vary depending on geography, efficiency of scale,

willingness to pay, complications and pricing structures. What is particularly frustrating for the public about medical pricing has been the difficulty of getting estimates.

The Majority version of the bill provides increased transparency for consumers who told us how difficult it was to get reliable information about medical services. The Majority Report answers these concerns about transparency and pricing and it does this without forcing burdensome and unproven state mandates that could devastate Maine's rural hospitals and drive down quality of care. The Majority Report drops the idea of a state mandate proposed in the original bill, a state mandate that all private health insurers must adopt a cash patient incentive. This cash patient incentive is unnecessary, administratively complex, and potentially disruptive to quality healthcare.

There are several good reasons why we dropped the idea of a mandatory cash incentive. We learned that no other state has such a mandatory, statutory program. This initiative would make Maine a test case, or guinea pig, nationwide. We also discovered that Maine statutes and rules already allow such patient incentive programs on a voluntary basis. Mandatory price incentives could damage revenues of small and rural hospitals. This is why the Maine Hospital Association opposes this bill. Because hospitals must, by law, serve the public at a loss for charity care, emergency services, Medicaid, and so forth, they must balance the books with a higher charge for commercially insured patients. Thus, for many procedures, they can't compete with the volume of big, urban hospitals, or with private clinics, perhaps miles away, who treat only the commercially insured. This is an uneven playing field.

In a mandatory patient incentive system focusing on cost only, not quality, the hospitals will be competing with one hand tied behind their back. This will lead to cherry-picking the commercially insured patients away from hospitals. Independent providers and advertising companies will skim off that 25 percent of patients who have more lucrative commercial health insurance, leaving the other patients behind. Mandatory patient incentives would also threaten treatment networks set up by insurers. Continuity and monitoring of providers within insurance networks helps keep costs down, monitors outcomes, weeds out bad providers, and helps estimate future costs for rating and premium calculations. Insurers set up networks of providers so they can monitor not only cost, but also results and outcomes.

Quality of care and satisfaction is just as important—perhaps more important—than sole focus on initial cost. The trend in medical care is toward per patient cost, wellness, and outcomes, rather than the traditional costly fee for service model that an incentive program would depend on. Administration of a mandatory cash incentive system is fraught with complexities that may actually drive overall costs of healthcare up. Cigna Insurance estimates a rough 2-5 percent increase in cost, simply due to administration of the mandatory program, which will be passed on in increased premium cost for everybody.

Mandatory state incentives would be handing an additional tool to corporate website advertisers, targeting the 25 percent of the patient population covered by commercial insurance. Such websites sell millions of dollars of glossy medical advertising to low-cost doctors, targeting that 25 percent of patients covered by commercial health insurance without adequate quality and outcome safeguards provided by hospitals and the networks of the insurance companies. Since a primary concern of the public is the availability and disclosure of medical price information, the majority has reported a bill that does the job. Thank you.

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

Representative **PARRY**: Mr. Speaker, Ladies and Gentlemen of the House, I wasn't planning on getting up and speaking, but I'm going on my sixth year here in the building and I've heard a lot of stuff while I've been here. And I just heard this morning that it's bad to mandate something at state level that's going to save consumers healthcare cost, but it's good to mandate that we cost poor ratepayers more money to subsidize wealthy people for solar. I'm really confused on why it's good for one, but bad for another. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Waterboro, Representative Prescott.

Representative **PRESCOTT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this is just another big business bill. The Majority Report, all it allows you to do is you take your time, your money, shop around for services that are less expensive. So now you're going to get, oh, three or four services, for the same amount as your deductible already is. Who makes out on that? The insurance company. Not you. Like the Minority Report, it gives you a cut and allows you to bring down your deductible. The bottom line to this bill is the Majority Report's all about big business. The Minority Report's about labor force. Thank you.

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

#### ROLL CALL NO. 611

YEA - Alley, Babbidge, 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, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Short, Stanley, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

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

ABSENT - Bates, Stuckey.

Yes, 79; No, 70; Absent, 2; Excused, 0.

79 having voted in the affirmative and 70 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" (S-406) 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-406) in NON-CONCURRENCE** and sent for concurrence.



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

**SENATE PAPERS**

**Non-Concurrent Matter**

JOINT RESOLUTION RECOGNIZING APRIL 2016 AS AUTISM AWARENESS MONTH

(H.P. 1159)

**READ** and **ADOPTED** in the House on April 4, 2016.

Came from the Senate **READ** and **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

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

Representative **PARRY**: Thank you, Mr. Speaker, you mentioned that we're not coming back in until 6 o'clock tonight, which means we're, in my opinion, wasting five hours of debate time this afternoon. We have Supplement 3 on our desk. It's been here all day, which LD 633 is on. Why are we not working all afternoon when there's plenty of work we can be doing?

The **SPEAKER PRO TEM**: The Chair would respond to the Representative's question, I believe this afternoon will actually be filled with work by a number of the committees that need to meet. We will come back in. We are anticipating at some point late in the afternoon that the other body will begin work again. We also want to make sure that when we come back into this chamber we have some work so that we are not waiting for paper to come down the hallway.

The Speaker Pro Tem inquired if there was objection to **SUSPENDING** the rules for the purpose of allowing members to remove their jackets.

Representative **RUSSELL** of Portland **OBJECTED** to **SUSPENDING** the rules for the purpose of allowing members to remove their jackets.

Subsequently, Representative **RUSSELL** of Portland **WITHDREW** her objection to **SUSPENDING** the rules for the purpose of allowing members to remove their jackets.

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

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

The Speaker resumed the Chair.  
The House was called to order by the Speaker.

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

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Reduce the Liability of Maine Taxpayers by Aligning Maine's Welfare Programs with Federal Law"

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

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-651)** in the House on April 12, 2016.

Came from the Senate with the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-652)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**Non-Concurrent Matter**

Bill "An Act To Reform Welfare by Establishing Bridges to Sustainable Employment"

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

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-650)** in the House on April 12, 2016.

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

The House voted to **INSIST**.

**Non-Concurrent Matter**

Bill "An Act To Improve the Quality of Teachers"

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

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-432)** in the House on April 12, 2016.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

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

Representative **McCABE** of Skowhegan **REQUESTED** a roll call on the motion to **INSIST**.

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

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

**ROLL CALL NO. 612**

**YEA** - Alley, Babbidge, 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, 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, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Sherman, Short, Stanley, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

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

ABSENT - Bates, Bickford, Higgins, Wallace.

Yes, 83; No, 64; Absent, 4; Excused, 0.

83 having voted in the affirmative and 64 voted in the negative, with 4 being absent, and accordingly the House voted to **INSIST**.

**Non-Concurrent Matter**

An Act To Reduce Morbidity and Mortality Related to Injected Drugs

(H.P. 1057) (L.D. 1552)

**PASSED TO BE ENACTED** in the House on March 17, 2016. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-559)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-559) AND SENATE AMENDMENT "A" (S-513) in NON-CONCURRENCE.**

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

**Non-Concurrent Matter**

An Act To Amend Maine' Motor Vehicle Laws (EMERGENCY)

(S.P. 581) (L.D. 1483)

**PASSED TO BE ENACTED** in the House on March 10, 2016. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-367) AS AMENDED BY HOUSE AMENDMENT "A" (H-537)** thereto)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-367) AS AMENDED BY SENATE AMENDMENT "A" (S-512)** thereto in **NON-CONCURRENCE.**

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

**COMMUNICATIONS**

The Following Communication: (S.C. 982)

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

April 12, 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 1565, "An Act to Attract and Retain Medical Examiners by

Increasing the Fees for Services Provided by Medical Examiners."

I do not oppose the objectives of this bill – increasing the reimbursements the State makes to non-salaried medical examiners for an inspection and view of a body. The flat fee of \$85 per incident is not sufficient. I do, however, oppose trying to pay for this through increased fees. Maine people pay sufficient taxes and should not be expected to pay additional fees for services the State should be providing via the tax revenues it generates.

Sections 2 and 3 of this bill both propose increasing fees charged by the Medical Examiner's Office. Section 3 of this bill, which proposes increasing the fee one's family must pay in order to receive a certificate to cremate a loved one's remains, seems particularly inappropriate and was rejected in the Committee's minority report on this bill. Instead of increasing fees, the modest funding to increase medical examiner reimbursements should be identified within the State's General Fund budget as a way to move away from these fees.

For these reasons, I return LD 1565 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 Attract and Retain Medical Examiners by Increasing the Fees for Services Provided by Medical Examiners

(S.P. 617) (L.D. 1565)

(C. "A" S-443)

In Senate, April 12, 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?'

31 voted in favor and 4 against, and 31 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. 613V**

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

NAY - Austin, Battle, Black, Buckland, Chace, Crafts, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Greenwood, Guerin, Hanington, Hanley, Harrington, Hawke, Head, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Malaby, Marean, McClellan, McElwee, O'Connor, Ordway, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Sirocki, Stetkis, Theriault, Timberlake, Timmons, Turner, Vachon, Wadsworth, Ward, White, Winsor, Wood.

ABSENT - Bates, Bickford, Higgins, Wallace.

Yes, 92; No, 55; Absent, 4; Excused, 0.

92 having voted in the affirmative and 55 voted in the negative, with 4 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 981)

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

April 12, 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 1475, "An Act To Facilitate the Use of State Education Subsidies."

Rather than address shortcomings of the Legislative budget cycle or problems with the State's consolidation laws, this bill lays out a recipe by which local school administration units would be encouraged to spend any unanticipated funding received from the State rather than to offset the local share and provide property tax relief. Despite all of the talk in Augusta about the need to reduce property taxes, this bill introduces a new barrier to lowering the property tax burden and encourages new spending. Voting on a school budget is one cornerstone of local control that provides transparency and accountability at the local level. By placing a mechanism in law that would silence local debate in the event additional resources become available, this bill erodes the rights of property tax payers, who currently have a say in how funds are used and whether they would prefer that any additional dollars from the State reduce the local share of the cost of education. This Administration will not support such an affront.

The core problem this bill seeks to address seems to be the mismatch in timing between when the biennial budget is finalized and when local budgets for school administrative units are approved. It is within the Legislature's purview to make changes to the biennial budget process. Options include switching to a calendar-based fiscal year, requiring that the budget be passed earlier in the Session, moving the entire budget process to the Second Regular Session of an elected Legislature, or any combination of the above. The Administration is willing to discuss any serious proposal to change the State's budgeting process. Sadly, this bill would fundamentally alter local control for school budgets to compensate for the shortcomings of the Legislative process. If the Legislature is interested in reexamining the way we run our State government in service of the communities, the Administration stands ready to assist. That is not what this bill does; therefore I cannot support it and I return it to you unsigned and vetoed. I urge you 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 Facilitate the Use of State Education Subsidies (EMERGENCY)

(S.P. 573) (L.D. 1475)

(C. "A" S-388)

In Senate, April 12, 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?'

27 voted in favor and 8 against, and 27 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. 614V**

YEA - Alley, Babbidge, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Long, Longstaff, Luchini, 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, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Sherman, Short, Skolfield, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Verow, Wadsworth, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Austin, Crafts, Farrin, Hanington, Hanley, Lockman, Lyford, Reed, Sirocki, Vachon.

ABSENT - Bates, Bickford, Higgins, Wallace.

Yes, 137; No, 10; Absent, 4; Excused, 0.

137 having voted in the affirmative and 10 voted in the negative, with 4 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 979)

**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 accepted the Minority Ought Not to Pass Report from the Committee on Veterans and Legal Affairs on Bill "An Act To Increase Fairness in Campaign Financing" (H.P. 623) (L.D. 904), in non-concurrence.

Please be advised the Senate today insisted to its previous action whereby it Failed to Enact "An Act Regarding the Sale of Alcohol by a Manufacturer with an On-premises Retail License" (S.P. 563) (L.D. 1462), 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. 980)

**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:

Senate Paper 1015, Legislative Document 1492, "An Act To Establish a Protocol for Review of State Education Content Standards of the System of Learning Results," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

23 voted in favor and 12 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

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

**READ and ORDERED PLACED ON FILE.**

**REPORTS OF COMMITTEE  
Divided Report**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-487)** on Bill "An Act To Improve the Health of Maine Citizens and the Economy of Maine by Providing Affordable Market-based Coverage Options to Low-income Uninsured Citizens"

(S.P. 226) (L.D. 633)

Signed:

Senator:

HASKELL of Cumberland

Representatives:

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

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

Signed:

Senators:

BRAKEY of Androscoggin  
McCORMICK of Kennebec

Representatives:

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-487).**

**READ.**

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

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

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

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

Representative **WARREN:** Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I rise today to speak in favor of the motion on the floor. Maine could be accessing federal healthcare funds to address Maine's opiate epidemic. Other states all across our country are using the federal healthcare funds to help provide treatment to individuals with substance use disorder who are otherwise cycling through the criminal justice system. Those states are seeing a reduction in drug related crime and recidivism. In a recent opinion editorial, which you all now have on your desks, leaders in Maine's law enforcement community outlined how accessing these health funds would be a big step forward in our efforts to protect our communities from the vicious drug epidemic that is affecting all of our families.

