

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session
beginning December 7, 2016

pages 1 -

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
50th Legislative Day
Wednesday, June 7, 2017

Representative HERBIG of Belfast assumed the Chair.
The House met according to adjournment and was called to order by the Speaker Pro Tem.
Prayer by Honorable Russell J. Black, Wilton.
Pledge of Allegiance.
The Journal of yesterday was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 584)
**JOINT RESOLUTION RECOGNIZING JUNE 6, 2017 AS
SHRINERS INTERNATIONAL AWARENESS DAY**

WHEREAS, on June 6, 1876, the Imperial Council, the governing body of the Shriners fraternity, was founded and, to celebrate and recognize this important milestone in Shriners history, Shriners International has declared June 6th as Shriners International Awareness Day; and

WHEREAS, Shriners International is a fraternity based on fun, fellowship and the Masonic principles of brotherly love, relief and truth with nearly 200 temples, or chapters, in several countries and thousands of clubs around the world; and

WHEREAS, Shriners International is a brotherhood and an organization focused on bringing families together, and many of its activities are designed to involve family members, promote shared values and help develop the next generation of community and business leaders; and

WHEREAS, Shriners International is recognized around the world by an ancient symbol, the fez, and the modern man who wears the iconic red fez is a man who values philanthropy, brotherhood, family and, of course, fun; and

WHEREAS, Shriners are a brotherhood of men committed to family, engaged in ongoing personal growth and dedicated to providing care for children and families in need; and

WHEREAS, Shriners Hospitals for Children was founded in 1922 with the goal of providing expert medical care for children, with no financial burden to the patients or their families; and

WHEREAS, today, that philanthropic effort supports 22 facilities across the United States, Canada and Mexico, treating children up to 18 years of age who have orthopedic conditions, burns, spinal cord injuries, cleft lip and palate and other conditions, whose advanced care is provided in a family-centered environment that is focused on maximizing a child's quality of life, regardless of the families' ability to pay; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize June 6, 2017 as Shriners International Awareness Day.

Came from the Senate, **READ** and **ADOPTED**.
READ and **ADOPTED** in concurrence.

The following Joint Order: (S.P. 583)
ORDERED, the House concurring, that Bill, "An Act To Provide a Definition of "Primary Residence" for Purposes of Property Tax Abatements Based on Hardship or Poverty," S.P. 401, L.D. 1180, and all its accompanying papers, be recalled from the Governor's desk to the Senate.
Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

Non-Concurrent Matter

Bill "An Act To Assist Veterans in Their Applications for Service-related Benefits"

(S.P. 160) (L.D. 465)

Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-168)** in the House on June 5, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **VETERANS AND LEGAL AFFAIRS** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act Regarding College Affordability"

(H.P. 792) (L.D. 1129)

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" (H-394)** in the House on June 5, 2017.

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

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Confer Categorical Eligibility for Supplemental Nutrition Assistance Program Benefit Applications"

(H.P. 480) (L.D. 689)

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-398)** in the House on June 5, 2017.

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 Provide Supplemental Nutrition Assistance to Veterans and Rental Assistance to Long-term Homeless Persons"

(H.P. 1059) (L.D. 1538)

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-399)** in the House on June 5, 2017.

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 Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents"

(H.P. 904) (L.D. 1307)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** in the House on June 5, 2017.

Came from the Senate with the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-400)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act Regarding the Commercial Forestry Excise Tax"

(H.P. 385) (L.D. 541)

Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-385)** in the House on June 5, 2017.

Came from the Senate with the Minority (5) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate All Sales Taxes from All Vehicle Sales and Any Vehicle-related Sales to the Highway Fund for Roads and Bridge Capital Improvements

(H.P. 780) (L.D. 1106)

Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in the House on June 5, 2017.

Came from the Senate with the Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-387)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Support Maine Families by Increasing the Dependent Care Credit"

(H.P. 807) (L.D. 1144)

Majority (10) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-235)** in the House on June 5, 2017.

Came from the Senate with the Minority (3) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Resolve, To Address Substance Use and Addiction in County Jails

(H.P. 588) (L.D. 839)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-219)** in the House on May 24, 2017.

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

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Support Employees with Significant Commutes"

(H.P. 675) (L.D. 947)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238)** in the House on May 24, 2017.

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

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Establish a Veterans Treatment Court in Androscoggin County"

(H.P. 79) (L.D. 111)

Majority (9) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-331)** in the House on May 31, 2017.

Came from the Senate with the Minority (4) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-332)** in **NON-CONCURRENCE**.

On motion of Representative GOLDEN of Lewiston, TABLED pending **FURTHER CONSIDERATION** and later today assigned.

Non-Concurrent Matter

Bill "An Act To Include Additional Corrections Officers under the 1998 Special Plan for Retirement and To Amend the Laws Governing Retirement Benefits for Capitol Police Officers"

(H.P. 942) (L.D. 1365)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-410)** in the House on June 6, 2017.

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

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Maintain the Current Number of Appointees to the Maine Arts Commission"

(H.P. 697) (L.D. 996)

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" (H-408)** in the House on June 6, 2017.

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

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

COMMUNICATIONS

The Following Communication: (H.C. 217)

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

June 7, 2017

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

Dear Clerk Hunt:

Please be advised that pursuant to his authority, Governor Paul R. LePage has nominated the following:

On June 5, 2017

Honorable Thomas E. Delahanty II of Falmouth for appointment to Active Retired Status of the Maine Superior Court.

Pursuant to Title 4, MRSA §104, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Sara Gideon

Speaker of the House

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

The Following Communication: (S.C. 482)

**MAINE SENATE
128TH LEGISLATURE
OFFICE OF THE SECRETARY**

June 5, 2017

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

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted

- the Minority Ought to Pass as Amended Report from the Committee on Education and Cultural Affairs and Passage to be Engrossed as Amended by Committee Amendment "A" (H-285) on Bill "An Act To Ensure That Charter School Students Have Access to Extracurricular Activities" (H.P. 850) (L.D. 1228), in non-concurrence;
- Report "C" Ought Pass as Amended from the Committee on Health and Human Services and Passage to be Engrossed as Amended by Committee Amendment "B" (H-301) on Bill "An Act To Repeal the Maine Certificate of Need Act of 2002" (H.P. 345) (L.D. 482), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

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

The Following Communication: (S.C. 488)

**MAINE SENATE
128TH LEGISLATURE
OFFICE OF THE SECRETARY**

June 6, 2017

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 actions whereby it accepted

- Report "A" Ought Not to Pass from the Committee on Criminal Justice and Public Safety on Bill "An Act To Protect the Safety of Emergency Medical Services Personnel and Patients" (H.P. 733) (L.D. 1050), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on State and Local Government on Bill "An Act To Require Maine Governmental Departments That Affect Citizen Health and Safety To Staff at Least 75 Percent of Available Positions" (H.P. 829) (L.D. 1192), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Veterans and Legal Affairs on "RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting" (H.P. 962) (L.D. 1383), in non-concurrence;

- the Minority Ought Not to Pass Report from the Committee on Health and Human Services on Bill "An Act To Promote Testing of Drinking Water for Maine Families" (H.P. 702) (L.D. 1001), in non-concurrence.

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

READ and ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

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

(H.P. 1128) (L.D. 1635)

Sponsored by Representative MARTIN of Eagle Lake. (GOVERNOR'S BILL)

Cosponsored by Senator JACKSON of Aroostook and Representative: TIMBERLAKE of Turner.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Michael Bruce, of Fort Fairfield, who placed first in the Drive, Chip and Putt events and first overall in the 7 to 9 age group at the Regional Golf Finals at The Country Club in Brookline, Massachusetts. Michael also finished first in a number of events held throughout southern and central Maine in 2016. He placed 10th overall in the 7 to 9 age group at the National Competition at Augusta National Golf Club in Georgia during the week of this year's Masters Golf Tournament. We extend to Michael our congratulations and best wishes;

(HLS 518)

Presented by Representative McCREA of Fort Fairfield.

Cosponsored by Senator CARPENTER of Aroostook.

On **OBJECTION** of Representative McCREA of Fort Fairfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER PRO TEM:** The Chair recognizes the Representative from Fort Fairfield, Representative McCrea.

