

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session

beginning January 3, 2018

beginning at page H-1216

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
SECOND REGULAR SESSION
29th Legislative Day
Wednesday, April 4, 2018

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

Prayer by Pastor Kirk Winters, The Rock Church, Bangor.

National Anthem by Lisa Winters, Levant.

Pledge of Allegiance.

Doctor of the day, Honorable Patricia Hymanson, M.D., York.

The Journal of yesterday was read and approved.

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

ORDERS

On motion of Representative TALBOT ROSS of Portland, the following Joint Resolution: (H.P. 1334) (Cosponsored by Senator BREEN of Cumberland)

**JOINT RESOLUTION RECOGNIZING THE 50TH
ANNIVERSARY OF THE ASSASSINATION OF
DR. MARTIN LUTHER KING, JR.**

WHEREAS, Dr. Martin Luther King, Jr. was a Baptist minister and activist who was the most visible spokesperson and leader in the civil rights movement from 1954 to 1968; and

WHEREAS, Dr. King advocated the furtherance of civil and human rights for Americans through nonviolent acts of civil disobedience, including the Montgomery bus boycott, the 1963 March on Washington, where he delivered his famous "I Have a Dream" speech, and the Selma to Montgomery marches; and

WHEREAS, for his tireless work to ensure equality and justice, Dr. King in October 1964 received the Nobel Peace Prize, a high and honorable distinction; and

WHEREAS, his eloquence, his perseverance and his faith moved the Nation and brought about sweeping changes by appealing to the better instincts and consciences of his fellow human beings; and

WHEREAS, in 1968, Dr. King was planning a national effort, called the Poor People's Campaign, to gain economic justice for impoverished people in the United States; and

WHEREAS, Dr. King was in Memphis, Tennessee in April 1968 to support sanitary public works employees who had been on strike for higher wages and better treatment, and on April 3, 1968 delivered his "I've Been to the Mountaintop" address, calling for unity, economic actions, boycotts and nonviolent protest while challenging the United States to live up to its ideals; and

WHEREAS, Dr. King was assassinated at the Lorraine Motel in Memphis on April 4, 1968, an event in which the Nation lost its greatest peacemaker; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, pause in our deliberations to recognize the 50th anniversary of the assassination of Dr. Martin Luther King, Jr. and the importance of perpetuating his living legacy of nonviolence, peaceful protest and equality of rights for all.

READ.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Talbot Ross.

Representative **TALBOT ROSS**: Thank you, Madam Speaker, Ladies and Gentlemen of this Body. I rise as I think it's important for us, as we join the rest of the nation and

indeed the world today, to pause and acknowledge the life, the legacy, the sacrifice, the everlasting contributions of one of America's greatest and truest patriots, the Reverend Dr. Martin Luther King, Jr.

I grew up in a household that was active in the civil rights movements here in the great state of Maine, and I've never known a time in my life that was not influenced by the Reverend Dr. King, from the pictures hanging on the walls in our living to the vast collection of newspaper articles, magazine clips, copies of sermons and speeches, not to mention the everyday discussion at the dinner table on what was happening in the country, led by Dr. King, and how we could be part of that movement.

Dr. King died, as the Joint Resolution lists, he died fighting to support sanitary public works employees in Memphis, Tennessee. He was looking to make a radical shift in the civil rights movement by addressing issues that pertained to all Americans. He wanted to connect the issues of poverty with the issues of race in hopes that this great nation would soon overcome its barriers. In fact, he had done this several times. The Great March on Washington in 1963 is actually called the March for Jobs and Freedom. Dr. King knew that he had to make a stance, a radical shift, in order to get America to live up to its true promise.

The best way that I could sum up what today means for all of us is to quote his daughter, Bernice King. And she said, "The most authentic way to honor my father is to commit to the work of creating a more peaceful, just, and humane world. Let quotes coincide with conscious efforts to eradicate poverty, militarism, and racism."

I want to close by just thanking the prayer for today, in which we were told that the best way for the people of Maine to move forward is to further equity, prosperity, and peace. God rest your soul, Dr. King. Thank you.

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

Representative **LONGSTAFF**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Please bear with me for a moment. It sounds like I'm talking about myself, but I'm really not, it goes beyond that.

Some of you in the Democratic Caucus have heard these remarks before, or at least a part of them. My friends and colleagues across the aisle will not have heard them. But I'd like to go back 65 years. Sixty-five years -- yeah, you can do the math. Sixty-five years ago, I was a 17-year-old who had just graduated from high school. I joined the Marine Corps, and within a few weeks was headed for South Carolina to begin my basic training at Parris Island. I ended up spending three years at Parris Island.