And I quote, "The Maine Sheriffs and Maine Chiefs of Police Association support accepting the enhanced federal healthcare funds to provide low income Mainers who suffer from addiction or mental health illness with healthcare, including treatment. Drug and mental health treatment is necessary, if not critical, to reducing drug-related crime in Maine. People are dying of the torrid epidemic of opioid and heroin addiction. Mainers across the state are struggling to rid themselves of this disease. While more are seeking treatment with the goal of living a useful and productive life free of addiction, many face barriers to accessing the treatment they need to turn their lives around. The result is a costly cycle in and out of jail and a drain on our criminal justice system." Unquote.

Other states are using federal healthcare funds to pay for health services previously paid for with state general funds.

There are 64 sites across the state within jails and prisons where incarcerated individuals with addiction or mental health diagnoses are being enrolled into coverage when they are released from jail. Mr. Speaker, if we are serious about getting out in front of this epidemic, if we are serious about protecting our families and communities, we must be serious about treatment. And treatment is impossible without health coverage. That's just good old Maine common sense.

But there is also some data to back this up. Sheriff Joel Merry, President of the Maine Sheriffs' Association, and Chief Michael Field, President of the Maine Chiefs of Police Association, have presented us with the evidence. They and their members are on the front lines of this crisis and what they have learned from their brothers and sisters in law enforcement across the country is this: States that have accessed the federal funds are seeing a reduction in drug-related crime and re-incarceration. If you are serious about seeing a reduction in drug-related crime and re-incarceration, and I know you all are, please join me in voting in favor of the motion on the floor. 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'm sure it's no surprise that I rise today in opposition to the pending motion. Let me begin with a little story, one that we all need to remember. In 2002, Maine became an early expansion state with promises of a reduction in the uninsured and a reduction in charity care at our hospitals. The anticipated enrollment was approximately 11,000 people. So what happened? The enrollment number was vastly underestimated and a very short time needed to be capped at 25,000, the rate of uninsured remained the same and over the years, charity care at hospitals continued to grow. None of the promises bore fruit.

Meanwhile, the MaineCare budget grew and the rocky road of shortfalls within the DHHS and the need to either cut funding in other areas of state government or programming within the department began. In order to create the illusion of a balanced budget we also didn't pay our bills to the hospitals. My colleague in the other body shared a story last night and told me of a sign that he had seen in one of our local hospitals. On this sign was a picture of a young boy wearing one of those paper birthday hats with a cupcake in front of him, with a big number "4" candle on it. This sign read: "As this boy celebrates his 4th birthday, the hospital where he was born is still waiting for MaineCare to pay for his delivery. The State of Maine owes hospitals \$45 million for care provided to MaineCare patients going back to 2009. When the state doesn't pay its bills, hospitals can't pay theirs. It's time to settle up."

Fortunately we did manage to find a half a billion dollars needed when the Chief Executive renegotiated the state's liquor contract with the intent that the revenue be targeted directly toward paying off that debt. We settled our accounts. But how did we get into that fiscal hole in the first place? Again: we expanded Medicaid, leading to annual shortfalls of \$50 million to more than \$100 million. The state stopped paying its bills, racked up hundreds of millions in debt to Maine hospitals, slashed rates to healthcare providers and neglected core priorities, such as appropriate reimbursement for nursing facilities, home care services, and services for those with significant disabilities.

We have only just, in the last few years, begun digging ourselves out of that hole, but now many would like us to see embark on that familiar path again. It's important to note that for the first time in years; the Department of Health and Human Services has not come forward to our Appropriations Committee

to ask for more money to fill significant shortfalls in their budget. They didn't this year, they didn't last year.

According to the DHHS, traditional Medicaid expansion would cost Maine taxpayers \$315 million over the next five years, but this "private option" proposal will cost even more. They estimate \$520 million. Why the difference? Simple: commercial health insurance plans are more expensive than typical Medicaid coverage. And who pays the difference? The taxpayers.

Under this proposal several things would happen. First, Maine taxpayers would still pay hundreds of millions of dollars to add childless, non-disabled adults to the medical welfare rolls, many of whom are already eligible for highly subsidized policies on the federal exchange. Second, additional taxpayer funding would be required to purchase health insurance policies for parents of dependent children making between 100 percent and 138 percent of the Federal Poverty Level, also ignoring the fact that these individuals again, are already eligible for highly subsidized policies on the federal exchanges. It makes no sense to shift this cost burden to Maine taxpayers, when people can already buy these federally subsidized plans. Third, promises from the Obama Administration of autonomy to implement innovative programs and reform would not likely materialize. The federal government has outright rejected innovative, accountability-based expansion proposals—for example, work requirements and asset testing—but only after convincing private option states to move forward with the expansion. And finally, Maine's Department of Health and Human Services would be left administering an even more complex Medicaid program.

Both Arkansas and Indiana are useful case studies as they both expanded under the private option with similar results: high costs and false promises from the federal government about autonomy. In 2014, Arkansas expanded its Medicaid program as the original "private option" state. This supposedly "free market" approach was supposed to save the state millions and provide autonomy for innovative program reforms. Instead, the cost to Arkansas's Medicaid program increased by \$1 billion—more than 20 percent of total program costs—with an expected cost of more than \$650 million over the next five years. At the same time, while seeking to implement accountability-based reforms, such as asset testing and work requirements, the Obama Administration refuses to permit such innovations. For example, instead of a work requirement, the federal government will only allow "work encouragement." This is what they told Arkansas.

In Indiana, they have had a similar experience. Whereas the cost of Medicaid to Indiana taxpayers in 2014, pre-expansion, was \$1.6 billion, their 2017 costs are projected to be \$2.1 billion. That's a 30 percent increase with a price tag of \$500 million annually. Similarly, accountability reforms from Indiana have been rejected by the Obama Administration.

And now we have to look at Medicaid expansion more broadly across the country. We can see in state after state that the costs have far exceed estimations, due to under-stated enrollment projections and overly optimistic savings projections. Vermont: the state projects a \$30 million shortfall for current fiscal year and a \$50 million gap in Fiscal Year 2017 due to Medicaid expansion. In Delaware, the state is facing a \$28 million Medicaid budget shortfall due to Medicaid expansion. In Massachusetts, the state saw an increase in spending of \$1.1 billion. In Kentucky, the Medicaid program faces a \$125 million shortfall, with a projected deficit of \$611 million over the next two years due to an aging population. Sounds like a pretty similar demographic to our state, isn't it? In New Mexico, the state had to close its funding gap of \$78 million by reducing reimbursement rates to physicians and hospitals. We went down that road with the first expansion. Do we really want to go there again? In

California, after enrolling 120 percent more individuals in its Medicaid program as a result of expansion, California's general fund spending on Medicaid will increase from \$15 billion in 2012 to an expected \$25 billion by 2019. If Maine saw the same general fund increase over that time period, costs would rise to \$1.26 billion by 2019. And also, Connecticut at this time, they're also trying to close a \$200 million gap in their budget.

Looking at the example of all these other states have before us, adopting Medicaid expansion, while simultaneously promising to remain committed to fiscal discipline, we should ask, has it worked for those states? The answer is a resounding "No." As much as we hope that we might be the exemption, that it might work for us, I believe we are deluding ourselves if we cannot learn from not only the painful mistakes of those states who have expanded under the ACA, but also our own painful experiences of this very issue in the past.

Over the course of this and past legislative sessions, we have been fiercely debating in these halls how to find funds for important priorities: funds for senior services, funds for our schools, services for those with intellectual disabilities and autism. They've been underfunded, as have virtually every important personal care service delivered in consumers' homes and keeping them in their communities with family and friends versus in a facility. We can forget all of that if we expand Medicaid. We will not have any money left over to continue bolstering and supporting those services.

Finally, we are told that the federal government will pay 90 percent. But how long will that last? With the current national debt at \$19.2 trillion, that is \$160,827 in debt per taxpayer. But when you count the unfunded liabilities, the government is far further in debt. It is \$101.7 trillion in the red. That's \$850,643 per taxpayer. I don't know if anyone in this chamber is able to hand over an extra \$850,000 to the federal government, should that ever collapse. Not only would Medicaid expansion be incredibly expensive in the short-term, signs point to it be disastrous in the long-run. Should we bet our future on the financial solvency of a federal government that only knows how to run up the credit cards? When the federal government hits the inevitable brick wall at the end this unsustainable road, who will be left holding the bag on Medicaid expansion? It'll be us if we expand. It won't be us if we don't. Thank you.

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

Representative **BURSTEIN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, LD 633 provides a balanced approach to accepting federal health care funds to provide healthcare insurance coverage to Mainers with low income. Please accept this Majority Report Ought To Pass as Amended. Over 70,000 people in Maine with low income would benefit. Most who would qualify work in low wage jobs where coverage is not offered or is too expensive—people who work in maintenance, agriculture, retail sales and food service. Other work as home health care workers or personal care attendants. Nearly 3,000 veterans would qualify, as would 1,000 spouses of veterans.

Thousands of uninsured Mainers who don't qualify for subsidies in the marketplace and others who have income just above the poverty level, who can't afford both the cost of premiums and cost of sharing, would qualify for coverage under this plan. This plan is a balanced approach. While it draws from the experience of other states, it's different than any other state or any other proposal that has previously been put before us. It uses both Medicaid and the private health insurance market to provide coverage. People who qualify for coverage are expected to help pay something toward premiums and copays. People

who are unemployed will be referred to the Department of Labor for help in finding a job.

The coverage sunsets in 2019 or if the federal government goes back on its word to cover most of the costs. This bill, as we've heard from the good Representative from Hallowell, will help with the state drug crisis. Like other states, Maine will be able to use the federal funds to provide treatment services to help reduce addiction and decrease drug related crime. Other states are seeing savings and reduce incarceration as well.

LD 633 will help reduce chronic disease, including lung and heart disease. It will help make sure more Maine people get the cancer screenings they need to prevent colorectal and breast cancer—screenings that help to detect cancer when it is more at a more curable stage and a less expensive stage.

And if this isn't enough, it's important to recognize that accepting the federal funds has helped to improve the economies in many other states. Most states that have accepted the federal funds have created millions in savings from state budgets across the country. Actual savings and economic benefits in other states are well documented.

So, my numbers are a little different than what we've heard before. While Kentucky estimated that over 7,500 new jobs would be created when they expanded healthcare and having them in health and related fields, in 2014 it turned out that more than 12,000 jobs, from nurses and pharmacists to doctors and data analysts were created that year. In Ohio, in 2014, statewide healthcare jobs rose by about 7,000 positions, according to the figures from the Ohio Department of Jobs and Family Services.

Millions in savings is often been documented in nearly every state studied. In Kentucky, some programs funded with state dollars could be covered under Medicaid following expansion. Kentucky's Department of Public Health and Department of Behavioral Health, Development, and Intellectual Disabilities all saw savings totaling \$38 million in 2015. Arkansas benefited from using the federal healthcare funds for adults who were previously enrolled in waiver programs or other eligibility groups would now be covered under the expansion program, resulting in a savings of \$17.5 million in 2014. Many other states have documented similar savings. These are actual figures. In Maine, it's estimated that at least 3,000 good paying jobs would be created if we accepted the federal healthcare funds—and that's over \$2 billion would be added to Maine's economy in the next five years.

I believe expanding access to coverage is important in meeting the healthcare needs of low income Maine people. Fewer Maine people will suffer from addiction and mental health disorders. Fewer will die from cancer and other chronic diseases. We can no longer ignore the facts that show our hospitals and other healthcare providers, including our rural community healthcare centers, will also benefit and that our economy will improve as a result of accepting the federal funds. Please join me, Ladies and Gentlemen, and follow my light to accept the Majority Ought To Pass as Amended Report. Thank you, Mr. Speaker.

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

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

The SPEAKER: The Representative may pose her question.

Representative **HYMANSON**: How many states that have expanded Medicaid have later withdrawn it?

The SPEAKER: The Representative from York, Representative Hymanson, 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**: I can answer the Representative's question. The answer is none.

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

Representative **McLEAN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, the summer of 2014 was a very busy one—campaigning, spending time with friends and family, and enjoying the precious few days of warmth we get. My mom had spent most of that summer and fall with some pretty severe stomach pain. And finally, in October, right after her 60th birthday, she went to go get a colonoscopy.

The day of her appointment, I called home to check on my mom. And my dad answered the phone and I asked how the appointment went. My Dad, who did not offer to put my mom on the phone, said that things went okay, but a few more tests had to be done the following week. That was Friday. And on Sunday morning, my Dad called me and he shared the news that when they did the colonoscopy, they had found three medium-sized tumors in her colon. My dad said, "It's not good." And, indeed, it was not good.

And so we proceeded as thousands of other cancer patients and their families do. We sought out a cancer doctor, took several trips to Mass General in Boston, my mom underwent countless MRI's, PET scans and CT scans to identify if and where the cancer had spread. Turns out, one of the PET scans revealed the cancer had spread to her lung where there was a spot the size of a pencil eraser. This complicated and prolonged the treatment plan. And soon thereafter, my mom began her chemo treatment in early December. Eight rounds of chemo, spaced out every two weeks, after that a PET scan to see if the cancer had shrunk, then she underwent surgery to remove the cancer from her lung, a month to recover then 12 more rounds of chemo, spaced out every two weeks, then another PET scan to see if the tumor in her colon had shrunk.