Representative **McCREA:** Thank you, Madam Speaker, Ladies and Gentlemen of the House. During the summer of 2013, I first saw a young boy named Michael Bruce on the driving range at the Aroostook Valley Country Club in Fort Fairfield. It was not to be believed the way he hit the ball. The remarkable thing is that at the time he was only 5 years old. Two years later, at the ripe old age of 7, he competed in the 7 to 9-year-old division in the Drive, Chip, and Putt event at the Val Halla Country Club in Cumberland, Maine. He finished first in the driving contest, and second in the chipping event, and

second overall; and, that same summer, he also competed in the same program in Framingham, Massachusetts, finishing first in the chipping event, second in putting, and first overall. And, also in 2015, he placed third in chipping and fifth overall at The Country Club in Brookline, Massachusetts. The next year, 2016, he returned to Val Halla Country Club in Cumberland, Maine, where he finished first in both driving and chipping, third in putting, and first overall; and at the Renaissance Country Club in Haverhill, Massachusetts, he was third in both driving and chipping and second overall. He competed in the regional finals at The Country Club in Brookline, Massachusetts, finishing first in chipping, putting, and first overall; and, also in 2016, he finished first in the 8-year-old age group at the Riverside Country Club in Portland, Maine, first at Martindale Country Club in Auburn, Maine, as well as first in the Poland Springs Country Club in Poland, Maine. Finally, as part of the leadup to the 2017 U.S. Masters Golf Tournament, during that week in Augusta, Georgia, in the National Finals for ages 7 to 9 boys, Michael placed third in putting and tenth overall. I wish to congratulate Michael, and I thank you, Madam Speaker and Ladies and Gentlemen of the House. Thank you.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Representative BERRY for the **Joint Standing Committee on Energy, Utilities and Technology** on Bill "An Act To Update the Scheduling Guidelines for Review of Agencies or Independent Agencies under the State Government Evaluation Act"

(H.P. 1127) (L.D. 1634)

Reporting **Ought to Pass** pursuant to Joint Order 2017, H.P. 1116.

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

The Bill was **READ ONCE.**

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

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

Refer to the Committee on Judiciary Pursuant to Statute

Representative MOONEN for the **Joint Standing Committee on Judiciary** on Bill "An Act Concerning Private Personal Information of Public Employees and Licensed Individuals"

(H.P. 1126) (L.D. 1633)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

The Report was **READ.**

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

Ought to Pass as Amended

Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Usage and Consumer Protections of Guaranteed Asset Protection Waivers"

(S.P. 531) (L.D. 1506)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-142)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-142) AS AMENDED BY SENATE AMENDMENT "A" (S-154)** thereto.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-142)** was **READ** by the Clerk.

Senate Amendment "A" (S-154) to **Committee Amendment "A" (S-142)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-142) as Amended by Senate Amendment "A" (S-154) thereto was **ADOPTED**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-142) as Amended by Senate Amendment "A" (S-154)** thereto in concurrence.

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Support Workforce Development by Increasing Engineering Capacity"

(S.P. 100) (L.D. 312)

Signed:

Senators:

MAKER of Washington
MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
GINZLER of Bridgton
McCREA of Fort Fairfield
PIERCE of Falmouth
SAMPSON of Alfred
STEWART of Presque Isle
TURNER of Burlington

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-193)** on same Bill.

Signed:

Senator:

LANGLEY of Hancock

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-193)**.
READ.

On motion of Representative KORNFIELD of Bangor, the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-421)** on Bill "An Act To Provide Youth Mental Health First Aid Training to Secondary School Health Educators"

(H.P. 929) (L.D. 1335)

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
GINZLER of Bridgton
McCREA of Fort Fairfield
PIERCE of Falmouth
SAMPSON of Alfred
STEWART of Presque Isle

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

Signed:

Representative:

TURNER of Burlington

READ.

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

On motion of Representative GOLDEN of Lewiston, **TABLED** pending the motion of Representative KORNFIELD of Bangor to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to Article X of the Constitution of Maine Regarding the Publication of Maine Indian Treaty Obligations

(H.P. 308) (L.D. 428)

Signed:

Senators:

KEIM of Oxford
HILL of York
WHITTEMORE of Somerset

Representatives:

MOONEN of Portland
BRADSTREET of Vassalboro
GUERIN of Glenburn
JOHANSEN of Monticello
SHERMAN of Hodgdon

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-432)** on same RESOLUTION.

Signed:

Representatives:

BABBIDGE of Kennebunk
BAILEY of Saco
CARDONE of Bangor
McCREIGHT of Harpswell
RECKITT of South Portland

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting
Ought Not to Pass on Bill "An Act Regarding Parental Rights"
(H.P. 335) (L.D. 472)

Signed:

Senator:

HILL of York

Representatives:

MOONEN of Portland
BABBIDGE of Kennebunk
BAILEY of Saco
CARDONE of Bangor
McCREIGHT of Harpswell
RECKITT of South Portland
SHERMAN of Hodgdon

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

Signed:

Senators:

KEIM of Oxford
WHITTEMORE of Somerset

Representatives:

BRADSTREET of Vassalboro
GUERIN of Glenburn
JOHANSEN of Monticello

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting
**Ought to Pass as Amended by Committee Amendment "A"
(H-433)** on Bill "An Act To Clarify the Law Regarding
Arbitration Privacy with Respect to Executive and Legislative
Branch Employees"

(H.P. 848) (L.D. 1216)

Signed:

Senator:

HILL of York

Representatives:

MOONEN of Portland
BABBIDGE of Kennebunk
BAILEY of Saco
CARDONE of Bangor
McCREIGHT of Harpswell
RECKITT of South Portland

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

Signed:

Senators:

KEIM of Oxford
WHITTEMORE of Somerset

Representatives:

BRADSTREET of Vassalboro
GUERIN of Glenburn
JOHANSEN of Monticello
SHERMAN of Hodgdon

READ.

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

The Bill was **READ ONCE. Committee Amendment "A"
(H-433)** 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-433)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting
**Ought to Pass as Amended by Committee Amendment "A"
(H-434)** on Bill "An Act To Increase Efficiency in Enforcement
of the Maine Human Rights Act"

(H.P. 862) (L.D. 1239)

Signed:

Senator:

HILL of York

Representatives:

MOONEN of Portland
BABBIDGE of Kennebunk
BAILEY of Saco
CARDONE of Bangor
McCREIGHT of Harpswell
RECKITT of South Portland
SHERMAN of Hodgdon

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

Signed:

Senators:

KEIM of Oxford
WHITTEMORE of Somerset

Representatives:

BRADSTREET of Vassalboro
GUERIN of Glenburn
JOHANSEN of Monticello

READ.

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

The Bill was **READ ONCE. Committee Amendment "A"
(H-434)** 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-434)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-435)** on Bill "An Act To Amend the Law Regarding Lien Recordings on Statutory Road Associations"
(H.P. 908) (L.D. 1311)

Signed:
Senator:
HILL of York

Representatives:
MOONEN of Portland
BABBIDGE of Kennebunk
BAILEY of Saco
CARDONE of Bangor
McCREIGHT of Harpswell
RECKITT of South Portland
SHERMAN of Hodgdon

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

Signed:
Senators:
KEIM of Oxford
WHITTEMORE of Somerset

Representatives:
BRADSTREET of Vassalboro
GUERIN of Glenburn
JOHANSEN of Monticello

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-435)** 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-435)** and sent for concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-428)** on Bill "An Act Regarding the Maine Length of Service Award Program Board of Trustees"

(H.P. 866) (L.D. 1243)

Signed:
Senator:
BELLOWS of Kennebec

Representatives:
FECTEAU of Biddeford

BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland

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

Signed:
Senators:
VOLK of Cumberland
LANGLEY of Hancock

Representatives:
AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan
VACHON of Scarborough

READ.

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

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-436)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit Payment Per Signature for Citizen Petition Drives
(H.P. 39) (L.D. 53)

Signed:
Senator:
COLLINS of York

Representatives:
LUCHINI of Ellsworth
CASÁS of Rockport
DILLINGHAM of Oxford
HANINGTON of Lincoln
HICKMAN of Winthrop
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor
WHITE of Washburn

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

Signed:
Senators:
MASON of Androscoggin
CARPENTER of Aroostook

Representative:
FARRIN of Norridgewock

READ.