I took the train from Winthrop headed south for Parris Island, changed trains in Boston, changed again in New York City and headed south. After the train pulled out from Washington, D.C., I looked out the windows. The conductors came through the train. They rounded up people who looked like me and moved us to the cars ahead. They rounded up people who looked like my two friends, Craig and Rachel, and moved them to the cars in the back of the train. I looked out the windows and I saw something I'd never seen as a child: two restrooms, white and colored. Worst of all, sometimes three restrooms: men, women, and colored. I lived then for three years in the south when segregation was legal. I saw all of what segregation meant. I won't labor that point.

Jump ahead 15 years. Fifteen years later, I was a graduate student in New York City. The civil rights movement was really underway in those days. There was desegregation

of transportation, desegregation of schools, restaurants, the list could go on. And in the midst of it all, there was a figure who was in his own time a giant, the Reverend Martin Luther King, Jr. As noted, one of the last major projects that Reverend King was involved in was organizing the Poor People's Campaign, which would be held in June of 1968. Somebody else had to finish the plans for that assembly because, as you know, he was assassinated 50 years ago today. But the movement went on. The Reverend King was a lightning rod who energized a generation. He was controversial but he moved a culture forward toward a goal of true equality.

I'm wearing a 50-year-old button today. I was pleased to be one of those who went to Washington to be with what was about 55,000 people, a large group in those days, about 55,000 people assembled for that Poor People's Campaign in Washington. I had the privilege of meeting Coretta King, and later her three children came to Maine and were our guests at Colby. Today, I am pleased to join in recognizing Martin Luther King, Jr., the life he lived and the principles for which he died. They live on among many of us, and I hope will enable us to move even closer toward the ideals of freedom for which he lived and for which he died. With my highest respect, I thank you, and honor the memory of the Reverend Martin Luther King. By the way, I use that term, Reverend, because that's what his family always called him. Thank you, Madam Speaker, Colleagues.

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

Representative **CHAPMAN**: Thank you, Madam Speaker. A year and a half ago I took a trip to the deep south, a trip I found myself at the National Civil Rights Museum at the Lorraine Motel in Memphis. And, it's very difficult for me to tell stories of my experiences because of the overwhelming emotion, where the past and the present and future all come crashing together. At the identical same time, I had to confront my tremendous ignorance about our history, the humbling experience of learning things that I should have known, the ten or 12 million people kidnapped and brought to this land, starting before the Pilgrims landed, 10-20% of whom died on the way; and, at the same time, the recorded voice and video of the Reverend Dr. Martin Luther King, Jr. spreading his messages of wisdom and hope. And I just want to share one reflection that I've had, which is that, to my knowledge, Dr. King was never elected. We sometimes use that word, leader, in this building to suggest that those of us got more votes than our last opponent in an election therefore should be called leaders. I reject that notion. The trip I took was for the purposes of trying to learn something about the leadership of the civil rights movement, and I will simply conclude quickly by noting that the leadership of the civil rights movement was carried on by hundreds and thousands of people, most of whose names we will not know or will ever know. But, clearly, as an articulate spokesperson for the movement, and a guiding light for us, both then and now... and I do remember the day, I was in high school when he was killed. So, I leave you with these few thoughts of the importance of our carrying on the work that the Reverend Dr. Martin Luther King, Jr. has inspired us to work on. Thank you, Madam Speaker.

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

Representative **BABBIDGE**: Thank you, Madam Speaker, Men and Women of the House. I want to thank the Good Representative from Portland for bringing forward this resolution and I'd like to speak about this day, April 4th, the thread of history, and courage.

I first want to mention Oren Burbank Cheney, who was a legislator that served in this House 168 years ago. He was a member of the Free Soil Party. He was actually a little more activist than many of his Free Soil comrades. He was an abolitionist. He participated in the Underground Railroad and he was a Free Will Baptist minister. After leaving the Legislature, he got the Legislature to charter the Maine State Seminary, and a great promoter of Lewiston, the textile baron, Benjamin Bates, encouraged him to come to Lewiston to build the Seminary. Cheney's parsonage -- I mean, his seminary in Parsonsfield had burned, and they relocated to Lewiston, Maine. Because of Bates' financial stewardship and generosity over the next ten years, Cheney asked that the name of the seminary be changed to Bates College.