This got us to June of 2015 where she had a month off. In July, after another PET scan, they saw a spot on her liver. Now it had spread from her colon to her lung to her liver. The doctors, my mother and our family embarked on a new plan starting in early August. She would have six straight weeks of chemo and radiation simultaneously to shrink the tumor. Another PET scan. Then a month to recover. Another PET scan. Because of the spot on her liver, she would need to have a liver resection, where they would take half of her liver out. That was last November. Then she had a month to recover and she would then have surgery to remove the tumor and be given a temporary colostomy bag. That was in December. In February, she had her intestine reattached and the colostomy bag taken out. And here we are, in April, a year and half after her diagnosis, just finishing her treatment and doing okay.

We never expect a close relative—a mother father, brother, sister, husband, wife—to get a cancer diagnosis. We think we're invincible. But it happens to us. It happens to a lot of us. She didn't do anything wrong. She worked her whole life. She sacrificed for her kids, did everything right in life. My mom's story—my family's story—is not unique. It's the story of so many in this state. A story that too many people have had to face, including many in this chamber.

Thankfully my parents have really good health insurance. Thankfully my mom was otherwise healthy. Thankfully my dad is an incredible caretaker, and incredibly patient and kind. Thankfully, the circumstances were the best that we could have hoped for. But not everyone has these advantages.

I wanted to share this one story because before this diagnosis, I didn't understand how medical bills could get so astronomically high that they would top \$1 million. How do people

go bankrupt because of an illness? I didn't understand until my mom's diagnosis. My mother keeps meticulous records of each expense related to her cancer treatment and I wanted to share some of the costs that are borne by people diagnosed with cancer: \$27,000 for each chemo treatment—remember she had 16 of them. \$40,000 for a lung surgery. \$1,000 to get rehydrated after each chemo treatment because chemo dehydrates the body. \$6,000 for each MRI. \$4000 for each CT scan. \$5000 for each PET scan. \$50,000 for the liver resection. \$4,000 for each radiation treatment—meaning \$4,000 every day she went and she went for six weeks, five days a week. The surgery to remove the tumor in her intestine: \$40,000. The surgery to reconnect the intestine: \$30,000. The countless doctor's visits, the prescriptions to counteract the neuropathy, the hair loss, fatigue, vomiting, and the gas to commute to and from New Hampshire to Mass General. \$27,000 here, \$50,000 there. Pretty soon, folks, we're talking about real money. Money on the order of \$1 million.

Insurance has paid out over \$1 million for my mom's care. Who has a million dollars to throw around for cancer treatment? The people who need Medicaid expansion the most won't even make \$1 million in their working life. So how in the world is anyone who does not have health insurance supposed to pay for the care that they need when they get really sick? They don't, Mr. Speaker. They avoid preventative care. They get it checked out when it becomes so painful, when it has metastasized to other organs. Frankly, when it's too late. Then they face the choice between bankrupting themselves and their families to survive or dying. Imagine the agony when one gets a diagnosis and then imagine getting that diagnosis without having a way to pay for treatment.

Not a single person should ever have to face that choice. My parents have great health insurance, but what makes my mom different than any other person? Just that she happened to have good health insurance. That's the difference. So many in this state don't have access to care and they suffer for it. Yesterday, my mom met again with the thoracic surgeon because another spot has appeared on her lung. She will likely undergo more chemo and yet again another surgery this summer. She is able to get the best care because she has health insurance. There will be some in this chamber that say we can't afford to expand healthcare. But Mr. Speaker, my friends here in the House, for the people of Maine who don't have tens or hundreds of thousands of dollars in discretionary income, I urge you to support the pending motion and provide lifesaving care to the people of Maine who need it most. Thank you.

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

Representative **VACHON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to the pending motion. Within the confines of the Affordable Care Act, Maine is on far more stable ground than other states that have expanded Medicaid. The reason: Maine has experience. We all should learn from this experience.

Maine is an "original expansion state" when it expanded Medicaid eligibility in 2012. At the time, it was projected that 11,000 new enrollees would benefit from the expansion. Within two years, enrollments reached 25,000, far exceeding projections by 127 percent. It sent our state budget into a financial tailspin, unable to reimburse our hospitals for the unexpected volume of claims.

How quickly we forget the newspaper headlines of continued budgetary shortfalls in DHHS. How quickly we forget the headlines of hospitals and health care practices laying off healthcare workers and closing practices because they weren't being reimbursed. We seem to forget the economic instability

caused by expansion. Instead, we hear Maine is losing out on free money. We pay into a federal program, but we are losing out on our share because we haven't expanded.

Not so. Maine is already a big receiver of federal funds. We receive more money than we pay in. According to the National Association of the State Budget Officer's report, Medicaid expenditures as a percent of total expenditures for Fiscal Year 2015, Maine is at 32.8 percent, compared to the US average of 27.4 percent. Maine is tied for fourth in the country. None of our New England state neighbors come close to Maine. This, before we consider this legislation before us right here.

It could be easy to argue that because Maine has experience, we are better poised to more adequately project new enrollments. I'd caution: not so fast. In this rush to expand Medicaid, the claims have not had a chance to catch up. By virtue of my profession, I am entrenched in the ACA every day. I've listened to the debate—free federal money, job creation, health care savings. It all sounds good. However, it is one thing not to be able to forecast the number of people who enroll. It is yet another to forecast claims of these new enrollees. To adequately wrap your arms around the cost of claims, you need time. We need data. There has not been enough time for the data to catch up.

Within our state, right here, today, we have a very good indicator that we all should be paying attention to. The bill proposes a private option. So, let's take a look at the state of our private option carriers available in Maine to Maine residents today. Shopping in the individual exchange, Maine offered—and that is the PAST tense—three carriers. One carrier is a PPO. The other two carriers are HMO's. Consumers looking for the largest network of providers prefer a PPO. As a health insurance agent who enrolls Mainers in the exchange, 99 percent of my clients chose the PPO plan. This carrier has a greater than 80 percent share of the individual health insurance market.

Guess what? In December of 2015 they had to stop enrollments. Do you know why? Claims of their unanticipated volume of enrollees caught up. This is significant. How quickly we forget, March 7, 2015, a little more than a year ago, the newspaper headline touted this carrier as a great success. Have you read the headlines on this carrier today?

We have been lobbied hard on this bill. I have heard both sides of the argument. The very states that supporters tout as having great success are the same states that proponents are revealing enrollments exceeding projections, budgetary short falls, and instability. In preparing for this debate, I tried to gather financial information from state Medicaid offices. Sourcing accurate data beyond 2014 is really difficult. My speculation is that claims have not caught up. In just three years of the private exchange opening up, co-ops around the country have gone out of business because of financial collapse. Those fighting for survival, such as our own right here in Maine, have already announced they will have to raise premiums next year.

This brings me to another piece of this debate, the piece that few seem to talk about. We forget who pays for this. I am talking about the income earners who earn over 400 percent of Federal Poverty Level. These are the people who are paying full price for their insurance. The ACA de-incentivized people from earning over 400 percent of Federal Poverty Level.

Let me explain with a live Maine quote example: A married couple, age 57, who earns \$62,000 a year is at 400 percent of Federal Poverty Level. This is the cut off for receiving a premium tax credit. At 400 percent of Federal Poverty Level, they pay \$595 per month for a \$2,500 deductible. That premium, by the way, is 10 percent of their annual income. If they earn \$1 over the Federal Poverty Level, they will pay \$1,154 per month in

insurance premium. This is 22 percent of their annual income. If you were perfectly healthy, would you like to have 22 percent of your income go to paying for a health insurance premium? Most people don't. Here's what they do: they work less to qualify for a premium tax credit. Or they go without, and pay the price: a penalty of \$1,552, and open up the risk to financial devastation if, God forbid, they get cancer or have an accident, become bankrupt, and join the Medicaid ranks. Is this what we want to tell our high income earners to do? We are shrinking our economy rather than growing it.

And how about our seniors? Who would ever think that when you'd retire, at age 65, and go on Medicare, our senior citizens would also encounter a cliff. It has happened. I will explain with a live real example of a person, age 64, who earns \$20,700 a year. Today, this person can purchase health insurance through the exchange and pay nine cents per month. They have a \$6,500 maximum out-of-pocket plan and that includes the cost of their prescription medications. Here's what happens when this same person turns age 65 and enrolls in Medicare. Their premium goes from nine cent per month to \$104.90 per month. If they enroll in a Medicare Advantage Plan, their maximum out-of-pocket for their health insurance will be \$6,700; they have a separate maximum out-of-pocket for their meds at \$4,850. Sixty-five year old clients are looking at me and asking, "What has happened? This can't be right."

We have robbed Peter to pay Paul. To fund the ACA, \$716 billion was taken out of Medicare to pay for the ACA. Does this seem right? It is time to slow this freight train that is running down the track toward financial disaster and economic collapse. It is irresponsible to move toward a private option in Maine, when a key player in the private insurance market in Maine is already on unstable ground. Past experience is staring us straight in the face and it leads me to only ask: what are we thinking? Please follow my light and vote no.

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

Representative **McCABE**: Thank you, Mr. Speaker, Men and Women of the House, a lot of statistics were just thrown out. I'm trying to process and write down some of those. At the same time, thinking back to the folks that are most in need here in this state. Often, we spend the day in this building. We don't leave this chamber sometimes for hours on end. And I feel often that we become more and more disconnected with society, with our citizens back home, our constituents, our friends and neighbors most in need.

I was thinking tonight, I was hoping that we wouldn't be in tonight because our community is gathering. We're gathering to have a forum led by our sheriff's department on opiate addiction. It's ripping through so many communities around our state, that many of us can't ignore it any more. We take votes here that make it seem like maybe we're ignoring it. Maybe we'll take this vote today and people will ignore it some more.

I heard a little bit about being entrenched in dealing with a crisis. So let's think about that crisis for a minute. Let's think about the people that are seeking treatment and there's funding out there that could provide this treatment but we won't take it. Those people are also fighting for survival. Their friends, their family, they're trying to help. Grandparents cleaning out their savings. But yet we don't act.

I think one of the things that our community will do tonight is, we'll gather, we'll look at things around the state, we'll probably look to Scarborough. Scarborough has a program. It's called Operation HOPE. It's led by the police department, trying to address addiction. And when you talk to the folks like the Police Chief, Chief Moulton, he talks about treatment, talks about



keeping and helping people who are suffering from substance abuse disorder, talking about being honest with people, trying to understand their situation. But he recognized the absence of treatment, Mr. Speaker. He recognizes that the funding isn't there. Chief Moulton, here, talks about two-thirds of the programs participants lack healthcare coverage or financial resources. So it's great. It sounds like there's insurance available. But I don't know if that's quite an option for those folks. I imagine purchasing insurance when you're dealing with this type of crisis is a real challenge.

Chief Moulton also said how Operation HOPE has provided lifesaving treatment in the midst of the heroin crisis and opiate crisis here in the State of Maine. Many of these folks are desperate, Mr. Speaker. They're at their wit's end. They believe they're without help. They feel like they're destined to die, Mr. Speaker. So when we take this vote today, I hope that we think about those people. We think about our friends and our family who feel like dying, who don't have hope, and who can't find treatment, Mr. Speaker. When we take this vote, I think we should really think long and hard. Are we, yet again, going to reject these funds that can help people in this situation, Mr. Speaker? Or are we going to do the right thing by our constituents? Thank you very much.

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

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

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

Representative **SANBORN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I want to address the benefit of MaineCare expansion, of which I have the most knowledge—that of prevention, early diagnosis and treatment. Last evening I reviewed the testimony supporting Medicaid expansion given at the public hearing last year. One of the arguments in favor of expansion made in testimony time and time again by various advocates was: uninsured patients do not obtain recommended preventative care and they delay accessing necessary diagnostic treatment services more than those who have third-party coverage. This scenario ultimately results in a higher level of complexity and more costly treatment for conditions that could otherwise have been prevented or addressed earlier. Most importantly, people without health insurance suffer more and die earlier.

This was expressed by our federally qualified health centers—who are, quite frankly, overwhelmed by the uninsured and are therefore struggling to survive—by the American Cancer Society, American Lung Association, American Heart Association, Maine Medical Association, Maine Academy of Pediatrics, American Diabetes Association, Maine Hospital Association and so many more whose primary mission includes promoting the health of all Maine people.

As you may know, cancer is the leading cause of death in Maine. If individuals do not have access to proven prevention and early detection, as well as life-saving treatment, they will not benefit from research advancements. Research shows we could prevent nearly half of all cancer deaths annually if everyone stopped smoking, got screened for cancer according to the

guidelines, ate a healthy diet, and exercised regularly. Having health insurance coverage is one of the most important factors impacting whether an individual will take the steps to improve their health and receive life-saving preventative screening and treatment.

The American Diabetes Association shared that diabetes is a disease that requires attention of health care professionals and must also be properly self-managed by the patient in order to avoid disabling and deadly complications. These preventable complications include blindness, kidney failure, lower limb amputation, heart attack and stroke. Insurance coverage plays a critical role for diagnosing diabetes, ensuring necessary care from providers, and providing key medications, equipment and supplies needed for successful self-management. Diabetes is common and it is costly. 138,000 Mainers have diabetes and 386,000 are pre-diabetic. With insurance coverage in place we would be better positioned to manage diabetes and prevent costly complications.

Medicaid beneficiaries with heart disease are twice as likely to take their medication appropriately, compared to those who are uninsured. They are more likely to have their blood pressure controlled and are more likely to have been checked for high cholesterol, compared to the uninsured.