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

The Resolution was **READ ONCE**. **Committee Amendment "A" (H-436)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolution was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-436)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Recognize and Provide for the Right of the Houlton Band of Maliseet Indians To Operate a Casino on Houlton Band Trust Land Exempt from Certain Gaming Laws" (EMERGENCY) (H.P. 999) (L.D. 1447)

Signed:

Senators:

MASON of Androscoggin
COLLINS of York

Representatives:

LUCHINI of Ellsworth
DILLINGHAM of Oxford
FARRIN of Norridgewock
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor
WHITE of Washburn

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

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

CASÁS of Rockport
HANINGTON of Lincoln
HICKMAN of Winthrop
LONGSTAFF of Waterville

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Enact the Maine Citizens' Initiatives Clean Election Act" (H.P. 1077) (L.D. 1561)

Signed:

Senators:

MASON of Androscoggin
CARPENTER of Aroostook
COLLINS of York

Representatives:

LUCHINI of Ellsworth
DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
LONGSTAFF of Waterville
WHITE of Washburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-438)** on same Bill.

Signed:

Representatives:

CASÁS of Rockport
HICKMAN of Winthrop
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

READ.

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

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Windham, Representative Corey.

Representative **COREY**: Thank you, Madam Speaker Pro Tem, Men and Women of the House. I'd like to speak against the pending motion. Maine citizens are being left in the dark by a citizen initiative process that has been hijacked by well-moned special interests. Our citizens have lost their voice. Maine citizen initiative, void of public hearings, in theory replaces critical input with a campaign where proponents and opponents make their cases; of course, that's if both sides get the microphone. When legislators and citizens present testimony in one of Maine's joint standing committees, we hear from them once regarding a bill; whether they have \$5 or \$5 billion in the bank, does not determine the frequency by which their voices are heard by our legislators. Today, our now special-interest initiative process does not afford voters the opportunity to receive well-rounded discussions where proponents, opponents, and even those not for or against measures can speak. While legislators take receiving a variety of viewpoints for granted, Maine citizens are subject to undue influence, leaving them uninformed before making decisions impacting lives. Hopefully, we all recognize how this potentially affects the state budget, revenue, economy, and other legislative priorities. In 1996, voters passed the Maine Clean Elections Act with the intent to curb the impact of special interest money in elections and on candidates. Of course, problems still exist due to outside spending that is protected under the First Amendment. Spending money is protected speech. Communicating ideas to wide audiences requires significant expenditures, whether it be direct mail, paid canvassers, or television, radio, and the internet, effective voter education costs. Today, Maine's people acknowledge that our citizen initiative process has become dominated by big money special interests. Many solutions have been offered, but few are obstacles for these groups, and some politically unsupportable for even the most high-minded legislators. Considering the significantly disproportionate spending between competing interests and when money has become speech, campaign finance is where we must address these issues. I passed out a chart to people's desks this morning that kind of shows the disparate spending within these initiatives. As mentioned, the First Amendment protects political spending by equating it to speech. By giving well-organized, Maine-based nonprofits and citizen groups the ability to qualify for public financing, we can bring opportunity for different viewpoints to be heard in the citizen initiative process. LD 1561, "An Act To Enact the Maine Citizens' Initiatives Clean Election Act" does just that. By allowing advocates to collect qualifying contributions showing support for or against ballot measures, they could become eligible for up to \$1 million of public funding. This would, in turn, grant Maine's people a more robust conversation surrounding ballot

measures. Limits and safeguards have been put in place to make this funding option attractive for small, grassroots, Maine-based campaigns and less desirable for well-monied out-of-state efforts. I wrote an op-ed in the *Portland Press Herald* about this proposal. In turn, followthemoney.org, a nonpartisan, nonprofit national institute on money and state politics, shared the article on Facebook and tweeted it out. They stated on Facebook, "Have deep pocket donors undermined direct democracy in Maine? Examine almost \$110 million in contributions to ballot measure committees in Maine since 2003 to decide for yourself." They provided a link to show who contributed to influence Maine citizen-initiated ballot measures. Public funding of campaigns is a concept that almost every Maine legislator can get their heads around, and a process that the public generally understands and accepts. I'm not sure what will become of this bill, but, hopefully, it becomes a start of a conversation this Legislature needs to have. Honestly, it has a huge fiscal note, and likely will never survive the table when we are working together to hammer out a budget. What I'm doing is offering up an opportunity for Mainers to innovate, have a more informed electorate, and return the citizen initiative where it belongs, with the citizens. If this fails, let's find a way to continue the conversation surrounding special interest expenditures in the citizen initiative process. Thank you.

Representative CHAPMAN of Brooksville **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

ROLL CALL NO. 256

YEA - Alley, Austin B, Austin S, Babbidge, Bates, Battle, Beebe-Center, Black, Bradstreet, Brooks, Cardone, Cebra, Chace, Collings, Cooper, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fecteau, Foley, Fredette, Fuller, Gerrish, Gillway, Ginzler, Golden, Guerin, Haggan, Handy, Hanley, Harrington, Harvell, Hawke, Head, Herbig, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumięga, Lawrence, Lockman, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Moonen, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Simmons, Sirocki, Spear, Stanley, Stetkis, Stewart, Strom, Sutton, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tucker, Turner, Wadsworth, Warren, White, Wood.

NAY - Ackley, Bailey, Berry, Bickford, Blume, Bryant, Campbell, Casas, Chapman, Corey, Craig, Fay, Grant, Grohman, Hamann, Hanington, Harlow, Herrick, Hickman, Lyford, Marean, Monaghan, Nadeau, Rykerson, Sherman, Skolfield, Sylvester, Tipping, Tuell, Vachon, Wallace, Ward, Zeigler.

ABSENT - Frey, Gattine, Grignon, McLean, Stearns, Winsor, Madam Speaker.

Yes, 110; No, 33; Absent, 7; Excused, 1.

110 having voted in the affirmative and 33 voted in the negative, with 7 being absent and 1 excused, and accordingly

the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-439)** on Bill "An Act To Amend the Election Laws Relating to Party Qualification" (H.P. 1082) (L.D. 1571)

Signed:

Senators:

MASON of Androscoggin
CARPENTER of Aroostook
COLLINS of York

Representatives:

LUCHINI of Ellsworth
DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
HICKMAN of Winthrop
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor
WHITE of Washburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-440)** on same Bill.

Signed:

Representative:

CASÁS of Rockport

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-439)** 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-439)** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(S.P. 313) (L.D. 957) Resolve, To Update Maine's Liquor Laws Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-192)**

(S.P. 355) (L.D. 1073) Bill "An Act To Clarify Laws Regarding Maine's Community Colleges" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-194)**

(H.P. 1083) (L.D. 1572) Bill "An Act To Implement Recommendations of the Government Oversight Committee To Improve the Efficiency and Effectiveness of Legislative Reviews of Tax Expenditures" Committee on **TAXATION** reporting **Ought to Pass**

(H.P. 214) (L.D. 281) Bill "An Act To Amend the Percentage of Votes Needed for Condominium Governance" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-430)**

(H.P. 219) (L.D. 286) Bill "An Act To Promote and Encourage the Sustainability of the Elver Fishery" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-426)**

(H.P. 377) (L.D. 533) Bill "An Act To Clarify the Application of the Statute of Limitations under Article 3-A of the Uniform Commercial Code" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-431)**

(H.P. 418) (L.D. 602) Bill "An Act To Amend the Laws Governing the Membership of the Advisory Committee on College Savings" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-419)**

(H.P. 535) (L.D. 755) Bill "An Act To Amend the Law Regarding Nontransmission Alternatives Investigations Required for Proposed Transmission Line Projects" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-424)**

(H.P. 638) (L.D. 910) Bill "An Act To Encourage Living Kidney Donation in Maine" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-420)**

(H.P. 789) (L.D. 1126) Bill "An Act To Support Tourism on Public Reserved Lands by Leasing Sites to Commercial Sporting Camps" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-417)**

(H.P. 839) (L.D. 1203) Bill "An Act To Increase Transparency in Cooperative Agreements within the Department of Agriculture, Conservation and Forestry" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-418)**

(H.P. 910) (L.D. 1313) Bill "An Act To Establish Energy Policy in Maine" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-429)**

(H.P. 955) (L.D. 1376) Bill "An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling and To Increase the MaineCare Reimbursement Rates for Certain Counselors" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-422)**

(H.P. 1087) (L.D. 1580) Bill "An Act To Clarify and Enhance Maine's Wildlife Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-425)**

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

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

PASSED TO BE ENGROSSED as Amended and sent for concurrence.