Bates College was founded on something that was new for the time: egalitarianism. Cheney was for racial justice and gender equality. He admitted black students to Bates College before the Emancipation Proclamation, one of the very few schools to do that. Bates was the first coeducational college in New England. It was the first New England college to offer a degree to a black student. Cheney was president of Bates for 40 years, and during all of that time, this little school in Lewiston, Maine, invited black students to come and get a great education and be part of a great educational experience.

Now, about 110 years ago, a black boy from South Carolina -- his parents, who had been slaves, were now sharecroppers on that same plantation -- came to Bates to get that education. His name was Benjamin Mays. Benjamin Mays became a Baptist minister and a civil rights leader. His teachings had, at their core, the nonviolence and civil disobedience beliefs of a person that was his contemporary, Mohandas Gandhi. Mays ended up having many prominent students, including Maynard Jackson and Julian Bond. But, of course, he became a great mentor and teacher to his most famous student, Martin Luther King, Jr. And we all know what Dr. King accomplished in the next two decades, following his graduation from Morehouse College, the college which Benjamin Mays was the president of for three decades.

So, this day, April 4th, is about inspiration and courage. It's about three Baptist ministers, Cheney, Mays, and King, who saw racial injustice and dedicated their lives to speak and teach for change. It means a man who sat in this Maine House dared to cause a ripple that eventually contributed to a wave of change. So, this is a day to commemorate a great American, but it is also Access to Justice Day.

Madam Speaker, on this April 4th, if the words of Theodore Parker and then later said so eloquently by Martin Luther King, Jr. are true, and I believe they are, that the arc of the moral universe, the arc of history, bends towards justice, then it is because men and women with a passion for justice demonstrated immense courage in the face of danger to provoke us, to force us all to examine our consciences. Thank you, Madam Speaker.

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

Representative **PRESCOTT**: Thank you, Madam Speaker and Men and Women of the House. In memory of Dr. Martin Luther King, Jr., I think it's important that we should reflect on a lot of great moments in American history, the amount of people that have fought for all kinds of human rights. We have all banded together, even people that were not affected by that oppression stood by other people, which is why America has moved forward. We all know: 1863, the slaves were free. As this did not much for oppression, it certainly opened the door to get there. Come 1916, the very first woman was elected to the

U.S. House of Representatives. Only four years later: the 19th Amendment, which allowed women to vote nationally.

Can you imagine what it was like a hundred years ago for one woman in Congress, and for that achievement?

That brings us to the '50s. Along comes Dr. Martin Luther King, Jr. This man would not stop. He was going to finish this fight and relieve us of oppression and as well he did a great job. It brings us to this day. We now have gay marriage. What, maybe 20 years ago, there was a fight against it, but here we are. We voted for it ourselves. Not to mention transgender, a topic of conversation, and that's soon to be culturally acceptable.

Very soon, a subject of human rights protection is going to cross our desks, and we have a decision to make. Will we reflect on all the accomplishments America has made up to this point, and protect those who are being oppressed? Even though it does not affect us, will we stand with them? I submit we will. I think we are going to walk in the footsteps of the people that have preceded us. I don't see us bending a knee, bowing down, or turning our backs on anybody's right to have their human rights expected. Thank you.

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

Representative **HICKMAN**: Thank you, Madam Speaker. Madam Speaker, I was conceived in Huntsville, Alabama, on the campus of Oakwood Seventh Day Adventist College in February 1967, just two months before Dr. King delivered his speech, "Beyond Vietnam, Time to Break the Silence," at Riverside Church in New York City, a speech that distilled Dr. King's belief that racism, economic exploitation and war were all connected as the triple evils of society, a speech delivered exactly one year before his assassination.

I was born by the lake in a little house in Madison, Wisconsin, on December 8, 1967, just four weeks after Dr. King delivered his "But If Not" speech at Ebenezer Baptist Church in Atlanta Georgia, a speech where he promoted civil disobedience against unjust and unconscionable laws, a speech that encouraged his followers to lead regardless of fear, to find and fight for a cause that you are willing to die for.

Madam Speaker, I was adopted by Hazelle and Minnie Juanita Hickman in Milwaukee, Wisconsin, in April 1969, one year after Dr. King's assassination. During the sixties, Milwaukee was called the Selma of the North when a throng of Negroes marched against Jim Crow and violence, my parents among them. The children of these activists were wrought, cast and molded in the same smelting furnaces from the same sturdy iron. The strongest ones turned to steel, able to withstand anything.