I could go on, but the point is, it is well proven that coverage matters. People with health coverage live longer and healthier lives than people who are uninsured. With coverage, people get the health care they need earlier. This costs all of us less and improves health outcomes. Without Medicaid expansion, those in poverty who aren't otherwise categorically eligible will remain uninsured, and those just over the poverty line who cannot afford even the subsidized coverage will continue to shift costs onto those with coverage.

By pairing great Marketplace plans together with Medicaid expansion, we can create a dynamic and seamless backbone of coverage that affords people access to health care services and invests in the work readiness and the overall health of Maine's people so that we can all reach our full potential. Consider not only the cost to expand Medicaid, but also the savings. Savings that Commissioner Mayhew refuses to recognize or reports inaccurately—savings in terms of lives, less disability, less suffering.

The SPEAKER PRO TEM: Would the Representative defer? The Chair would inquire why the Representative from Bangor, Representative Goode, rises.

Representative **GOODE**: Mr. Speaker Pro Tem, I was just wondering if there was a quorum.

Representative GOODE of Bangor inquired if a Quorum was present.

The Chair ordered a quorum call.

The SPEAKER PRO TEM: The Chair would determine that a quorum is present.

More than half of the members responding, the Chair declared a Quorum present.

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

Representative **SANBORN**: Thank you, Mr. Speaker, I'll repeat just my last sentence. Consider, not only the cost...

The SPEAKER PRO TEM: The Representative will defer. The House is in order. The Representative may proceed.

Representative **SANBORN**: Consider not only the cost to expand Medicaid, but also the savings in terms of lives, less disability, less suffering, and less costly treatment that expansion will provide. Expansion is the better deal Maine and Mainers.

And just adding a comment to my prepared speech, I have to add, Obamacare is not going away. Obamacare is not going

away, although it will evolve and improve. It is time for Maine to join the great majority of states and put Medicaid expansion to work for us. It is the compassionate and the cost effective thing to do. Thank you.

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

Representative **PICKETT**: Thank you, Mr. Speaker Pro Tem, Men and Women of the House, I hadn't intended to rise tonight on this motion. I am opposed to it, but the good Representatives from Hallowell and Skowhegan brought up something that's very near and dear to my heart, and that is the opiate addiction. After being in law enforcement for 40 years and seeing what it's doing in the county that I represent, I full well know what treatment means to these people that are suffering from this addiction.

However, I stand opposed to this motion because of the following points. Maine already spends more than \$20 million on substance abuse treatment and prevention for the uninsured. This is comprised of general fund spending through the Office of Substance Abuse and Mental Health Services, part of DHHS, and the federal substance abuse block grant. Under the Chief Executive's administration, our state spends more than \$70 million, all on substance abuse treatment and prevention. This is far more than the prior administration invested in treatment and prevention. Maine spent less than \$60 million in this area as recently as 2008.

Other states that have expanded Medicaid, such as neighboring New Hampshire and Massachusetts, are seeing opioid crisis that are as bad or worse than Maine's. In 2015, 428 people died from drug overdose in New Hampshire. In Massachusetts, that figure was 791 through three-quarters. A full year would extrapolate to well over 1,000. Here in Maine, we had 272 overdose deaths in 2015. That, indeed, is a tragic figure, but not an outlier in terms of what states that have expanded Medicaid are seeing. I ask you to follow my light and oppose this motion. Thank you, Mr. Speaker.

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

Representative **COOPER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, others here have spoken eloquently about the human toll that is being taken by the lack of medical care for people who become sick through no fault of their own or just bad luck. What the opponents of this measure seem to dwell on is cost—dollars and cents. The fear that the cost of Medicaid expansion will overwhelm us. But what they fail to account for is the cost that we are already paying, the financial cost.

And let me just speak a moment about purely the finances of this. We are paying \$42,000 a year per inmate in our prisons, the vast majority of whom are there because of substance abuse, particularly opiate abuse. \$42,000 a year. We are paying more in our private insurance premiums because we have to make up the difference for the uninsured. Our hospitals are paying for charity care that is unreimbursed. The \$20 million that was just referenced that is state payments for substance abuse treatment and prevention is all state funds. If we accepted Medicaid expansion, 90 percent of that would be picked up—at least 90 percent of that—would be picked up by the federal government. So, Mr. Speaker, I say to you and to those assembled here that there is no cost savings by not expanding MaineCare. Thank you.

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

Representative **BABBIDGE**: Thank you, Mr. Speaker, I thank everyone for their comments on this very important issue tonight. I would first like to quote from a letter from a rural hospital, a

Chief Executive Officer, that says that, "We keep hearing how much Medicaid expansion would cost Maine, but it is time to talk about how much the failure to expand Medicaid is costing Maine's nonprofit hospitals and especially the communities they serve." And then he goes on to talk about this legislation. "The recently released fiscal note on that bill shows this legislation would cost the state \$93 million over three years, an amount equal to about one percent of the state's expenditures over that period. In that time, the federal government would pump nearly \$1.2 billion into the state. That money would ripple through the state's economy in the form of increased employment in the healthcare sector as well as savings on private insurance premiums.

Alaska, Pennsylvania, Tennessee, Wyoming, Utah, New Jersey, Ohio, Arizona. What do these states have in common? They all have Republican governors who have pushed for Medicaid expansion. So, I point this out only because this need not be a partisan issue. This is an issue that is recognized by executives on both sides of the aisle as being wise and humanitarian and both economically feasible for the citizens of their state. Thank you, Mr. Speaker.

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

Representative **GROHMAN**: Colleagues, thanks for the opportunity to address you on this. Thanks for hanging in there. I know it's a long debate. I do think this is one of the most important issues that we'll take on as a Legislature. I know what you're thinking. I know what you've heard. This program is expensive. The costs run out of control. Federal overreach. I thought that too, but this program really is different.

Thirty-one other states and the District of Columbia have taken on some form of Medicaid expansion. In fact, our neighbors in New Hampshire just reauthorized it last week. I would agree that it has not worked in every case from the get-go. I would also say that here in Maine, the administration has done a good job controlling costs within our MaineCare program and they should be commended for that, and I also understand why they would oppose conventional Medicaid expansion.

But this program is different. It's a private option program and no one rides for free in this program. Be sure to check out the fiscal note. We can cover 70,000 currently uninsured Mainers for \$36 million, that leverages \$469 million in federal money coming back to us. I think that's a remarkable bargain. I really do. To give you an idea, that's about a 9 to 1 leverage ratio—much higher than we get on transportation funding at 1.5 to 1 or port improvements at 2 to 1, to give you an idea.

And there are savings. Just because we don't make it possible to afford healthcare for someone who's making \$14,000 a year—it's about the same as what we make—that doesn't mean they don't cost the system. They still get sick. They still need counseling and behavioral healthcare. They still have mental health issues. They still get opioid use disorder—yes, it has a name and it is a sickness. And they still go to jail. That's where the savings come from. The savings come from jails. As we've heard, it cost \$42,000 a year to keep someone in jail and they don't get better. That's where savings. There's a savings for mental health treatment from emergency rooms, from reduced charity care. The savings come from all the ways that people without healthcare cost the system, whether they mean to or not. And, heck, having healthcare even helps entrepreneurs because it makes them more willing to head out on their own knowing they can get health coverage.

So I ask you to set aside what you know about Medicaid expansion and consider this new approach with fresh eyes. And since we're honoring Coach Mahar today, I'll make a hockey

analogy. I know this is our sixth try. I know we've taken five shots on goal and missed. Maybe those previous approaches weren't right for Maine. But this one, which benefits from everything that's been learned from those 31 other states that expanded before us, this time I think we should put it in the back of the net.

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

Representative **HYMANSON**: Thank you, Mr. Speaker, Men and Women of the House, I wanted to respond to the good Representative from East Dixfield, Representative Pickett, talking about the expansion of our neighbor state, New Hampshire. And yes, they have a terrible opiate addiction, substance abuse problem, and yes, they are a Medicaid expansion state. As I'm on the board of a federally qualified community health center in the border of New Hampshire and that has patients in the border between Maine and New Hampshire and I'm also a trustee at a regional hospital there. And I'm very aware of the problems of the addiction in New Hampshire and very aware that it wasn't really the expansion problem. It was really that there was no infrastructure for substance abuse disorder treatment in New Hampshire, so they've had to create an infrastructure, despite having the expansion. So, just because they were an expansion state doesn't mean that they could ramp up their infrastructure. I also wanted to say that, well, that's really it. They had to ramp up their infrastructure. Thank you.

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

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I rise in strong support the pending motion. When I first ran for office, I promised my constituents that I would always be a voice for those who cry in the dark. And so, at this time, Mr. Speaker, I share with you one of those voices.

"Dear Mr. Hickman, my son was recently hospitalized at Togus with manic and psychotic symptoms severe enough for him to be involuntarily committed. He was discharged after two weeks, on March 7th. By March 13th, he was arrested for trying to steal beer from the smoke shop on Western Avenue and was arrested walking up the middle of Western Avenue with only one shoe.

"After being medically cleared at the hospital—why he was not hospitalized at this point is beyond me—he was transported to jail, floridly psychotic and placed in isolation on 15 minute checks. I found out he was in jail by reading the newspaper. He was too sick to remember my number, the only number he has memorized, and so he could not call me. When I finally saw him for a non-contact visit, he was out of control, paranoid and screaming at times during our short visit. While in isolation, he was allowed out of his cell one hour each day and only had contact with jail staff. The mental health staff at the jail even had him evaluated on March 16th at the hospital in hopes that he could be blue papered and admitted to an inpatient facility.

"Incredibly, he was sent back to jail. Staff at the jail are frustrated and they do seem genuinely concerned for his welfare. They have got to know him quite well over the past two years. Instead of the hospital, he is always sent to jail for violating his probation. He has not seen a judge.

"I contacted his probation officer who has tried to find him a 24-hour supervised setting where he can get treatment and recover. He does not know when my son will see a judge and he worries about what will happen if he is released from jail to the streets and back to the same crowd he has been associating with. I don't know what else to do, Mr. Hickman. I am tired of fighting. I have called my state senator. I have called the Chief

Executive's office. I have called the VA too many times to count. And I have gotten no response.

"Incidentally, I am a licensed clinical social worker and I work 50-60 hours a week supervising a team of mental health case managers and in-home support staff. I have worked in mental health since the 90's. And so if I can't find resources for my son with the knowledge of everything I know, that is a sad commentary on the state of our mental health system, which is very, very broken in Maine.

"My son is only one of many who are faced with this horrible reality. The rampant proliferation of drugs into this state only exacerbates the problem. It has become unacceptable. It is unacceptable to me that my son, a veteran, is treated like this. It is unacceptable to me that the sons and daughters of other families face this same recurring nightmare. I know that the problems in mental health and addiction is multifaceted with no easy fix. But when the safety net of community support services starts to unravel and fall apart, things will only get worse. Thank you so much for reading my email. I hope you can help."

Thank you, Mr. Speaker, Women and Men of the House, for listening to my constituent's horrifying nightmare. Mr. Speaker, have we forgotten what makes us human? Have we forgotten what makes us humane? How did we get here and where will we go? We've heard it before and I am going to say it again: addicts and people suffering from mental illness need treatment, not jail. If passage of LD 633 can help to shush the cries in the dark of far too many Maine parents, far too many Maine people, then Mr. Speaker, let us pass this bill, and let us pass it now. It is the humane thing to do. Thank you.

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

Representative **HARLOW**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I heard a few things tonight that, I've hit my button probably four or five times trying to decide whether or not to speak, so please bear with me. Someone said that they had a live, real example about what we're talking about today, which is expansion. Well, I'm standing here as live, real example of exactly what we're talking about.

About two and a half years ago, I was diagnosed with colon cancer. And someone said tonight something about paying into insurance when they're perfectly healthy. Well, I'm here to tell you that I hate smoking, as an adult I've rarely drank, I've qualified for the Olympic marathon trials, so I had a fairly healthy diet. So, I didn't really hit many of the risk factors for colon cancer. So, actually, as I went to chemo, going through my 10th, 11th, and 12th chemos, I was told that I was young and healthy still. So, I'm standing here as a live, real example of what we're talking about. I'm every Mainer. I'm just like everyone in this chamber. I'm no different. Any of you could end up with cancer.

And let me tell you, it's not cheap. I was fortunate enough to have very good health insurance from the state and I still paid, probably, \$8,000 out of pocket. And that's, you know, I have regular check-ups, and that's still mounting. When I was in the hospital, one of my, I spent two weeks in the hospital and this happened within a five week period, and I came back here, actually, two years ago, three days, actually I got out of the hospital on a Friday and I came back here on a Monday, and then I started chemo probably three weeks later. And I was actually in here two years ago with a chemo pump and most of you didn't know because it was hidden.

So, as I was in the hospital and walking around so that I could get out of there, because there's nothing worse than being in the hospital. Those people who think that there are people who abuse the system because it's so much fun to go to doctors, I'm here to tell you it's not even fun a little bit. So, I was walking

around the hall and I met a young woman. And I wish that I was sitting here reading something off a paper and that this weren't a real story. But, I did meet a young woman. I guess she's probably 30 and she had stage four ovarian cancer and she didn't have insurance. And she was in having chemo because she had to stay for the four days. She had four treatments, one a week, and she stayed for four days. She didn't have insurance. And I remember laying in my bed that day thinking, "Why me?" And not, "Why me, did I have cancer," because I just never went there, but I thought, "Why me? Why do I have insurance and this other person doesn't?" My life is no more valuable than the young woman at the end of the hall. And while I'm worried about, I know I'm still not going to be able to afford the care that I'm getting, I don't have any worries compared to that.