**ENACTORS
Emergency Measure**

An Act To Ensure Access to Community Services for Persons with Intellectual Disabilities or Autism

(H.P. 680) (L.D. 967)
(C. "A" H-342)

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. 141 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code and Related Statutes

(H.P. 765) (L.D. 1091)
(C. "A" H-361)

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. 119 voted in favor of the same and 13 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

An Act To Make Technical Changes to Maine's Marine Resources Laws

(H.P. 843) (L.D. 1207)
(C. "A" H-347)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 129 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Emergency Measure

An Act To Provide Support for Sustainable Economic Development in Rural Maine

(H.P. 1017) (L.D. 1478)
(C. "A" H-391)

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

On motion of Representative FREDETTE of Newport, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

Emergency Measure

Resolve, To Establish the Working Group To Restore Judicial Discretion

(S.P. 97) (L.D. 309)
(C. "A" S-191)

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

On motion of Representative MOONEN of Portland, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-191)**.

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

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (S-191)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-449)** to **Committee Amendment "A" (S-191)**, which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-191) as Amended by **House Amendment "A" (H-449)** thereto was **ADOPTED**.

The Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-191) as Amended by House Amendment "A" (H-449)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

Emergency Measure

Resolve, To Establish the Commission To Review the Laws Governing Domestic Violence

(H.P. 367) (L.D. 523)
(C. "A" H-362)

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. 78 voted in favor of the same and 62 against, and accordingly the Resolve **FAILED FINAL PASSAGE** and was sent to the Senate.

Acts

An Act To Ensure Continued Availability of High-speed Broadband Internet at Maine's Schools and Libraries

(H.P. 189) (L.D. 256)
(C. "A" H-189)

An Act To Close the Gap in Children's Health Care Coverage in Maine

(H.P. 264) (L.D. 358)
(C. "A" H-260)

An Act To Allow the Storage of Tents, Campers, Trailers and Other Devices Used for Camping in Campgrounds in the Unorganized Townships

(H.P. 363) (L.D. 519)
(C. "A" H-375)

An Act To Update Maine's Fishing Laws

(S.P. 182) (L.D. 547)
(C. "A" S-167)

An Act To Amend the Laws Governing Certain Sexual Offenses

(S.P. 216) (L.D. 654)
(C. "A" S-113)

An Act To Allow Public Schools To Reserve Funds Designated for Operating Costs

(H.P. 517) (L.D. 737)
(C. "A" H-371)

An Act To Clarify the Financial Authority of Sewer and Sanitary Districts

(H.P. 539) (L.D. 759)
(C. "A" H-343)

An Act To Increase Access to Hearing Aids

(H.P. 541) (L.D. 761)
(C. "A" H-403)

An Act Regarding Telehealth

(S.P. 304) (L.D. 949)
(C. "A" S-187)

An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations

(H.P. 709) (L.D. 1008)
(C. "A" H-254)

An Act To Improve Antihunger Programs in Maine Schools

(S.P. 367) (L.D. 1113)
(C. "A" S-184)

An Act To Provide Occupants of Motor Vehicles with Gold Star Family Registration Plates Free Entry to State Parks

(H.P. 790) (L.D. 1127)
(C. "A" H-376)

An Act To Lower the Age at Which a Person May Hunt with a Crossbow during Any Open Season

(H.P. 800) (L.D. 1137)
(C. "A" H-351)

An Act To Facilitate MaineCare-Funded Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes

(H.P. 825) (L.D. 1188)
(C. "A" H-330)

An Act Regarding Certain Abandoned Vehicles and Notice to the Secretary of State Regarding Those Vehicles

(H.P. 874) (L.D. 1251)
(C. "A" H-341)

An Act To Clarify Appeals of Municipal Land Use Decisions

(H.P. 960) (L.D. 1381)
(C. "A" H-358)

An Act To Amend the Election Laws

(S.P. 471) (L.D. 1384)
(C. "A" S-169)

An Act To Require Remote Sellers To Collect and Remit Sales and Use Tax on Sales into Maine

(S.P. 483) (L.D. 1405)
(C. "A" S-181)

An Act To Designate the Maine Farm Agricultural Resource Management and Sustainability Recognition Program

(H.P. 997) (L.D. 1445)
(C. "A" H-377)

An Act To Extend the Time for an Appeal of Limited Entry Fishing License Denial for Members of the Military

(H.P. 1004) (L.D. 1454)
(C. "A" H-348)

An Act To Return the Duties of the State Compensation Commission To Make Recommendations for the Salaries of the Governor and Judges

(H.P. 1006) (L.D. 1456)
(C. "A" H-359)

An Act To Coordinate and Enforce Existing Workplace Training Requirements

(H.P. 1016) (L.D. 1477)
(C. "A" H-344)

An Act To Increase the Availability of Foster Homes

(H.P. 1027) (L.D. 1494)
(C. "A" H-396)

An Act To Protect Consumers during Residential Construction

(S.P. 535) (L.D. 1529)
(C. "A" S-166)

An Act To Update the Laws Relating to Liquor Licensing and Enforcement

(H.P. 1053) (L.D. 1533)
(C. "A" H-363)

An Act To Allow Maine Manufacturers To Sell Spirits at Farmers' Markets and To Allow Taste Testings at Farmers' Markets

(H.P. 1056) (L.D. 1536)
(C. "A" H-364)

An Act To Protect Consumers' Freedom of Choice in Auto Collision Repairs

(H.P. 1061) (L.D. 1540)
(C. "A" H-278)

An Act To Update the Maine Insurance Code To Maintain Conformance with Uniform National Standards

(S.P. 539) (L.D. 1544)

An Act To Make Technical Changes to Maine's Tax Laws

(H.P. 1081) (L.D. 1570)
(C. "A" H-384)

An Act To Amend and Add Consistency to the Maine Weights and Measures Law

(H.P. 1086) (L.D. 1579)
(C. "A" H-392)

An Act To Allow the Commercial Growth and Sale of Water Spinach in the State

(H.P. 1101) (L.D. 1598)
(C. "A" H-380)

An Act To Report Limited Information to the Controlled Substances Prescription Monitoring Program Concerning Methadone

(H.P. 1118) (L.D. 1619)
(C. "A" H-397)

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

Resolves

Resolve, Regarding Reimbursement for Speech and Language Pathology Services

(H.P. 478) (L.D. 687)
(C. "A" H-382)

Resolve, To Require the Department of Health and Human Services To Recalculate the MaineCare Reimbursement Rates for Services for Persons with Disabilities

(H.P. 546) (L.D. 766)
(H. "A" H-357 to C. "A" H-247)

Resolve, Directing the State Workforce Investment Board To Create the Maine Family First Employer Program

(H.P. 957) (L.D. 1378)
(C. "A" H-390)

Resolve, Authorizing Claire Dean Perry and the Estate of William Dean To Bring Suit against the Surety Obtained by the

Department of Health and Human Services in Its Capacity as Public Conservator

(H.P. 1070) (L.D. 1554)
(C. "A" H-365)

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.

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

UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-355)** - Minority (3) **Ought Not to Pass** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act Regarding the Dispensing of Naloxone Hydrochloride by Pharmacists"

(H.P. 1098) (L.D. 1594)

TABLED - June 1, 2017 (Till Later Today) by Representative FECTEAU of Biddeford.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

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

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

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

Representative **VACHON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in support of the pending motion. Who among us here, if presented with an emergency crisis of a fellow human being, would sleep at night knowing we could have taken a critical step to save a life, but we either chose not to or we didn't have what it took to save a life? Passage of this bill will bring Maine in line with the rest of the New England states. It would allow for the purchase of a lifesaving Naloxone at your local pharmacy. Maine is in the grips of an opioid overdose epidemic. Today, Maine loses more than one life per day to unintended overdose. Maine's 376 reported overdose deaths in 2016 represented a 38 percent increase versus 2015. This is a crisis. Sadly, the average age of heroin/morphine deaths is 39. The loss of life at this young age has devastating consequences, not only for families and communities; it impacts Maine's aging workforce and our economy. Maine, of all states, cannot afford to lose young lives. Our aging workforce is retiring. Soon, we will have more jobs than people to fill them. If we allow our young people to die of overdose, rather than act and believe that they can recover and become productive members of our community and state, then we have not only sold our state short, we have sold human life short. Passage of this bill will mean that friends, family members, and others will be able to purchase Naloxone at their local pharmacy. The cost of Naloxone is approximately \$125 for a two-pack. This can be added to the emergency preparedness kit alongside the Band-Aids and the EpiPen, allowing people to have what it takes to save a life. All of us here are honored

with the awesome task of representing all of our constituents. With this particular bill, life depends on the work that we do here. We could use a good night's sleep, and for the sanctity of life, I hope you will choose to follow my light. Thank you, Madam Speaker.