Five months ago, I observed, in some disbelief and with great relief, the milestone of my 50th birthday. The arc of my life corresponds almost exactly to the span of time since Dr. King handed us the baton in the struggle for beauty, love, peace and justice, and so it would seem serendipitous that I would be standing before you today delivering these remarks. And even as I stand here, living proof that we have come a long way, let us never deny nor disremember the events and realities that show us we still have a long way to go.

For even as I stand here today, in every state in this nation blacks are incarcerated at rates disproportionate to that of whites, prolonging a new slavery of mass incarceration with no emancipation proclamation on the way. The carceral state irreparably harms families and communities and exposes the gruesome modes by which our nation's prison-industrial complex profits off human pain.

For even as I stand here today, half of the people in this nation live in poverty, and too many people cannot afford to see a doctor or a dentist. "Anyone who has ever struggled with poverty knows how incredibly expensive it is to be poor."

For even as I stand here today, 90 percent of the food Maine people consume is imported from elsewhere while one in four children in our state goes to bed hungry every night.

Yes. We have come a long way, Madam Speaker, but we still have a long way to go.

How will we get there? I say, let the children lead the way. And so I will close this little-known speech delivered by King on October 26, 1967, to a group of students at Barratt Junior High School in Philadelphia, just six months before his assassination.

"I want to ask you a question, and that is: What is your life's blueprint?"

Whenever a building is constructed, you usually have an architect who draws a blueprint, and that blueprint serves as the pattern, as the guide, and a building is not well erected without a good, solid blueprint.

Now each of you is in the process of building the structure of your lives, and the question is whether you have a proper, a solid and a sound blueprint.

I want to suggest some of the things that should begin your life's blueprint. Number one in your life's blueprint, should be a deep belief in your own dignity, your worth and your own somebodiness. Don't allow anybody to make you feel that you're nobody. Always feel that you count. Always feel that you have worth, and always feel that your life has ultimate significance. Now, that means that you should not be ashamed of your color.

Secondly, in your life's blueprint you must have as the basic principle the determination to achieve excellence in your various fields of endeavor. You're going to be deciding as the days, as the years unfold what you will do in life — what your life's work will be. Once you have decided what it will be, set out to do it, and to do it well.

And I say to you, my young friends, doors are opening to you—doors of opportunities that were not open to your mothers and your fathers — and the great challenge facing you is to be ready to enter these doors as they open.

Ralph Waldo Emerson, the great essayist, said in a lecture in 1871, "If a man can write a better book or preach a better sermon or make a better mousetrap than his neighbor, even if he builds his house in the woods, the world will make a beaten path to his door."

This hasn't always been true — but it will become increasingly true, and so I would urge you to study hard, to burn the midnight oil; I would say to you, don't drop out of school. I understand all the sociological reasons, but I urge you that in spite of your economic plight, in spite of the situation that you're forced to live — stay in school.

And when you discover what you are going to be in your life, set out to do it as if God Almighty called you at this particular moment in history to do it. Do that job so well that the living, the dead or the unborn couldn't do it any better.

If it falls on your lot to be a street sweeper, sweep streets like Michelangelo painted pictures, sweep streets like Beethoven composed music, sweep streets like Leontyne Price sings before the Metropolitan Opera. Sweep streets like Shakespeare wrote poetry. Sweep streets so well that all the hosts of heaven and earth will have to pause and say: Here lived a great street sweeper.

If you can't be a pine at the top of the hill, be a shrub in the valley. But be the best little shrub on the side of the hill.

If you can't be a highway, just be a trail. If you can't be a sun, be a star. For it isn't by size that you win or fail. Be the best of whatever you are.

And finally, and finally, in your life's blueprint, there must be a commitment to the eternal principles of beauty, love, and justice. Don't allow anybody to pull you so low as to make you hate them. Don't allow anybody to cause you to lose your self-respect to the point that you do not struggle for justice. However young you are, you have a responsibility to seek to make your nation a better nation in which to live. You have a responsibility to seek to make life better for everybody. And so you must be involved in the struggle for freedom and justice."

And so, Madam Speaker, I stand before you today to honor the extraordinary life, and in reverence to the powerful legacy, of the great Dr. Martin Luther King, Jr. on this solemn day, April 4, 2018. Thank you, Madam Speaker.