So, I just want you to think, and some of the suggestions that I've gotten when I shared my experiences with people in this chamber, some of the suggestions I got for things that we could do to reform our health insurance system, one of them was to expand a health savings account so that parents and grandparents could put money into a health savings account for their child or grandchild. Well, my care cost, with the 12 chemos that I had and the two operations that I had, cost about \$250,000. My family's pretty middle-class, I'd say, and I'm not sure how many families in here could afford \$250,000 in a health savings account to help somebody.

You know, we hear that healthcare costs are very expensive. They are. But does that mean that we don't expand to help people just like me, just exactly like me? Why wouldn't we do that if we could? Why wouldn't we want, someone who's very sick, the last thing—and I know I'm kind of rambling and I apologize for that—but, the last thing you want to do when you're going through something that difficult, and I hope none of you will have to go through it. And I was very fortunate. I wasn't sick going through it. Very, very fortunate. But, most people aren't that fortunate. And the last thing you want to worry about is paying for it. I mean, \$250,000, we're not talking about a payment plan that you can just, you know, pay off in a couple of years. You don't want someone coming to you while you're getting chemo in the awful infusion room and saying, "You know, well, how do you think you're going to pay for this?" I saw financial people coming and talking to people about that and I thought, "Oh, God. I just want to come in and leave. I don't want to have to talk to anybody."

I just can't imagine not voting to help people. I mean, I've heard a lot about the money, the stats, but I'm not hearing a lot about people just like me. We're not talking about people. We're saying we can't afford not to do this and I'm saying we can't afford not to do this because guess what? If I didn't have insurance, I still would've gotten the care and it would've cost \$250,000. So, I just want you to think about that. Thank you, Mr. Speaker, and I don't mean to be preachy.

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

**ROLL CALL NO. 615**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, 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, Higgins, Hobart, 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, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Hilliard, 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, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Ward, White, Winsor, Wood.

ABSENT - Bickford, Wallace.

Yes, 85; No, 64; Absent, 2; Excused, 0.

85 having voted in the affirmative and 64 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" (S-487) 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-487)** in concurrence.

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

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The Speaker resumed the Chair.

The House was called to order by the Speaker.

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

**SENATE PAPERS**

Bill "An Act To Provide Relief for Significant Reductions in Municipal Property Fiscal Capacity" (EMERGENCY)

(S.P. 705) (L.D. 1699)

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

Came from the Senate, under suspension of the rules and **WITHOUT REFERENCE** to a Committee, the Bill **READ TWICE** and **PASSED TO BE ENGROSSED.**

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

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

Representative McCABE of Skowhegan **PRESENTED House Amendment "A" (H-670)**, which was **READ** by the Clerk.

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**: First of all, I just want to make sure, I'm actually looking up the amendment online that Representative McCabe is making reference to and I'm not sure

I'm actually seeing it online. And so I would pose a question through the Chair, in regards to the purpose of the bill and the purpose of the amendment, so that our folks have a clear understanding for what's being voted on.

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 Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker, I want to thank the good Representative from Newport, Representative Fredette, for the question to allow for the opportunity to clarify what this amendment does. This amendment strips the emergency off of LD 1699. This is due to hurdles that the bill may have had in the other body. So, before us right now is LD 1699 and this is a bill that comes forward from the Chief Executive, sponsored by the good Senator from Somerset, Senator Whittemore, in regards to a drastic loss of evaluation in several mill towns around the state. LD 1699 came late in the session and the funding source for this bill is actually, due to some refinancing in school debt that the state carries, and due to that there is about \$900,000 of additional funds that are available. This is a replacement for several other bills that were brought forth over the last two years.

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 again, if I just may just ask for clarification. I believe I understand what the good Representative from Skowhegan is indicating is, is that, I think to overly simplify this, is that there has been funding that has been provided to the Skowhegan school system in the amount of a million dollars, which is being provided for with funds through the Department of Education, and that, that is something that has been worked upon between yourself, Senator Whittemore, and the Chief Executive. Is that my understanding?

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 Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker, again, I want to thank the Representative from Newport, Representative Fredette, for the question. The approximate total amount for the bill at this time is around \$900,000. This will actually be divided up and available to several communities. So, the figure as far as the Skowhegan school district getting a million dollars, an original proposal with another bill would've had an approximation somewhere, I believe it was in the \$800,000 range for the community of Skowhegan, well over a million dollars for the Madison school district, and several different amounts for school districts such as East Millinocket. I believe Lincoln might be another one that's listed.

Also, the framework that's listed in this bill here replaces framework that was brought forward that would've addressed the crisis that we're facing in the pulp and paper industry with the closure and drastic reduction of mill valuation. Right now, what this bill does is it actually identifies a percentage drop, so in the instance of a large employer—say Fairchild Semiconductor—loss of a valuation there, that situation will also apply. I know that the Speaker is well familiar with the large employer in his district as well in the manufacturing field, making high-tech products. This bill would actually cover the loss of valuation in that type of production as well.

Representative **GOODE** of Bangor **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-670)**.

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 Portland, Representative Chipman.

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

The SPEAKER: The Representative may pose his question.

Representative **CHIPMAN**: Thank you. Just want to ask Representative McCabe if he could just clarify, and sorry to put you on the spot, I haven't had a chance to speak with you. But, will this bill permanently impact the school funding formula and impact the amount of funding that other districts around the state will get? Or is it just giving some additional money that was found to some of the mill towns that have lost jobs there? Thanks.

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

Representative **McCABE**: Thank you, Mr. Speaker, I believe the motion that's before us right now is the acception of the actual amendment, so there is a roll call pending on whether or not we want this measure to be an emergency or not. I'm happy to address the question if it applies, Mr. Speaker.

The SPEAKER: The pending question is Adoption of House Amendment 670. So the question during the debate can only be directed to that House Amendment.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Goode.

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

The SPEAKER: The Representative may pose his question.

Representative **GOODE**: Thank you, Mr. Speaker, I would be interested to know, two question for the body if I may ask them. I would be interested to know if this bill before us, or the amendment, changes education funding policy for one year or three years or how many years, and if there's been a public hearing on this bill.

The SPEAKER: The question is not germane to the pending motion of Adoption of House Amendment 670.

The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I would supportive of the bill, there seems to be a little bit of confusion on it. I would move that we Table this item till later in today's session, clear up those confusions, and move it forward tomorrow.

On motion of Representative **FREDETTE** of Newport, **TABLED** pending **ADOPTION** of **House Amendment "A" (H-670)** and later today assigned. (Roll Call Ordered)

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#### Non-Concurrent Matter

An Act To Define Prosthetic and Orthotic Devices for Purposes of the Sales Tax Law

(H.P. 695) (L.D. 1000)

**PASSED TO BE ENACTED** in the House on May 19, 2015. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-110)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-110)** AND **SENATE AMENDMENT "A" (S-494)** in **NON-CONCURRENCE**.

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

Representative GIDEON of Freeport **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

**ROLL CALL NO. 616**

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

NAY - Austin, Black, Buckland, Dunphy L, Edgecomb, Espling, Farrin, Fredette, Hanley, Head, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Nutting, O'Connor, Ordway, Parry, Picchiotti, Pickett, Pierce J, Reed, Sanderson, Sawicki, Sirocki, Skolfield, Stearns, Stetkis, Theriault, Timberlake, Timmons, Wadsworth, Winsor, Wood.

ABSENT - Bickford, McCabe, Wallace.

Yes, 111; No, 37; Absent, 3; Excused, 0.

111 having voted in the affirmative and 37 voted in the negative, with 3 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

**Non-Concurrent Matter**

Resolve, To Provide Wage Parity for Supervisors of Law Enforcement Personnel (EMERGENCY)

(S.P. 585) (L.D. 1523)

**FINALLY PASSED** in the House on March 17, 2016. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-383)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-383) AS AMENDED BY SENATE AMENDMENT "B" (S-515)** thereto in **NON-CONCURRENCE**.

Representative DAVITT of Hampden moved that the House **RECEDE**.

On motion of Representative FREDETTE of Newport, **TABLED** pending the motion of Representative DAVITT of Hampden to **RECEDE** and later today assigned.

**Non-Concurrent Matter**

An Act To Increase Payments to MaineCare Providers That Are Subject to Maine's Service Provider Tax (EMERGENCY)

(H.P. 1115) (L.D. 1638)

**PASSED TO BE ENACTED** in the House on April 8, 2016. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-623)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-623) AS AMENDED BY SENATE AMENDMENT "A" (S-521)** thereto in **NON-CONCURRENCE**.

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

Representative GIDEON of Freeport **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

**ROLL CALL NO. 617**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, 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, 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, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Crafts.

ABSENT - Bickford, McCabe, Wallace.

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 House voted to **RECEDE AND CONCUR**.

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

**ENACTORS**

**Emergency Measure**

An Act To Amend Maine's Motor Vehicle Laws

(S.P. 581) (L.D. 1483)

(S. "A" S-512 to C. "A" S-367)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 137 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act To Reduce Morbidity and Mortality Related to Injected Drugs

(H.P. 1057) (L.D. 1552)  
(C. "A" H-559; S. "A" S-513)

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

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

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

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

The **SPEAKER**: 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. 618**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, 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, Golden, Goode, Grant, Grohman, Hanington, Harlow, Harrington, Herbig, Herrick, Hickman, Higgins, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Long, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Peterson, Pickett, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Seavey, Sherman, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, Wood, Mr. Speaker.

NAY - Austin, Black, Buckland, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Fredette, Gillway, Greenwood, Guerin, Hanley, Hawke, Head, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Marean, McClellan, Nutting, O'Connor, Ordway, Parry, Picchiotti, Pierce J, Prescott, Reed, Sanderson, Sawicki, Sirocki, Skolfield, Stetkis, Theriault, Timberlake, Timmons, Turner, White, Winsor.

ABSENT - Bickford, Hamann, McCabe, Wallace.

Yes, 103; No, 44; Absent, 4; Excused, 0.

103 having voted in the affirmative and 44 voted in the negative, with 4 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

**SENATE PAPERS**

**Non-Concurrent Matter**

An Act To Provide a Tax Reduction for Modifications To Make a Home More Accessible for a Person with a Disability

(H.P. 252) (L.D. 365)

**PASSED TO BE ENACTED** in the House on June 8, 2015. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-277)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-277) AS AMENDED BY SENATE AMENDMENT "A" (S-490)** thereto in **NON-CONCURRENCE**.

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

Representative GIDEON of Freeport **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

**ROLL CALL NO. 619**

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

NAY - Austin, Black, Buckland, Crafts, Dunphy L, Edgecomb, Espling, Farrin, Fredette, Gillway, Ginzler, Hanington, Hanley, Head, Kinney J, Kinney M, Lockman, Lyford, McElwee, Nutting, O'Connor, Ordway, Parry, Reed, Sanderson, Sawicki, Sirocki, Stetkis, Theriault, Timberlake, Timmons, White, Winsor.

ABSENT - Bickford, Wallace.

Yes, 116; No, 33; Absent, 2; Excused, 0.

116 having voted in the affirmative and 33 voted in the negative, with 2 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

**Non-Concurrent Matter**

An Act To Establish the Summer Success Program Fund

(H.P. 286) (L.D. 419)

**PASSED TO BE ENACTED** in the House on June 17, 2015. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-450)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-450) AS AMENDED BY SENATE AMENDMENT "A" (S-491)** thereto in **NON-CONCURRENCE**.

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

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

**Non-Concurrent Matter**

Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services

(H.P. 605) (L.D. 886)

**FINALLY PASSED** in the House on April 11, 2016. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-645)**)

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-645) AS AMENDED BY SENATE AMENDMENT "A" (S-520)** thereto in **NON-CONCURRENCE**.

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

Representative GIDEON of Freeport **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

**ROLL CALL NO. 620**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgcomb, 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, Sawicki, Schneck, Seavey, Sherman, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Crafts.

ABSENT - Bickford, Wallace.

Yes, 148; No, 1; Absent, 2; Excused, 0.

148 having voted in the affirmative and 1 voted in the negative, with 2 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

**ORDERS**

On motion of Speaker EVES of North Berwick, the following Joint Resolution: (H.P. 1164) (Cosponsored by President THIBODEAU of Waldo)

**JOINT RESOLUTION RECOGNIZING AND COMMENDING THE UNIVERSITY OF MAINE'S WORK IN DEVELOPING A NEW VISION AND STRATEGIC PLAN FOR MAINE'S FOREST-BASED ECONOMY**

WHEREAS, eighty-nine percent of Maine's land is forested, making it the most forested state by proportion in the United States; and

WHEREAS, the forest products sector plays a vital role in the economic health and future of Maine's rural communities; and

WHEREAS, fifty-three percent of the State's forestland, about 9,400,000 acres, is under 3rd-party sustainable forest certification; and

WHEREAS, Maine's forest products sector provides nearly 38,800 jobs, provides \$1,900,000,000 in employee compensation, accounts for one out of every 20 jobs in the State, provides \$1 of every \$16 of total state gross domestic product and has an \$8,000,000,000 impact on Maine's economy annually; and

WHEREAS, Maine's working forests play an important role in providing a wide array of ecosystem services, including providing for clean air, clean water, wildlife habitat and biodiversity; and

WHEREAS, Maine forests contain a large variety of tree species capable of yielding a wide array of forest products; and

WHEREAS, Maine has one of the most diverse forest products industries in the United States, with a highly integrated processing and transportation system; and

WHEREAS, Maine's 100,000 woodland owners play a vital role in the future of the forest industry; and

WHEREAS, the recent closure of 5 pulp and paper mills has had a negative effect on the people and economies of Maine; and

WHEREAS, future business opportunities in Maine's forest products sector have not been identified in a strategic context to attract major capital investments; and

WHEREAS, there is a tremendous opportunity, with vision and leadership, to encourage investment in new business and economic development opportunities in Maine's forest products sector; and

WHEREAS, action is needed to remove obstacles and encourage investment to develop Maine's future forest-based economy; and

WHEREAS, the University of Maine and the State's woodland owners, wood-using mills and businesses and loggers are working together to craft and implement solutions that will strengthen the State's economy for future generations; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the Second Regular Session, on behalf of the people we represent, acknowledge and commend the collaboration between the University of Maine Center for Research on Sustainable Forests and representatives of Maine's forest-based industry, including woodland owners, wood-using mills and businesses and loggers, to develop and implement a strategic vision and road map to increase economic development in the State's forest products sector.