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

Representative **CHACE**: Thank you, Madam Speaker. I appreciate it. Men and Women of the House, just a few minutes. In reality, in my life as a pharmacist, this is a conversation that I've heard countless times, countless times. "I was washing my son's clothing and I found this in their pockets, can you please tell me what this is?" Or, "I was putting their clothes away and I found this, can you please tell me what this is?" Or, "I found this in their top drawer," or "I found this in their knapsack." And, many times, in my experience, this was factually either an amphetamine or an opiate. At that point in time, to support this Majority Ought to Pass, that is saying that, at that time, when that discussion is happening, and again I assure you this discussion has happened hundreds of times just in my career, what do you want me to do at that moment? If you want me to be able to talk with those folks about the uses of Naloxone, and quite clearly and effectively, I can do that; or we can wait and have a prescription. If it's 8:00 at night, it may be a couple days, but if you, as a parent, are willing to give that few days of chance, as opposed to your pharmacist being able to work with that parent right there, that is your choice. Thank you, Madam Speaker.

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

Representative **SIROCKI**: Thank you, Madam Speaker. I wondered if I might pose a question through the Chair.

The SPEAKER: The member may proceed.

Representative **SIROCKI**: Thank you. My question involves the age at which someone might approach a pharmacist and ask for a prescription. Is there any age limit or restriction? Thank you.

The SPEAKER PRO TEM: The member has posed a question through the Chair. Does anyone care to answer? The Chair recognizes the Representative from Biddeford, Representative Fecteau.

Representative **FECTEAU**: Current statute does not speak to any age, and we conformed to what current statute states.

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

Representative **GROHMAN**: Thank you, Madam Speaker. I also just wanted to speak in favor of this. I have a constituent that I've known for many, many years who has a son that's struggling with substance use disorder, told me a story of reviving his son from a dosage that actually was known to have killed two other people. It's a very difficult thing. You could ask, "Why doesn't his son just get over it?" and I think it's a little bit like asking someone with diabetes why they don't just get over it. I think, unfortunately, where we are, it's important that in his case he keeps Naloxone in the house and has it at the ready, and this would enable that, so I will be voting in favor of this motion. Thank you.

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

Representative **CHACE**: Thank you, Madam Speaker. I apologize for responding again. I just wish to answer the question that was posed. In the pharmacy rules, there is no indication within the rules themselves; however, we follow state statute, which is that there is a consent law on the books in Maine, and that consent law requires us only to be able to do

treatment of minors if they are either an emancipated minor, they are a minor that is in military service, they are a minor that is married, or if the Federal Government has made a provision for something to go over-the-counter, as they have with some medications.

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. 257

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Fredette, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Wadsworth, Ward, Warren, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Black, Espling, Farrin, Hanington, Hanley, Johansen, Lockman, Mason, Parry, Prescott, Reed, Sanderson, Sirocki, Stetkis, Sutton, Theriault, Timberlake, Turner, Wallace, White.

ABSENT - Frey, Grignon, McLean, Stearns.

Yes, 126; No, 20; Absent, 4; Excused, 1.

126 having voted in the affirmative and 20 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-355)** 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-355)** and sent for concurrence.

An Act To Prohibit the Exclusion of a Patient from Eligibility for an Organ Transplant Based on Medical Marijuana Use
(H.P. 544) (L.D. 764)
(C. "A" H-328)

TABLED - June 5, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **PASSAGE TO BE ENACTED**.

On motion of Representative HYMANSON of York, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-328)**.

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

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-328)** was **ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-427) to Committee Amendment "A" (H-328)**, which was **READ** by the Clerk.

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

Representative **BICKFORD**: Thank you, Madam Speaker. Can we have what House Amendment "A" is please?

The **SPEAKER PRO TEM**: The member has posed a question through the Chair. Would anyone care to answer? The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. House Amendment "A" merely removes one sentence in the bill. The substance of the bill and the intent of the bill does not change.

Subsequently, **House Amendment "A" (H-427) to Committee Amendment "A" (H-328)** was **ADOPTED**.

Committee Amendment "A" (H-328) as Amended by House Amendment "A" (H-427) thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-328) as Amended by House Amendment "A" (H-427)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

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

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-220)** - Minority (4) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Increase the Penalty for Aggravated Sex Trafficking"

(H.P. 183) (L.D. 250)

- In House, Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** on May 17, 2017.

TABLED - June 5, 2017 (Till Later Today) by Representative **HERBIG** of Belfast.

PENDING - Motion of Representative **WARREN** of Hallowell to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report. (Roll Call Ordered)

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I will remind everyone sort of where we were at in this debate before this matter got tabled. The conversation was about, essentially, the reclassification of sex trafficking, in regards to making this an aggravated sort of crime, to the highest level, so that prosecutors have that extra tool in their tool box to be able to use their prosecutorial discretion to decide on what to charge someone in any particular case. And again, in regards to this, this was a penalty particularly related to young people, those under the age of 18. In regards to the current motion on the floor, if we do not do this, it will stay at the current level, which I believe would be a Class B crime, punishable up to 10 years in jail. This would move it up to a Class A crime, which I believe

would be the appropriate place to do, and so I will be voting against the pending Minority Ought Not to Pass Report and I ask that you follow my light, and I ask the Clerk to read the Committee Report.

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

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

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

Representative **WARREN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, again, this bill is not supported by the very folks just quoted by my friend from Newport. The Criminal Law Advisory Commission was created over four decades ago in order to keep track of our criminal statutes. It's a nine-member commission. There are defense attorneys, there are judges, there's a law school professor, and there are prosecutors. What they do not want is for us to make the criminal statutes unclear. When we make our criminal statutes unclear, we get the opposite result of what folks are looking for here. Again, CLAC is opposed to this bill, MECASA, the Maine Coalition Against Sexual Assault, is opposed, and I want to be clear, they are opposed to the amendment to this bill. I hope that you will please vote Ought Not to Pass. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House, and I apologize for rising a second time, but last I knew, it was the people in this body that set policy for the State of Maine. Not some advisory commission sitting in a back room talking about what they think is right. I respect their opinions, but it is the 151 people in this room that set policy for the people of the State of Maine. And I will not apologize for standing up for children under the age of 18, and this particular bill, that through no lack of their own, become victims of sex trafficking; victims of sex trafficking, not by their own choosing. And we have an opportunity to send a message for deterrence, that we will take this the most serious way that we possibly can as policymakers elected by our constituents in our individual districts. And I will not apologize for that. That this is an absolutely right thing to do. That we send a message that in no way should this be a lesser crime than a Class A crime than to involuntarily bring children in under the age of 18 in suffrage as sex trafficking victims. And the only way we do that is to vote against the current Minority motion on the floor, and I urge you to follow my light.

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

Representative **STEWART**: Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I just wanted to rise briefly. I disagree with the Representative from Hallowell. I think that this sends a very clear message, and it is very clear in our criminal code that we do not condone or support, and will take the most serious actions against, child sex trafficking, to protect our children and to protect future generations of Mainers. And I say that as an older brother, and I say that as a man who is watching what's happening across our country and what is coming into our state, and we need to take a stand here as leaders to send a very clear message that we will not at all support, in any capacity, and in fact will take the strongest action against, this most heinous of crime. And I feel that it does, in fact, belong in the most heinous of crimes category in our criminal code. Thank you very much, Ladies and Gentlemen of the House.

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

Representative **RECKITT**: Thank you, Madam Speaker Pro Tem. Madam Speaker, Ladies and Gentlemen of the House, you will notice that I was in favor of the Majority Report on this bill, and you will note when we begin the vote that I will vote against it. I'll vote in favor of this motion, which is essentially against the bill. I have to tell you why I stand here with the same exact opinion as the good Representative Stewart and the good Representative Fredette. I think this is the most abhorrent, well, one of the most abhorrent crimes in the universe. What we differ on is what will have an impact. I voted the way I did in committee in part because Senator Diamond and I have a joint crusade against child pornography, and I am really incensed over both that crime and this one, and I think they are related. I think that it's really, really important that we stand up on this issue. We just differ, the good Representatives and I, on the best way to do that. My experience over the years has shown me that the bigger the penalty that's on the books, the less prosecution we get, and I don't believe that this will increase prosecutions; in fact, I fear it may decrease them. I think that we need to have a thorough understanding in the population around this crime, and then I think, frankly, anything we do may be a disincentive to it. But at the moment, I'm not sure that the people we most want to reach are the ones that give a darn what this crime is on the books. I travelled once to Brazil, and they had a wonderful program there. You flew in and there were these big, huge billboards that said, if you're coming here for child prostitution, go home, we don't want you in our country. I'd love it if, I know we don't have billboards, but, I wish that we had a way, instead of Welcome to Maine, here's the businesses, you know, we could have a sign at the turnpike that says, if you're doing trafficking, get the heck off our highway. I think there are other ways for us to begin to be creatively dealing with the severity of this problem. And, although I abhor the crime to the same extent I'm certain that Representative Stewart and Fredette and others in this chamber do, in fact, I frankly think no one in this chamber is anything but abhorrent of this crime, we just have some differences on how we think we ought to go about dealing with it. And, because of that, I'm going to vote in favor of the Ought Not to Pass motion, and continue this as a Class B crime, if I had my way. Thank you very much.