At this point, the Members of the House stood and joined in a moment of silence in honor of Dr. Martin Luther King, Jr.

Subsequently, the Joint Resolution was **ADOPTED**. Sent for concurrence.

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

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Hall-Dale High School Varsity Boys Basketball Team, of Farmingdale, which won the Mountain Valley Conference Championship and went on to win the Class C South Championship. Members of the team include Josh Nadeau, Tyler Nadeau, Austin Stebbins, Alec Byron, Dean Jackman, Jett Boyer, Matt Albert, Dylan Pooler, Ashtyn Abbott, Owen Dupont, Patrick Rush, Anthony Romano, Tim Cookson and Chad Smith; assistant coaches Thom Leet, Shane Abbott and Brandon Gilbert; and coach Chris Ranslow. We extend to all the members of the team our congratulations and best wishes; (HLS 1064)

Presented by Representative GRANT of Gardiner. Cosponsored by Senator BELLOWES of Kennebec, Representative WARREN of Hallowell.

On **OBJECTION** of Representative GRANT of Gardiner, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **GRANT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. It is my pleasure to rise this morning to recognize the accomplishments of the Hall-Dale High School Varsity Boys Basketball Team. These young men, through hard work and dedication, won the Mountain Valley Conference Championship this year. Then they went on to win the Class C South Championship, and their athletic achievements bring great pride to our community.

As most of us who serve in this House know, it is through those extracurricular activities that we participate in when we're in school that often have left the deepest, most profound mark on our own lives. Through the sport of basketball, these young men have not only learned teamwork and leadership, how to represent their school, how to manage their time, they've learned to think quickly on their feet, how to be nimble, how to win, and how to lose. And I always tell the young people that come to visit me here at the State House, please know that I am just keeping your seat warm for you. The leadership skills that you've learned and demonstrated would serve you well, and serve the Maine people well, and I hope that somebody that you will lead in this chamber or the other or maybe even in the Blaine House.

So, I thank you, Madam Speaker, for this opportunity to recognize these young men and their coaches. I would like to recognize Coaches Ranslow, Leet, Abbott, and Gilbert. You've supported your players throughout the season to achieve their goals and have taught them valuable skills to carry with them off the court. Congratulations to you all on your achievement this season.

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

Recognizing:

Brayden Bashaw, of Auburn, who is a recipient of a 2018 Community Service Real Heroes Award from the American Red Cross of Maine, Central and Mid Coast Chapter, for his outstanding work raising money for local hospitals to help children with cancer. We extend to Brayden our congratulations and best wishes;

(HLS 1068)

Presented by Representative BICKFORD of Auburn. Cosponsored by Senator BRAKEY of Androscoggin, Representative MELARAGNO of Auburn, Representative SHEATS of Auburn.

On **OBJECTION** of Representative ESPLING of New Gloucester, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

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

Representative **DILLINGHAM**: Thank you, Madam Speaker. May I address the House?

The SPEAKER: The Representative from Oxford has requested unanimous consent to address the House on record. Hearing no objections, the Representative may proceed.

Representative **DILLINGHAM**: Thank you, Madam Speaker and Members of the House. An "In Memoriam" was read in the other body this morning for Normand Labbe. Most, if not all, knew him as Blackie. If you were from Minot, Auburn, or any surrounding community, you no doubt have stopped by Blackie's produce market and farm or, in my family's case, did business with Blackie. Though he would be hard at work, he would always take the time to ask how you and your family were doing. Blackie certainly knew plenty about produce, but he knew even more about his customers. If someone was in need, he was there to assist, along with the family. I am honored to have known him, and it is without a doubt that he will be greatly missed.

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

Representative **SHEATS**: Thank you, Madam Speaker. May I also address the House?

The SPEAKER: The Representative from Auburn has requested unanimous consent to address the House on record. Hearing no objection, the Representative may proceed.

Representative **SHEATS**: Thank you, Madam Speaker. Since Blackie did own a farm stand, I will use a fruit analogy about how the community turned lemons into lemonade. Several years ago, Mr. Normand, or Blackie, and his wife, Mrs. Labbe, Jackie Labbe, their home, a 200-year-old farmhouse, burned to the ground on Christmas Day. That home was where they not only raised their own children, but also welcomed numerous teens and young adults to stay for a night and a meal, or a month and a job on the farm. The lemonade was made in the weeks that followed, when the community, especially the town of Minot, came together to help rebuild the Labbe home, with community suppers and fundraising, to volunteers actually swinging hammers. It was impressive to watch and an honor to be a part of. It was especially wonderful to have the opportunity for the community honor Blackie and Jackie while he was alive to appreciate it. It is a privilege we have in this House to be able to pay tribute to those who make Maine the great state that it is, and Blackie was a great one. Thank you.