**READ and ADOPTED.**

Sent for concurrence.



**ENACTORS**

**Acts**

An Act To Improve the Health of Maine Citizens and the Economy of Maine by Providing Affordable Market-based Coverage Options to Low-income Uninsured Citizens

(S.P. 226) (L.D. 633)  
(C. "A" S-487)

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** with the exception of matters being held.

**COMMUNICATIONS**

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on An Act Regarding the Long-term Care Ombudsman Program

(S.P. 655) (L.D. 1617)  
(C. "A" S-389)

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Office of Aging and Disability Services Central Office 0140**

Initiative: Provides funds to contract for 2 additional positions in the long-term care ombudsman program to provide information on options and assist patients with complex medical needs with overcoming barriers to admission in a residential care facility, nursing facility or assisted living facility or program and provide services to facilities subsequent to placement of patients with complex medical needs.

**GENERAL FUND**

All Other **2016-17** \$150,000 Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

Representative FREDETTE of Newport **REQUESTED** a roll call on **RECONSIDERATION**.

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

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

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

**ROLL CALL NO. 621V**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Greenwood, Grohman, Hamann, Hanington, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hobart, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Maker, Malaby, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, O'Connor, Peterson, Pickett, Pierce J, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Schneck, Seavey, Short, Stanley, Stearns, Stuckey, Sukeforth,

Tepler, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, Wood, Mr. Speaker.

NAY - Austin, Buckland, Campbell R, Chace, Crafts, Edgcomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Hanley, Hilliard, Kinney J, Kinney M, Lockman, Long, Lyford, Marean, Nutting, Ordway, Parry, Picchiotti, Prescott, Reed, Sawicki, Sherman, Sirocki, Skolfield, Stetkis, Theriault, Timberlake, Timmons, Turner, White, Winsor.

ABSENT - Bickford, Wallace.

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

110 having voted in the affirmative and 39 voted in the negative, with 2 being absent, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on An Act Regarding the Long-term Care Ombudsman Program

(S.P. 655) (L.D. 1617)  
(C. "A" S-389)

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Office of Aging and Disability Services Central Office 0140**

Initiative: Provides funds to contract for 2 additional positions in the long-term care ombudsman program to provide information on options and assist patients with complex medical needs with overcoming barriers to admission in a residential care facility, nursing facility or assisted living facility or program and provide services to facilities subsequent to placement of patients with complex medical needs.

**GENERAL FUND**

GENERAL FUND TOTAL **2016-17** \$150,000 Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

Representative FREDETTE of Newport **REQUESTED** a roll call on **RECONSIDERATION**.

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

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

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

**ROLL CALL NO. 622V**

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

NAY - Austin, Black, Buckland, Chace, Crafts, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Hanley, Hilliard, Kinney J, Kinney M, Lockman, Long, Lyford, Marean, Nutting, Ordway, Parry, Prescott, Reed, Sawicki, Seavey, Sherman, Sirocki, Skolfield, Stetkis, Theriault, Timberlake, Turner, White, Winsor.

ABSENT - Bickford, Wallace.

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

110 having voted in the affirmative and 39 voted in the negative, with 2 being absent, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

(S.P. 652) (L.D. 1614)

(S. "B" S-508 to C. "A" S-400)

**CORRECTIONS, DEPARTMENT OF**

**County Jail Operations Fund Z194**

Initiative: Provides one-time funding for the County Jail Operations Fund to meet funding needs for the operation of the State's county jails and regional jail.

**GENERAL FUND**

All Other **2015-16** \$2,465,896 Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

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

A vote of the House was taken. 120 voted in favor of the same and 16 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

(S.P. 652) (L.D. 1614)

(S. "B" S-508 to C. "A" S-400)

**CORRECTIONS, DEPARTMENT OF**

**County Jail Operations Fund Z194**

Initiative: Provides one-time funding for the County Jail Operations Fund to meet funding needs for the operation of the State's county jails and regional jail.

**GENERAL FUND**

GENERAL FUND TOTAL **2015-16** \$2,465,896 Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

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

A vote of the House was taken. 99 voted in favor of the same and 12 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

(S.P. 652) (L.D. 1614)

(S. "B" S-508 to C. "A" S-400)

**CORRECTIONS, DEPARTMENT OF**

**County Jail Operations Fund Z194**

Initiative: Provides one-time funding for the County Jail Operations Fund to meet funding needs for the operation of the State's county jails and regional jail.

**CORRECTIONS, DEPARTMENT OF**

**DEPARTMENT TOTALS**

**GENERAL FUND 2015-16** \$2,465,896 Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

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

A vote of the House was taken. 110 voted in favor of the same and 22 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

(S.P. 652) (L.D. 1614)

(S. "B" S-508 to C. "A" S-400)

**CORRECTIONS, DEPARTMENT OF**

**County Jail Operations Fund Z194**

Initiative: Provides one-time funding for the County Jail Operations Fund to meet funding needs for the operation of the State's county jails and regional jail.

**CORRECTIONS, DEPARTMENT OF**

**DEPARTMENT TOTALS**

**DEPARTMENT TOTAL ALL FUNDS 2015-16** \$2,465,896

Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

The SPEAKER: The pending question before the House is 'Shall this dollar amount become law notwithstanding the

objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

A vote of the House was taken. 108 voted in favor of the same and 22 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal year 2017.

**FEDERAL EXPENDITURES FUND**

All Other **2016-17** \$2,465,896 Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

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

A vote of the House was taken. 98 voted in favor of the same and 22 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal year 2017.

**FEDERAL EXPENDITURES FUND**

FEDERAL EXPENDITURES  
FUND TOTAL **2016-17** \$2,465,896 Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

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

A vote of the House was taken. 101 voted in favor of the same and 22 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal year 2017.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**DEPARTMENT TOTALS**

**FEDERAL EXPENDITURES FUND 2016-17** \$2,465,896  
Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

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

A vote of the House was taken. 97 voted in favor of the same and 23 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal year 2017.

**SECTION TOTALS**

**GENERAL FUND 2015-16** \$2,465,896 Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

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

A vote of the House was taken. 97 voted in favor of the same and 27 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal year 2017.

**SECTION TOTALS**

**FEDERAL EXPENDITURES FUND 2016-17** \$2,465,896

Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

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

A vote of the House was taken. 104 voted in favor of the same and 31 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY)

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal year 2017.

**SECTION TOTALS**

**SECTION TOTAL ALL FUNDS 2015-16** \$2,465,896

Changed to \$0

Came from the Senate with that Body having voted that this dollar amount become law notwithstanding the objections of the Governor.

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

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

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

A vote of the House was taken. 102 voted in favor of the same and 25 against, and accordingly the Line Item Veto was **NOT SUSTAINED** in concurrence.

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

**ENACTORS  
Emergency Measure**

An Act To Increase Payments to MaineCare Providers That Are Subject to Maine's Service Provider Tax

(H.P. 1115) (L.D. 1638)  
(S. "A" S-521 to C. "A" H-623)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 143 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act To Define Prosthetic and Orthotic Devices for Purposes of the Sales Tax Law

(H.P. 695) (L.D. 1000)  
(C. "A" H-110; S. "A" S-494)

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.

**CONSENT CALENDAR  
First Day**

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

(H.P. 1118) (L.D. 1643) Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-672)**

(H.P. 1154) (L.D. 1689) Bill "An Act To Protect Children in the State from Possible Sexual, Physical and Emotional Abuse by Persons Who Have Been Convicted of Crimes" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-671)**

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

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

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

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

Resolve, To Increase MaineCare Services for Certain Recipients To Allow Them To Remain at Home (EMERGENCY)  
(H.P. 314) (L.D. 475)

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

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

On motion of the same Representative, **House Amendment "B" (H-653) to Committee Amendment "A" (H-608) was INDEFINITELY POSTPONED**.

The same Representative **PRESENTED House Amendment "C" (H-669) to Committee Amendment "A" (H-608)**, which was **READ** by the Clerk.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ADOPT House Amendment "C" (H-669) to Committee Amendment "A" (H-608)**.

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 Portland, Representative Stuckey.

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I'm sure you'll remember from our earlier discussions about this bill that what we're trying to do is to end the waiting lists for services for folks with intellectual disabilities or Autistic Disorder. I know we've talked a lot about this bill, but I promise, Mr. Speaker, I've got something new for you this evening.

You'll remember, that in the 126th Legislature we expanded services allowed under the MaineCare Section 29 waiver to include home supports and assistive technology, but we did not increase the resource cap that currently covers only a little more than 20 hours of service a week. So now folks have the choice of supports they need to live and work in their community, but their allowance may not be big enough to pay for the amount of service they need. And that's why, Mr. Speaker, there are 400 people currently receiving Section 29 services who are also on the Section 21 waiting list.

Mr. Speaker, originally this bill set out to address this problem by doubling the resources available under Section 29 to provide enough supports to members, and their working families, to allow them to continue living at home. This is what they want to do, and it's less expensive than the more institutional care provided under Section 21. We've heard powerful and impassioned speeches in this chamber from both sides of the aisle, Mr. Speaker, about our desire and our responsibility to end the waiting lists for these needed services. Some of us consider that to be one of our state's very highest priorities. With bipartisan support in the budget, in the last year, the Department of Health and Human Services has been able to eliminate the waiting list for Section 29 services, and the Priority 1 waiting list for 21. That's great news, Mr. Speaker. However, you'll remember there are still over 1,250 people on the Priority 2 and Priority 3 waiting lists, and you'll remember that over 400 of them are currently receiving Section 29 services, just not enough of them.

Both reports from the HHS Committee on this bill amended it to add funding to address the remaining Section 21 wait list. This amendment before us today returns the bill to its original focus: to allow folks to stay at home, with their families, and in their communities longer, because it's the right way to do the right thing.

And, Mr. Speaker, the fiscal note has been revised to remove the Section 21 expenses and to reduce Section 29 by almost 40 percent, with the state share just over \$3 million. And that should provide enough expanded services to clear most of the 400 Section 29 members from the Section 21 waiting list, reducing that list by almost a third. The right services, lower costs, reduced waiting list—feels like a win-win-win to me, Mr. Speaker. If only we had available \$3 million.

But wait—and this is the new part, Mr. Speaker—I'm not going with my usual suggestion that we give the most affluent Mainers the chance to pay a little bit more tax to help us out. And I'm not going to suggest that we reduce our allocation to the rainy day fund, although I think we can all agree, Mr. Speaker, it's been raining on those waiting list folks for way too long. Instead, Mr. Speaker, I'm proposing that we allocate our small state share from the large, and I believe increasing, FMAP surplus. In fact, I can't really think of a more appropriate use of an unallocated

FMAP fund than addressing the unmet needs of our friends and neighbors living with intellectual disabilities and autistic disorders.

Hopefully, the day is not far off, Mr. Speaker, when we will have a comprehensive and seamless life-long continuum of services available to every person living with intellectual disabilities and a system that provides the supports they, and their families, need—no more, no less—when and where they need it.

Mr. Speaker, I believe passage of this Resolve will move us a lot closer to that day, and I'm pretty sure this will be our last chance this session to walk our talk about ending this waiting list. And for that reason, Mr. Speaker, I support the request for a roll call.

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 adoption of this amendment. While I commend the Representative for his amendment and trying to find an ulterior funding source for the general fund, this is still increasing the cap on services from about a little over \$24,000 a year to \$47,000 a year, as far as I can read on this amendment here. We still have not fully funded Section 21. This cap is for Section 29. We have no wait list for 29 at this time and in all honesty, the average expenditure per year per person on Section 29 is around \$17,000 per year. Although there may be some, a few, who go over the \$24,000, most of them are under. It is the average of \$17,000 a year. Before we invest any more money into Section 29, I feel it's imperative that we fully fund our Section 21. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "C" (H-669) to Committee Amendment "A" (H-608). All those in favor will vote yes, those opposed will vote no.

#### **ROLL CALL NO. 623**

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, 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, Tepler, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Warren, Welsh.

NAY - Austin, Battle, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, 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, Sawicki, Seavey, Sherman, Sirocki, Skolfeld, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Turner, Wadsworth, Ward, White, Winsor, Wood, Mr. Speaker.

ABSENT - Bickford, Wallace.