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

Representative **WARREN**: Thank you, Madam Speaker. Just quickly, I'd like to correct the record on the Criminal Law Advisory Commission. It isn't actually a group of folks in a back room giving us their opinion. They actually are a commission that was formed in the criminal statutes of this body four and a half decades ago. So, thank you.

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

Representative **STEWART**: Thank you very much again, Madam Speaker and Ladies and Gentlemen of the House. I rise a second time just to make sure that we're all very clear of what we are doing here, to make sure that everybody is on the same page, that this would allow for the maximum sentence to be moved to 25 years, as opposed to the 10 years where it is right now. If you feel that the sex trafficking of a nine-year-old girl, for instance, should be penalized by most 10 years in prison, then go ahead and kill this bill. However, if you feel that it should be, that the prosecutor should have the option to penalize somebody and incarcerate them for more than 10 years, then vote for this bill. It really, it's that simple in terms of

the language. Now in terms of what we're doing, I respectfully disagree with the Representative from South Portland that putting up a billboard is a way we're going to go about handling this problem. We need to take serious action here. We need to send a strong message and be able to make sure that our prosecutors and our judges have the tools in their tool belt necessary to punish these folks the way that they deserve to be punished for what they're doing to our young children. Again, this would only be protecting our young children. Thank you very much.

Representative **GOLDEN** of Lewiston moved that the Bill be **TABLED** until later in today's session pending **ACCEPTANCE** of the Minority **Ought Not to Pass** Report.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending **ACCEPTANCE** of the Minority **Ought Not to Pass** Report.

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

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is to Table until later in today's session pending Acceptance of the Minority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 258

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCreia, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Battle, Bickford, Black, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Frey, Grignon, McLean, Stearns.

Yes, 75; No, 71; Absent, 4; Excused, 1.

75 having voted in the affirmative and 71 voted in the negative, with 4 being absent and 1 excused, and accordingly the Bill was **TABLED** until later in today's session pending **ACCEPTANCE** of the Minority **Ought Not to Pass** Report and later today assigned. (Roll Call Ordered)

COMMUNICATIONS

The Following Communication: (H.C. 220)

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

June 7, 2017

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Erin D. Herbig of Belfast to serve as Speaker Pro Tem to convene the House on June 7, 2017.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

UNFINISHED BUSINESS

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

SENATE DIVIDED REPORT - Majority (7) Ought Not to Pass - Minority (6) Ought to Pass as Amended by Committee Amendment "A" (S-61) - Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Align Time Limits in the Municipal General Assistance Program and Temporary Assistance for Needy Families Program"

(S.P. 66) (L.D. 220)

- In Senate, Minority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-61)**.

TABLED - May 17, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - ACCEPTANCE OF EITHER REPORT.

Subsequently, Representative HYMANSON of York moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

ROLL CALL NO. 259

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight,

Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Blume, Grignon, Hickman, McLean.

Yes, 75; No, 70; Absent, 5; Excused, 1.

75 having voted in the affirmative and 70 voted in the negative, with 5 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

SENATE DIVIDED REPORT - Majority (7) Ought Not to Pass - Minority (6) Ought to Pass as Amended by Committee Amendment "A" (S-103) - Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Adjust the Lifetime Limit for the Receipt of TANF Benefits"

(S.P. 12) (L.D. 33)

- In Senate, Majority **UGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

TABLED - May 25, 2017 (Till Later Today) by Representative HYMANSON of York.

PENDING - ACCEPTANCE OF EITHER REPORT.

Subsequently, Representative HYMANSON of York moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition to the pending motion. One of the things that we want to do is help people to get them up, and off, and out of welfare as soon as possible. By reducing the time from 60 months to 36 months, that puts a hard deadline to make sure that the services that we're providing, and through Fedcap, and the supports that we're providing are really doing their job in a timely manner. There are still exceptions for folks who may not be able to get off the program, so of course those would still apply. But we really want to make sure that we're moving people from welfare to work in a timely manner and I would urge you to vote **Ought Not to Pass** on the pending motion and support the Minority Report. Thank you.

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

Representative **HAMANN**: Thank you, Madam Speaker, Men and Women of the House. I rise in support of the pending motion. Real reform does not simply cut people off from the help that they need. Instead, we must do a better job from day one of helping people get the tools they need to find and keep

a job to leave poverty behind. Since the time that strict time limits and other so-called reforms were implemented, the rate of Maine children falling into deep poverty, living at half the poverty level, has increased at a rate eight times greater than the rest of the nation. When so-called reforms don't work, they hurt children. Seventy percent of those receiving TANF are children; most are very young. Today, only half as many Maine children living below the poverty level are getting help from TANF as were 5 years ago. This proposal would make Maine in a distinct minority of states with such a short time frame, timeline limit. Research shows that families that reach TANF time limits are more likely to have work-limiting, mental and physical health problems that are disproportionately higher than those who do not, a lower education level, and other significant barriers to employment. Many remain deeply economically insecure after TANF termination, which is shown to lead to poorer outcomes for their children. When families lost TANF due to time limits beginning in 2012, these families did not move from welfare to work. Instead, life simply got harder, and kids in these families went without basics, like home and enough food to eat. That is not a solution, that's not reform. When families are kicked off of TANF, they are also kicked off of the ASPIRE work training program that would help a parent get to a point of self-sufficiency. That is the opposite of a solution. Solutions are investment and strategies like increasing access to education and training, so that families can get better-paying, more reliable jobs for the long term. That's an evidenced-based approach to poverty reduction, and one that works. But, this bill is not a solution, unless of course the goal is to ensure hunger and homelessness for countless Maine children. May our conscience be our guide. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Denno.

Representative **DENNO**: Thank you, Madam Speaker. I don't want to take up a lot of the House's time today, but I wanted to speak in support of the motion. The Legislature put in place a cap for TANF recipients, a five-year cap, and since then the TANF program has outsourced, to a company called Fedcap, what used to be called the ASPIRE program, to give TANF recipients work experiences and training so that they can become independent. That just went into effect the beginning of this year. If that Fedcap contract, which we're spending about \$11 million for, if that contract works effectively, we shouldn't really run into a lot of problems with people staying long-term on TANF, so I really feel it's the wrong time to move forward with this. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker. I rise in support of the pending motion. What I found when TANF limits were put on, when they were restricted to five years, was immediately, towns were receiving more general assistance requests, mostly for rent. What TANF did was it made most people under TANF ineligible for general assistance, because every town, under their ordinances, most towns have Maine municipal ordinances which comply with state and federal law. What we found was that if they were on TANF, they were ineligible because they met or exceeded the limit that we have to be able to help people, except for an emergency. So, when these people were automatically taken off of TANF, they had no alternative but to come to the towns for general assistance; and that first year Rumford's general assistance cost went up to \$100,000 the vast majority of that

was for rents. So, this, to me, is if this goes, we're going to have, all of a sudden, a whole new group of people that have no choice but to go to the towns, and then the state is going to have to reimburse the town 70 percent of that cost anyway. So, I'm fully supportive of the pending motion. Thank you.

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

ROLL CALL NO. 260

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Grignon, McLean, Nadeau.

Yes, 77; No, 69; Absent, 4; Excused, 1.

77 having voted in the affirmative and 69 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

HOUSE REPORT - **Ought to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ban the Purchase of Retail Marijuana and Retail Marijuana Products with Temporary Assistance for Needy Families Program Benefits"

(H.P. 976) (L.D. 1418)

TABLED - May 16, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

Subsequently, Representative HERBIG of Belfast **REQUESTED** a roll call on **ACCEPTANCE** of the Unanimous Committee Report.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Unanimous Committee Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 261

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry,

DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Bates, Grignon, McLean.

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

147 having voted in the affirmative and 0 voted in the negative, with 3 being absent and 1 excused, and accordingly the Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

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

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (H-129)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Build Greater Accountability into the General Assistance Program by Increasing the Penalty for Falsely Representing Information on an Application for General Assistance"

(H.P. 11) (L.D. 10)

TABLED - May 11, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, Representative HYMANSON of York moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition to the pending motion. Our general assistance programs are escalating more and more and more. If anybody attempts to defraud the program by giving false information, they should receive a penalty and a time limit for which they cannot apply. Right now, it's 120 days. The sponsor of this bill wanted to increase this to 24 months. If someone is intentionally trying to defraud a municipality out of money that could go to other individuals who are not trying to defraud the municipality and really do truly need it, we believe that there should be a stronger and stiffer penalty involved. Thank you very much. I urge you to vote against the pending motion.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **HAMANN**: Thank you, Madam Speaker, Men and Women of the House. I just wanted to clarify a few aspects of this law and this bill. Under current law, when a GA recipient is found to have deliberately lied to a city or town in order to get general assistance, they can be charged with a Class E crime, and be required to pay back the assistance they had received, and be disqualified from receiving general assistance again until they repay or after 120 days has passed. LD 10 proposes to change the disqualification period from 120 days to 730 days, two full years, 24 months. The effect of this would be to deny people who need help with access to basic necessities for at least two years, and in many cases, longer. Since GA is the assistance program of last resort, most would have no other option for meeting their basic needs and would become homeless. This proposal is excessively punitive. If someone needs general assistance, they are in dire straits and in a desperate situation. The repayment requirement and four-month waiting period is already a harsh penalty. This 120-day current penalty was made more stringent by the 127th Legislature through a bipartisan agreement in 2015. There is no reason why it needs to be revisited in the very next legislative session, before the prior impact can even be understood. Please vote in favor of the pending Ought Not to Pass report. Thank you, Madam Speaker.

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

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. For those who are in need, there is absolutely no reason whatsoever to lie on your application form. Thank you.

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

Representative **TUELL**: Thank you, Madam Speaker. As a municipal official in a small, rural town, I couldn't agree more with what the Representative from Chelsea had to say. I think in small towns you guard every penny judiciously, and you certainly want to help those who are in desperate need. Encouraging people to lie on their forms is not helping people in desperate need. And I realize that there's a fine line there. People get desperate, they do things they probably shouldn't. But, at the same time, when you deliberately lie, you're crossing a line, and I don't think we should be doing anything that could be perceived as crossing that line, so I will be opposing the pending motion. Thank you, Madam Speaker.

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

ROLL CALL NO. 262

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley,

Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Grignon.

Yes, 78; No, 70; Absent, 2; Excused, 1.

78 having voted in the affirmative and 70 voted in the negative, with 2 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

SENATE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (S-62)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Prioritize Use of Available Resources in General Assistance Programs"

(S.P. 65) (L.D. 219)

- In Senate, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-62)**.

TABLED - May 17, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

Subsequently, Representative HYMANSON of York moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

ROLL CALL NO. 263

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford,

Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Grignon, Higgins.

Yes, 78; No, 69; Absent, 3; Excused, 1.

78 having voted in the affirmative and 69 voted in the negative, with 3 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (H-302)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Prioritize Access by Maine's Most Vulnerable Citizens to Welfare Resources"

(H.P. 343) (L.D. 480)

TABLED - May 30, 2017 (Till Later Today) by Representative HYMANSON of York.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

Subsequently, Representative HYMANSON of York moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative HERBIG of Belfast **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. We've had debates over the last few years about prioritizing our resources and protecting Maine's most vulnerable. We have people on wait lists, we have elderly seniors who can't get services, and we have disabled children, plenty of whom are going to be coming out of the school programs and going on to an adult wait list as well. These are the priorities that we must set. What LD 480 would like to do is remove the provisions that provide supplemental security income, TANF assistance, and SNAP benefits for noncitizens and preserve these funds for the people of our state. While some of these programs are partly federal funds, there are some state funding involved. Well, actually all of these are state funds involved, because we pay these at state dollars. There's many arguments about why you should support our noncitizens, but I guess the most poignant argument is we have Maine people here, Maine people who have lived here all their lives, who have paid into the system, given to the system, and now need help from the system, long-time citizens, and they're not getting quite the help we need, why, because, we don't have enough resources to stretch across the board to support them all. Noncitizens who are coming into this state, they're supposed to have sponsors; sponsors who accept the responsibility, the financial responsibility of these folks, prior to coming into the country. Our refugee programs, those are different; but anybody else who is here, they've come into this country, they want to seek asylum, they should have a sponsor here to help, help for that. One thing this bill will also do, it was amended, because we recognize that citizens who are coming to this state are severely restricted in going to work by the Federal

Government. And, during that interim time, while they are being supported by a sponsor, this bill seeks to include English classes, citizenship classes, financial classes, and training and support for adults and youths seeking employment. Now, this was part of another bill by a member in the other body that we felt, okay, those were important things for the immigrants who are coming into our state and will one day be citizens. But when it comes to our welfare programs, I think those need to be reserved for our most vulnerable at this time; the folks who have no choices. Children don't have a choice whether they can be autistic. Our elderly have no choice in growing old. Our disabled have no choice in being disabled. They are what they are; and when we're setting priorities, I think they need to come first. I think they need to come first before noncitizens, and I think they need to come first before citizens who also may need certain programs, but do have different choices. Thank you. I urge you to vote no on the pending motion and support the Minority Report.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Denno.

Representative DENNO: Thank you, Madam Speaker. I wish to speak in support of the Majority Ought Not to Pass motion. I had the privilege of being a volunteer teacher for immigrants for the last two years, and these are folks who, as the Representative from Chelsea pointed out, are unable to work under federal law, oftentimes for up to 18 months or sometimes up to two years. And they're folks who want to work badly. A headline in today's *Bangor Daily News* says, "It's grave. We need a lot of people: Maine employers are desperate for workers." We recently released, I believe it was 17 prisoners, in part because of the need for some summer work support. We have the good fortune of having an immigrant population that very much wants to work, has the skills to work, and can be very helpful to the future prosperity of our state, so I would ask that the members support the Majority Ought Not to Pass motion. Thank you.

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

ROLL CALL NO. 264

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Grignon, Longstaff.
Yes, 77; No, 70; Absent, 3; Excused, 1.

77 having voted in the affirmative and 70 voted in the negative, with 3 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-298)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Requirements of the Temporary Assistance for Needy Families Program"

(H.P. 250) (L.D. 336)

TABLED - May 30, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

Subsequently, the Unanimous Committee Report was **ACCEPTED.**

The Bill was **READ ONCE.** Committee Amendment "**A**" (**H-298**) was **READ** by the Clerk and **ADOPTED.**

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

Representative HERBIG of Belfast **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (H-298).**

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 York, Representative Hymanson.

Representative **HYMANSON:** Madam Speaker, I just wanted to take this moment and say this is a really good piece of unanimous work out of our committee. We worked on it hard, got to unanimous. I think it's a really good bill, and I appreciate all of my committee members on both sides of the aisle for working this bill this way. So, I hope you support this.

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

Representative **SANDERSON:** Thank you, Madam Speaker, Men and Women of the House. I'd like to stand and concur with the good Representative from York, my colleague on the Health and Human Services Committee. We have a lot of divisive, well, not divisive, but very diverse opinions on many of the issues that come before that committee. This piece was actually a good work that we were able to come together and actually resolve a couple of problems and come to the middle and pass a good bill on this. So I, too, agree with the good Representative from York, and I hope you will all support this bill.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (H-298). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 265

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gerrish, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell,

Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Bates, Gattine, Grignon, Longstaff.

Yes, 146; No, 0; Absent, 4; Excused, 1.

146 having voted in the affirmative and 0 voted in the negative, with 4 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-298)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-326)** - Minority (6) **Ought to Pass as Amended by Committee Amendment "B" (H-327)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Promote Workforce Participation" (EMERGENCY)

(H.P. 344) (L.D. 481)

TABLED - May 31, 2017 (Till Later Today) by Representative HYMANSON of York.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

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

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

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

ROLL CALL NO. 266

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway,

Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Grignon, Longstaff.

Yes, 77; No, 70; Absent, 3; Excused, 1.