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 **House Amendment "C" (H-669) to Committee Amendment "A" (H-608) was ADOPTED**.

**Committee Amendment "A" (H-608) as Amended by House Amendment "C" (H-669) thereto was ADOPTED**.

The Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-608) as Amended by House Amendment "C" (H-669)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

Resolve, To Provide Wage Parity for Supervisors of Law Enforcement Personnel (EMERGENCY)

(S.P. 585) (L.D. 1523)

Which was **TABLED** by Representative FREDETTE of Newport pending the motion of Representative DAVITT of Hampden to **RECEDE**.

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

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Davitt.

Representative **DAVITT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, contrary to what I indicated to my friend, the Representative from Newport, I am not going to be giving a Shakespearean oration. I will be brief. What we have before us is an amendment to restore...

The SPEAKER: Would the Representative defer? My understanding is, for the Representative to present the House Amendment, the current Senate Amendment "B" needs to be indefinitely postponed and that motion needs to be made.

On motion of Representative FREDETTE of Newport, **Senate Amendment "B" (S-515) to Committee Amendment "A" (S-383)** was **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Davitt.

Representative **DAVITT**: My apologies, Mr. Speaker. What this amendment does is to restore parody across the board...

The SPEAKER: Would the Representative defer? I believe the Representative is attempting to put before the House, House Amendment "A." That motion needs to be made before it is spoken to.

Representative DAVITT of Hampden **PRESENTED House Amendment "A" (H-663) to Committee Amendment "A" (S-383)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Davitt.

Representative **DAVITT**: It is getting late, Mr. Speaker. I'll be even briefer. But the bill originated in the Criminal Justice and Public Safety Committee, where we heard testimony from law enforcement officers from across the state. The fact that these law enforcement officers were not going to take supervisory positions because it would cost them money.

The bill, as it came out of Appropriations, raised salaries across the board, where a parody between the line officers and supervisors. So supervisors would be paid what they're worth. It was amended in the other body to make a five percent across the board for everybody, which provides nothing. The amendment restores the original intent of the Committee on Criminal Justice and Public Safety, and Appropriations, and it makes it go into effect after July of 2016. It is a bill that is long overdue. We owe it to the law enforcement officers of this state and to supervisors so we can retain and keep well-trained individuals. Thank you, Mr. Speaker.

Representative McCABE of Skowhegan **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-663) to Committee Amendment "A" (S-383)**.

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 Winslow, Representative Nadeau.

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

The SPEAKER: The Representative may pose her question.

Representative **NADEAU**: Thank you. So my question is, when it comes to this amendment of the good Representatives, does it include the forest ranger supervisors?

The SPEAKER: The Representative from Winslow, Representative Nadeau, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker, the answer is no.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-663) to Committee Amendment "A" (S-383). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 624**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, 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, 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, Nutting, O'Connor, Ordway, Parry, Peterson, Picchiotti, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, 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, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Crafts, Hickman, Nadeau, Pickett, Rykerson.

ABSENT - Bickford, Wallace.

Yes, 144; No, 5; Absent, 2; Excused, 0.

144 having voted in the affirmative and 5 voted in the negative, with 2 being absent, and accordingly **House Amendment "A" (H-663) to Committee Amendment "A" (S-383)** was **ADOPTED**.

**Committee Amendment "A" (S-383) as Amended by House Amendment "A" (H-663)** thereto was **ADOPTED**.

The Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-383) as Amended by House Amendment "A" (H-663)** 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.

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

**ENACTORS**

**Acts**

An Act To Provide a Tax Reduction for Modifications To Make a Home More Accessible for a Person with a Disability

(H.P. 252) (L.D. 365)

(S. "A" S-490 to C. "A" H-277)

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, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services

(H.P. 605) (L.D. 886)

(S. "A" S-520 to C. "A" H-645)

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

An Act To Establish the Summer Success Program Fund

(H.P. 286) (L.D. 419)

(S. "A" S-491 to C. "A" H-450)

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 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**: I'd just like to ask whether or not there's any funding tied to the bill.

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 Falmouth, Representative Pierce.

Representative **PIERCE**: Thank you, Mr. Speaker, this was a modest amount initially, but it is no longer has a fiscal note to it. It will be absorbed by the Department of Education. It's a summer enhancement pilot project program working with communities with Boys and Girls Clubs, 4-H clubs, local libraries, to help kids learn over the summer and not lose any ground and hit the ground running in the fall. No fiscal note.

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. 625**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, 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, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Grohman, Hamann, Hanington, Harlow, Harrington, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hobart, Hobbins,

Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Lyford, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Ordway, Peterson, Picchiotti, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Seavey, Sherman, Short, Stanley, Stearns, Stuckey, Sukeforth, Tepler, Theriault, Timmons, Tipping-Spitz, Tucker, Turner, Vachon, Verow, Wadsworth, Ward, Warren, Welsh, Wood, Mr. Speaker.

NAY - Austin, Buckland, Campbell R, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Fredette, Gerrish, Greenwood, Guerin, Hanley, Hilliard, Lockman, Long, Malaby, McElwee, Nutting, O'Connor, Parry, Pickett, Pierce J, Prescott, Reed, Sanderson, Sawicki, Sirocki, Skolfield, Stetkis, Timberlake, Tuell, White, Winsor.

ABSENT - Bickford, Wallace.

Yes, 114; No, 35; Absent, 2; Excused, 0.

114 having voted in the affirmative and 35 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** with the exception of matters being held.

**COMMUNICATIONS**

The Following Communication: (H.C. 528)

**STATE OF MAINE**

**OFFICE OF THE GOVERNOR**

**1 STATE HOUSE STATION**

**AUGUSTA, MAINE 04333-0001**

April 13, 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 1602, "Resolve, To Implement the Recommendations of the Commission to Strengthen and Align the Services Provided to Maine's Veterans To Address the Transportation Needs of Maine's Veterans."

This bill would require the Department of Transportation to study the needs for local transportation services available to veterans. The results of this study would then serve as the foundation for the establishment of a pilot project whose goal would be to provide these transportation services.

I understand that veterans and military families are a traditionally under-served population when it comes to transportation access. To this end, the Department has been working with local transit providers on ways to make better use of the public transportation options that are currently available, as well as establishing new travel initiatives. The Department had already planned to determine what the need for local transportation service is to connect veterans with vital services they may need.

I am supportive of the goals this legislation is trying to accomplish. Veteran's services have remained a top-priority for me throughout my Administration. While the idea behind this legislation is well-intended, I refuse to sign bills into law just for the sake of passing new laws, as well-intended as they may be. The fact of the matter is the Department was already planning to

conduct a similar study to what is outlined in this bill and implement a similar pilot project to meet the transportation needs of Maine's veterans. Simply put, this bill is redundant and is not needed to accomplish the goals set forth in the language of the bill.

For this reason, I return LD 1602 unsigned and vetoed. I strongly urge sensible legislators to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

The accompanying item Resolve, To Implement the Recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans To Address the Transportation Needs of Maine's Veterans

(H.P. 1093) (L.D. 1602)  
(C. "A" H-574)

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

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

**ROLL CALL NO. 626V**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, 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, 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, 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, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Bickford, Wallace.

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

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

The Following Communication: (H.C. 529)

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

April 13, 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 1682, "An Act To Specify That Certain Rules Regarding Services to Persons with Intellectual Disabilities or Autism Are Major Substantive Rules." This bill changes department rulemaking for services provided to those with intellectual disabilities or autism from routine technical to major substantive. The purpose is clearly to provide the majority in the Legislature the opportunity to nullify rulemaking they do not like.

For most of Maine's recent history, there was little disagreement between the Executive Branch and the majority in the Legislature because they were both controlled by like-minded socialists. Many in the Legislature have been frustrated by the lack of one-party rule in recent years and have therefore introduced misguided bills like this to infringe on the powers and micromanage the affairs of the Executive Branch. One recent routine technical rule adopted by the Department of Health and Human Services (DHHS) generated a total of not one, not two, but three public hearings.

One of the reasons the Legislature has for the first time in institutional memory not had a massive budget shortfall to deal with is that state agencies, especially DHHS, have had the flexibility to manage their finances and business decisions without this increasing encroachment by lawmakers committed to maintaining the status quo. This bill would erode that flexibility and infringe on the authority of the Chief Executive in the interest of election year pandering.

If lawmakers wish to influence routine technical rulemaking, they should attend the public hearings held pursuant to the Administrative Procedures Act and/or submit written comments on these proposed rules, just like everybody else. For these reasons, I return LD 1682 unsigned and vetoed. I strongly urge the Legislature to use good common sense and sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

The accompanying item An Act To Specify That Certain Rules Regarding Services to Persons with Intellectual Disabilities or Autism Are Major Substantive Rules

(H.P. 1151) (L.D. 1682)

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

Representative **GATTINE:** Thank you, Mr. Speaker. Mr. Speaker, I hope the House is going to join me in voting to override this veto. I think it's important to take a couple minutes, even though it's late, to remind the body of the history and the way that this matter came before us. This matter came before us through a very extraordinary and little used provision of Title 5. This bill didn't come before us because it was introduced by any legislator. This bill came before us because citizens who felt that they were impacted by executive action petitioned us to stand up for them and to help them.



And we had a public hearing on this bill in the Health and Human Services Committee. We had over 100 people come to that public hearing. We heard them speak out about these changes. These are people who, as we just talked about a few minutes ago, have serious disabilities, who years ago would've lived in places like Pineland or in institutions, and now are trying to lead the best lives they can out in the community with as much self-sufficiency as they can.

And we had over 1,300 people, ultimately, sign the petition that brought this matter before the Health and Human Services Committee. We had over 100 people come and testify at the public hearing that we had. And at the end of the day, the committee had the opportunity to report out a bill. And what the committee decided to do was not to impose policy on the Department, tell the Department what to do, make changes, try to tie the Department's hands. We took very simple action in what we reported out. We simply decided that we should make these rules, which impact so many people who are struggling so hard to stay in the community, that we should make those rules major substantive.

There are lots of rules within DHHS that are major substantive. There are some that are routine technical. But all that these folks wanted was to know that we, as their elected representatives, would continue to look out for them, and they wanted us to make these rules major substantive. I think we took a very simple action, but a very important action, and I hope that people will stand with us today and override this veto. Thank you, Mr. Speaker.

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

Representative **FARNSWORTH**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, there's a long history involved in this whole process of establishing the needs of the individuals that are developmentally disabled. I've been a longtime member of the American Association for Intellectual and Developmental Disabilities and for years, we've struggled with trying to develop a system for evaluating the needs of individuals. And over the years, they've come up with something that is reasonably good. However, it is not designed to determine the cost of those services. It is merely to establish the needs.

When you begin to try to blend those two together, it becomes very sticky. And one of the concerns that we have had, especially from the provider community, is the fact that this is a difficult kind of challenge and we wanted to make sure that the needs of our individuals come first. They are our primary concern and so, basically, by providing the opportunity for the committee to have some oversight, I think it makes it all the more sense to take and make these rules major and substantive. Thank you very much.

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

Representative **MALABY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the Executive's action associated with this bill. This bill essentially seeks to make major substantive rules for changes in Section 21 or 28 of the MaineCare Benefits Manual. Currently, those rules are what's known as "routine technical rules." Major substantive rules are those which, by definition, come back to the Legislature for final approval and oversight and major substantive rules do permit, or at least the emergency provisions of them, do permit the emergency rulemaking, in which rules can be changed without the Legislature's approval.

That being said, we're currently under what's called routine and technical rules, and they're a little time consuming. They involve a great deal of public input into the process. There is a

comment period. There's a departmental hearing. And this bill is related to a process by which the Department sought under a contract with a company to do what's called a "SIS Analysis," to determine the Support Intensity Scale, what was needed for each of these individuals under Section either 21 or 29.

It would've been the first time the Department has ever conducted an outside assessment of these individuals. Currently, these people are assessed under what's called the Person Center Planning Process, which is a fine thing and it's been very effective over time. However, what the Department was seeking was some outside validation of whether or not the correct level of services are being administered to each individual. And the process, to be frank, was very onerous. And we had heard for a long time in advance that this process was not working. And, indeed, I think the process did work. And by that I mean, the Department pulled the rules. Yes, there was a hearing. Yes, there were hundreds of emails. Yes, there were 100 people.

But they found that it wasn't working and they found that it wasn't working because there was a lack of transparency within the system. And that parents could not record and could not use their testimony in doing a SIS assessment to bring it back to the Department and say, "Hey, this is what they said and we've got to appeal this or do that." So, the Department pulled the SIS, fired the company—at some expense, I might add. My point being, the process worked. The process at that point was routine and technical and I think it worked and I ask that you follow my light.

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. 627V

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

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

ABSENT - Bickford, Wallace.

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

83 having voted in the affirmative and 66 voted in the negative, with 2 being absent, and accordingly the Veto was **SUSTAINED**.

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

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

Bill "An Act To Provide Relief for Significant Reductions in Municipal Property Fiscal Capacity" (EMERGENCY)

(S.P. 705) (L.D. 1699)

Which was **TABLED** by Representative FREDETTE of Newport pending **ADOPTION of House Amendment "A" (H-670)**. (Roll Call Ordered)

Subsequently, Representative GOODE of Bangor **WITHDREW** his **REQUEST** for a roll call.

Subsequently, **House Amendment "A" (H-670)** was **ADOPTED**.

Representative GOODE of Bangor **PRESENTED House Amendment "B" (H-673)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Goode.