77 having voted in the affirmative and 70 voted in the negative, with 3 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-326)** 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-326)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-329)** - Minority (6) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Workforce Participation in the Temporary Assistance for Needy Families Program and Other Assistance Programs"

(H.P. 899) (L.D. 1302)

TABLED - May 31, 2017 (Till Later Today) by Representative HYMANSON of York.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

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

Representative **SANDERSON:** Thank you, Madam Speaker, Men and Women of the House. I regretfully rise in opposition to this. Regretfully, because we do know that expenses are rising for everybody. What this bill seeks to do is, it seeks to add an extra \$1,000 for repairs for families who need car repairs under the TANF program, increasing it from \$1,000 to \$2,000. While I think that's a wise investment, what I'm concerned about is the fiscal challenge of it. We're going to be asking for half a million dollars for car repairs when we have a lot of other measures competing for funding as well. And I just, we just felt as though, that this didn't rise to the same level of priority as funding our wait lists, getting somebody off the wait list and actually into services. So, I urge you to vote no on the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN:** Thank you, Madam Speaker and Men and Women of the House. I put this bill in. For those of you that don't know, I'm a social worker, and I often work with families who are receiving TANF. I believe that no one actually gets out of poverty or gets better and becomes less depressed just sitting on their couch, eating Cheetos. People need to work. So, I think if we value work, we have to put our money where our mouth is. This bill uses the existing federal funds that we get from the TANF program and increases the amount we can use to help families get car repairs, register their car, and things like that, because for those of you, particularly in rural areas, know that one of the biggest barriers toward someone getting to work, maintaining a job, getting a

promotion, is transportation. I myself have worked with a number of families who this is a barrier. I actually have a client who I saw just last week who is working with the Fedcap program, which we hope really works. And she's kind of reached the cap on what they can do to fix her car. She actually, while she's been on TANF, she's actually gone and gotten her Associate's Degree in child care, but where she lives and works, she's only able to get about two days a week worth of work. So, she would love to have her car be reliable so she can get another job and work more and get off TANF, and that's what this bill seeks to do, is help those families be able to have a reliable form of transportation so they can work. Because the best path out of poverty is actually a job that gives you enough hours. Thank you very much.

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 South Portland, Representative Hamann.

Representative **HAMANN**: Thank you, Madam Speaker, Men and Women of the House. I just wanted to clear up some confusion that was presented by the Representative from Chelsea about the funding source. This is actually funded through funds in the TANF block grant, and she had mentioned that she would prefer to see this money used for some wait lists. This money actually could not be used in that fashion. And actually, the fiscal note, I did a quick calculation of the \$155 million that's unspent in the TANF block grant, the fiscal note on this represents two one-hundredths of one percent. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Denno.

Representative **DENNO**: Thank you, Madam Speaker. As some of you know, I ran the public assistance programs in this state, in this administration, for a couple years, and transportation is one of the most significant impediments to people becoming independent, especially in rural Maine, and as the Representative from South Portland pointed out, this does use some of the federal block grant that we have saved by driving the number of families in Maine down from around 15,000 to the range of 4,500 today. So, it is not a General Fund hit, and it is a huge help for folks, especially in rural Maine, who wish to become independent. Thank you.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I want to give you a success story on why transportation is important. When the Baileyville Mill chose to increase its production into tissue, the community college worked with the mill to train people to be able to work at that. One of the things they agreed to, is that 60 percent of their workforce would be from local people who really need training and need to get a job. A lot of those people came from towns like Pembroke, Robbinston, Perry, where it is a 30 to 40-minute drive to Baileyville to make it to work. Also, another 30-minute drive just to make it to school. If transportation was not available, we would have lost the ability for these people to have good paying jobs and adding to the economy of this area. This bill is vital for our economy. Thank you.

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

ROLL CALL NO. 267

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Haggan, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiaga, Lawrence, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Gerrish, Gillway, Ginzler, Guerin, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Simmons, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Fredette, Grignon, Longstaff.

Yes, 83; No, 63; Absent, 4; Excused, 1.

83 having voted in the affirmative and 63 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-329)** 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-329)** and sent for concurrence.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-199)** on Bill "An Act To Provide MaineCare Coverage for Chiropractic Treatment"

(S.P. 94) (L.D. 320)

Signed:

Senators:

BRAKEY of Androscoggin

CHIPMAN of Cumberland

Representatives:

HYMANSON of York

CHACE of Durham

DENNO of Cumberland

HAMANN of South Portland

HEAD of Bethel

MADIGAN of Waterville

MALABY of Hancock

PARKER of South Berwick

PERRY of Calais
SANDERSON of Chelsea

(S.P. 25) (L.D. 45)
(C. "A" S-88)

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

Signed:

Senator:

HAMPER of Oxford

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-199)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-199)** 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-199)** in concurrence.

COMMUNICATIONS

The Following Communication: (S.C. 483)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

June 2, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th 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 45, "Resolve, Concerning the Ownership of a Causeway on Long Lake near St. Agatha."

While I understand how uncertain ownership of causeways can be problematic, this resolve does not address that issue in a final way. Rather, this resolve creates an unfunded mandate on the Executive Branch. It mandates the Commissioner of Environmental Protection, the Commissioner of Agriculture, Conservation and Forestry and the Commissioner of Transportation convene a "working group" to study the ownership of a causeway near St. Agatha.

Typically when there are disputes as to ownership, these disputes are settled in the Judicial Branch, not in the Legislature and certainly not by three of the most important managers in the Executive Branch. I recommend those who have question about the title of the causeway seek redress in court.

For these reasons, I return LD 45 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

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

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

The accompanying item Resolve, Concerning the Ownership of a Causeway on Long Lake near St. Agatha

In Senate, June 7, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

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

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

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

ROLL CALL NO. 268V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Battle, Bickford, Black, Bradstreet, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Grignon, Head, Longstaff.

Yes, 81; No, 65; Absent, 4; Excused, 1.

81 having voted in the affirmative and 65 voted in the negative, with 4 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 485)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

June 2, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th 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 820, "An Act to Protect Maine's Clean Water and Taxpayers from Mining Pollution."

This bill will deter any company from mining in Maine, and it will discourage exploration of our mineral deposits because

this bill would make them undevelopable. As a state we should encourage innovation and welcome businesses that will employ our citizens and contribute to our gross domestic product. This bill takes away the opportunity for innovative companies to select safe and cost-effective methods to mine, and it perpetuates the hypocritical, not-in-my-backyard attitude that keeps Maine at a competitive disadvantage.

In a world of rapidly developing technology, people want the latest electronic device-which requires metals mined from somewhere-but they refuse to believe that same level of technological advancement can occur in our manufacturing and resource extraction industries. Establishing clear and reasonable standards for mining could bring mining jobs to Maine. Unnecessary prohibitions based on fear, not science, prevent job creation.

Companies will continue to choose other states to do business until we can offer them a regulatory environment that supports new ideas. I will not support a bill that takes us in the wrong direction.

For this reason, I return LD 820 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 Protect Maine's Clean Water and Taxpayers from Mining Pollution

(S.P. 265) (L.D. 820)
(C. "A" S-73)

In Senate, June 7, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

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

The SPEAKER: The Chair recognizes the Representative from Brooksville, Representative Chapman. The House will be in Order.

Representative **CHAPMAN**: Thank you, Madam Speaker. I just wanted to clear up two common misconceptions about this mining bill, and one is that we often think about regulations on mining as being either restrictive or lax and that's really not the issue. The issue is whether the regulations are effective at reducing the risk associated with human health and the environment; and in order to do effective risk reduction, does require scientific expertise. I'm glad to see that the veto letter actually makes reference to applying science in the consideration of this matter. The second misconception I want to clear up is the matter of ground water contamination. There is a thought that the current law allows for unlimited groundwater contamination and that's not the case. The current law that we have at the moment prevents groundwater contamination. It's not legal and the mining bill would make groundwater contamination explicitly okay. So, I just wanted to clear up two pieces of misconception. Thank you, Madam Speaker.

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. 269V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harrington, Harvell, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parker, Parry, Perry, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Stewart, Strom, Sutton, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Bailey, Battle, Chapman, Espling, Fredette, Harlow, Lyford, Mason, O'Connor, Perkins, Picchiotti, Reed, Sanderson, Sherman, Sirocki, Stetkis, Sylvester, Talbot Ross, Timberlake, Turner, White.

ABSENT - Bates, Gerrish, Grignon, Hawke, Head, Longstaff, Malaby.

Yes, 122; No, 21; Absent, 7; Excused, 1.

122 having voted in the affirmative and 21 voted in the negative, with 7 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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

On motion of Representative HANINGTON of Lincoln, the House adjourned at 1:46 p.m., until 9:30 a.m., Thursday, June 8, 2017, in honor and lasting tribute to Duane Wardwell, of Orland.