Representative **GOODE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I know it's late so I will try to be brief. I put this amendment in today after hearing about this bill because last year the Tax Committee worked a similar piece of legislation and we had a very fruitful discussion with our colleagues on Education and Tax Committee around how to help some of these towns that are having adverse effects on their education funding and property valuation. A bill was passed in the other body that came to us today.

I've learned from the Representative from Eagle Lake that late in the session we often make mistakes because we're tired, we want to go home, and when new things come that you should be very, very cautious. So the amendment that I'm offering today makes this bill go into effect for only one year. I want to help the towns that this bill would help and I think that it was worked very clearly on a different policy area in the Tax Committee.

It seems like a new thing at the end of the session and I think an amendment to have it only go into effect for only one year would put it in the best disposition for those of you that are fortunate enough to come back in the next Legislature. So, I hope that you would consider voting for this amendment. I think it makes work that we did as the Tax Committee and the Education Committee involved in, better. I thank you for your time and for entertaining me. Thank you, Mr. Speaker.

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

Representative **McCABE**: Thank you, Mr. Speaker, Men and Women of the House, just to respond to some of the comments from the good Representative from Bangor, in regards to this bill sort of coming late, this is a bill that comes before us out of work that was done from members of the other body, from folks in the Chief Executive's office working with the administration as well as meeting with several communities.

This bill has a rather high LD number because it is a replacement. It sort of combines several other bills that we've had over the last two years and as far as rushing or any of the concerns that the good Representative from Bangor has, I just wanted to thank several folks for working on this bill and several committees. I know the Taxation Committee took up a similar bill last year. I know the Education Committee took up a bill similar to this last year as well. And then some amendments were provided by the administration over the last couple weeks, amendments that were worked on by staff, Commissioner Rosen, folks at Department of Education and others to provide facts to

find a solution to try to move this issue forward. It was discovered at that time that some of those amendments would not be appropriate in a Resolve, so the Chief Executive was willing to move a new bill forward. The good Senator from Somerset, Senator Whittemore, was willing to sponsor that bill. The actions in the other body today sent that bill before us, so what we have right now is an amendment that's added to a bill—the amendment comes to us at a late hour this evening—to a bill that has been worked on by many, many, both in this building as well as in the building across the courtyard, and for that reason, I move to Indefinitely Postpone this amendment that's before us at this time.

The same Representative moved that **House Amendment "B" (H-673)** be **INDEFINITELY POSTPONED**.

Representative GOODE of Bangor **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "B" (H-673)**.

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 Kennebunkport, Representative Seavey.

Representative **SEAVEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'm not happy with the bill at all, but if we need the bill, I would encourage you to support the amendment by the Taxation Chair. This bill comes to us from the other body under suspension of the rules, without reference to a committee, already passed to be engrossed. This is major legislation. It may only affect four or five towns in this bill now, but it potentially could affect every town in the state depending on your neighboring town's circumstance.

This legislation deals with state valuation, county tax, school funding formulas. We did, in Taxation last year, have probably two or three weeks discussing this concept on two or three different bills. The Taxation Committee voted Ought Not to Pass on all of the bills and this body adhered to that. This amendment, or this proposed bill, does come to us late. It should deserve a public hearing on this concept. It's very important. Either in Tax or Education, or both.

Interestingly, the Department of Education and MRS, Revenue Services, was opposed to this concept last year when we heard it, until of course, they found today or yesterday \$900,000 to fund it. So, if we need to have this bill, I urge you to adopt the amendment. If the amendment doesn't get adopted, I urge you to vote against the bill. Thank you, Mr. Speaker.

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

Representative **McCABE**: Yes, thank you, Mr. Speaker, Men and Women of the House, I would hope that folks have an opportunity at this point in time to look at the bill that's before us. What we're talking about doing is addressing the shortfall in education funding and it was alluded to that some sources of funding were discovered. The Department of Education came forward.

The original proposal that the Taxation Committee had, the original proposal that the Education Committee, Taxation Committee, both reviewed had this bill funded somewhere around \$2 million, if not, \$2.5 million. At that point in time, there was other communities that were considering this bill. It's been discovered that a lot of those communities probably eligible for sudden and severe. So, at this point in time, what's before you is a modified version of both of those bills. It comes to us from work and interests of the Chief Executive to move this bill forward to really address an issue that's happening in many towns around the State of Maine.

As far as it relates to the funding, what's being proposed is about half of what was originally proposed at \$900,000 that will actually be distributed amongst, probably, approximately four towns. So I just wanted to clarify that. I also believe that we'll be seeing some other bill coming before us, bills that come down in a similar form, having been amended, amended by Appropriations with funding sources that this body hasn't seen before, that our policy committees have not had a chance to review. A public hearing hasn't been had, but an amendment will come forward, this body will vote on that amendment, we'll pass that bill, we'll send it to the Chief Executive either for his signature or for other actions. Thank you, Mr. Speaker.

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

Representative **FARRIN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, couple things to clarify. You know, I want to thank the good Representative from Skowhegan from working on this, as well as the Senator from Somerset, along with the Chief Executive. To put this into perspective so everyone knows, that this amendment replaces, you know, the original bill of LD 281, so when we talk about it not having the hearing process and going through the process because that was a Resolve and this is an Act, we had to come up with a new LD number.

And there's two primary changes. The first change removes the names of the four towns that were impacted by the major reduction in valuation as a result of the downturn in the paper manufacturing industry. By removal of the named towns, it makes this bill generic to any town or city that experiences a major drop in valuation as a result of any one single taxpayer. The second change is a trigger of 4.5 percent if the decline in a municipality's most recent certified evaluation is greater than 4.5 percent of the previous municipal evaluation and that decline in value is caused by a single taxpayer, then this law would apply.

So what I'm asking you to think about is, you know, there are four towns that could use this law right now. They are Madison, Skowhegan, Lincoln, and East Millinocket, and going forward any other town or city that found themselves in the same situation. I ask you support this amendment as we move forward as a safety net for any town or city that needs it. But to give the idea that this hasn't go the through the process, been here for 18 or 19 months, and I know there's been a lot of conversation about this and it has gone through. So, 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, what I want to rise to just clarify is, because there was a lot of conversation in our caucus about this bill and there being a certain amount of confusion around it. And if I could just pose a question through the Chair.

The SPEAKER: The Representative may pose his question.

Representative **FREDETTE**: My understanding is the pending motion is a motion to Indefinitely Postpone and if you vote in favor of the motion to Indefinitely Postpone then you will not have an opportunity to vote on Representative Goode's motion to have this bill be, essentially, sunsetted for one year, or only to be looked at for one year. So, I just wanted to clarify that if you actually want to vote on the underlying amendment that's being proposed, you would vote against the motion to Indefinitely Postpone. Is that correct, Mr. Speaker?

The SPEAKER: The Representative from Newport, Representative Fredette, has posed a question through the Chair to anyone who may care to respond. The motion is Indefinite Postponement. That is my understanding of the amendment.

The Chair recognizes the Representative from Bangor, Representative Goode.

Representative **GOODE**: Thank you, Mr. Speaker. I will be voting against the pending motion.

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

Representative **CHIPMAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'm rising in opposition to the pending motion. I do have some concerns coming from a school district, representing a school district, that lost significant amount of money from state property valuation changes in the last year. The fix that we passed did restore some of that money, but less than half of what we lost and this left our school board in a real bind. And several other districts that some of you represent around the state also lost money when the state property valuations changed. So, I'm very leery of something that could impact the finding formula going forward into the future and I am very sympathetic to mill towns and the struggles that they're facing right now, and I'm totally supportive of the \$900,000 fix and I think if we pass the bill as amended with Representative Goode's amendment, we can still take care of those towns for the next year and then we can take a look at the funding formula in the next Legislature. But I don't want to make any major changes to the formula going forward beyond one year that could have a negative impact on other districts and that's why I'm opposing the current motion and supporting Representative Goode's amendment. Thank you.

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

Representative **FECTEAU**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'd like to concur with the good Representative from Kennebunkport, Representative Seavey. I believe that if we get to the amendment that's been presented by Representative Goode, we have an opportunity here to address the issues that have been presented regarding the evaluation crisis that exists in Representative McCabe's district. But we also avoid impacting, negatively impacting, municipalities across the state by manipulating the way education funding is distributed. I would also like to pose a question to the Chair, Mr. Speaker.

The SPEAKER: The Representative may pose his question.

Representative **FECTEAU**: Thank you, Mr. Speaker, I was wondering, I heard from the good Representative from Skowhegan that there were bills considered last session by various committees. What happened to those bills?

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

Representative **McCABE**: Thank you, Mr. Speaker, in response to the question from the good Representative from Biddeford, Representative Fecteau, it was decided that the bills, one could be voted Ought Not to Pass as long as there was a vehicle to move forward. LD 281 remained carried over, sat in the Appropriations Committee. As the good Representative from Norridgewock referenced, you know, this bill and idea and concept has been around probably for 18 months, if not longer.

So LD 281 was carried over. It remained in Appropriations, and over the last two, probably three weeks work was done with the administration, members if the other side of the aisle, members of the other body, to look at LD 281 and options around that. The administration had posed two amendments to the bill. Those were brought before the Education Committee. The Education Committee discussed those on mic before a committee work session and actually sent a letter to the Appropriations Committee with ideas or certain concerns, I

should say, around the amendments that they had. Those were sent back to the administration. The administration continued to work with members of this body, members of the other body, to come forward with a solution. The solution that you see is a hybrid of what the Appropriations Committee, myself and other members had, sort of, drafted as an amendment and the administration put forward a new bill based on those conversations and the work that's occurred here over the last two years. And as stated before, the Department of Education was able to find supplemental funding for about half of the anticipated need. I hope that answers the question.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "B" (H-673). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 628**

YEA - Austin, Babbidge, Beck, Black, Brooks, Campbell J, Campbell R, Cooper, Daughtry, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Farnsworth, Farrin, Foley, Fowle, Fredette, Gattine, Gideon, Gilbert, Golden, Herbig, Hickman, Hubbell, Kornfield, Kruger, Kumiega, Lajoie, Luchini, Martin J, Martin R, McCabe, McLean, Melaragno, Morrison, O'Connor, Parry, Picchiotti, Pierce T, Rotundo, Sanborn, Sanderson, Short, Stanley, Tipping-Spitz, Tucker, Tuell, Vachon, Warren, Welsh, Mr. Speaker.

NAY - Alley, Bates, Battle, Beavers, Beebe-Center, Blume, Bryant, Buckland, Burstein, Chace, Chapman, Chenette, Chipman, Corey, Crafts, Davitt, DeChant, Devin, Edgecomb, Espling, Evangelos, Fecteau, Frey, Gerrish, Gillway, Ginzler, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Harrington, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hymanson, Jorgensen, Kinney J, Kinney M, Lockman, Long, Longstaff, Lyford, Maker, Malaby, Marean, Mastraccio, McClellan, McCreight, McElwee, Monaghan, Moonen, Nadeau, Nutting, Ordway, Peterson, Pickett, Pierce J, Pouliot, Powers, Prescott, Reed, Russell, Rykerson, Saucier, Sawicki, Schneck, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Turner, Verow, Wadsworth, Ward, White, Winsor, Wood.

ABSENT - Bickford, Wallace.

Yes, 54; No, 95; Absent, 2; Excused, 0.

54 having voted in the affirmative and 95 voted in the negative, with 2 being absent, and accordingly the motion to **INDEFINITELY POSTPONE House Amendment "B" (H-673) FAILED.**

Subsequently, Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ADOPT House Amendment "B" (H-673).**

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 Adoption of House Amendment "B" (H-673). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 629**

YEA - Alley, Austin, Babbidge, Battle, Beavers, Beebe-Center, Black, Blume, Brooks, Bryant, Buckland, Burstein, Chace, Chapman, Chenette, Chipman, Corey, Daughtry, Davitt, DeChant, Dunphy L, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fredette, Frey, Gerrish, Gilbert, Gillway, Ginzler, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Harrington, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Lockman, Long,

Longstaff, Lyford, Maker, Malaby, Marean, Martin J, Martin R, Mastraccio, McClellan, McCreight, McElwee, Monaghan, Moonen, Nadeau, Nutting, O'Connor, Ordway, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Schneck, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Timmons, Turner, Vachon, Verow, Wadsworth, Ward, White, Winsor, Wood.

NAY - Bates, Beck, Campbell J, Campbell R, Cooper, Crafts, Devin, Dillingham, Dion, Doore, Duchesne, Dunphy M, Fowle, Gattine, Gideon, Golden, Herbig, Hickman, Hubbell, Kruger, Kumiega, Lajoie, Luchini, McCabe, McLean, Melaragno, Morrison, Pierce T, Sawicki, Short, Stanley, Theriault, Timberlake, Tipping-Spitz, Tucker, Tuell, Warren, Welsh, Mr. Speaker.

ABSENT - Bickford, Wallace.

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

110 having voted in the affirmative and 39 voted in the negative, with 2 being absent, and accordingly **House Amendment "B" (H-673) was ADOPTED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendments "A" (H-670) and "B" (H-673) in NON-CONCURRENCE** and sent for concurrence.

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

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On motion of Representative DeCHANT of Bath, the House adjourned at 10:50 p.m., until 1:30 p.m., Thursday, April 14, 2016, in honor and lasting tribute to William Field Herman, of Bath and Georgetown.