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

Representative **BICKFORD**: Thank you, Madam Speaker. I never knew Normand Labbe. I knew Blackie. I knew Blackie for 45 years. The weeks and months that he had that farm stand and I would take my mother over to get her vegetables from the esplanade in Auburn, it was -- seeing Blackie, he was there all the time, he remembered you, he knew your name. There wasn't a day that went by that I stopped in to see him he would want to talk a little bit of politics but, more importantly, wanted to know how my mom was and how the family was. He will be missed.

UNFINISHED BUSINESS

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

An Act To Provide Incentives To Attract Trained Firefighters to Maine and To Retain Trained Firefighters by Expanding the Provision of Live Fire Service Training

(H.P. 1282) (L.D. 1845)
(C. "A" H-695)

TABLED - April 3, 2018 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **PASSAGE TO BE ENACTED.**

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Madam Speaker, Women and Men of the House. Right now, in Maine, live fire proficiency training for our firefighters is limited to six locations, primarily in the southern part of the state. That means our most rural firefighters are forced to drive hours to and from

these mandatory training sessions. This creates a barrier to both attracting and retaining firefighters at a time when they are most desperately needed. The newest live fire site was built more than 20 years ago, and no facility in Maine currently meets standards relevant to all of today's firefighting needs. How can we ask Maine firefighters to put their lives on the line when we're not willing to offer the training they need to protect themselves? It shouldn't be that way, and it doesn't have to be. LD 1845 would make an ongoing General Fund allocation of \$1 million to local communities to update their fire training facilities. It's time to put our money where our mouth is. The importance of providing the necessary infrastructure to effectively and safely train Maine's firefighters cannot be overstated. Maine's public safety systems, communities, and families depend on our often overstretched and underfunded fire departments, and we have neglected their needs for long enough.

Let's be clear. This bill is about rural Maine and our state's refusal to do anything about the fact that we're struggling to recruit and retain firefighters for our communities. Our fire departments are more than emergency responders. They are our relatives, neighbors, and integral members of our community. They deserve better. Thank you, Madam Speaker, and I request a roll call.

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

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

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

Representative **NADEAU**: Thank you, Madam Speaker. Let's be very clear. The State of Maine does not, nor has it ever owned any fire training facilities in Maine. We are the only New England state, and one of only a couple in the country, that does not provide these facilities to their firefighters. Additionally, the State of Maine does not have a line in its budget to fund such facilities, instead relying heavily on municipalities and fire associations to construct these much-needed training sites, often by fundraising. The last facility was built in 1990. None of our current locations meet national standards for modern training buildings. None provide aerial ladder operation training, and all of them are failing into disrepair. Because of the -- excuse me. And because of the sheer size of our state, almost half of the fire departments in Maine must travel hours to reach our current locations. An engineering study completed last fall identified structural deficiencies in each of the six facilities. LD 1845 asks for a million dollars annually to repair, replace, and construct new facilities by providing grant monies to communities who host a training location in their town. So, we are here today to say please support LD 1845, and in doing so, please support the men and women of the Maine fire service. Thank you.

The SPEAKER: The Chair recognizes the Representative from China, Representative Theriault.

Representative **THERIAULT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. The fire service in Maine is severely underserved when it comes to firefighter training facilities. The safety of the firefighters in Maine, and the citizens, deserve to have their firefighters trained to the highest level. Our training facilities that we have right now fall short because of the lack of numbers and quality -- and quantity of the facilities. We need these facilities to allow our firefighters to build comradery and confidence in one another when it comes to fighting a live fire. When the citizens of Maine call a fire department, they expect the fire department to come and

do their jobs. These training facilities will help make sure that they get their job done safely and efficiently. I need to ensure, as a fire chief, that my firefighters can perform these duties well and feel confident in their abilities to do so. These facilities are important not only for the firefighters' safety, but for the safety of the people of the State of Maine. This is purely a safety issue, as far as I'm concerned. For all of the large and smaller departments of the State of Maine, I ask you to support this bill. Thank you very much, Madam Speaker.

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

Representative **LONGSTAFF**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Like the two people who have spoken before me, I am also honored to be a member of the fire commission. I rise now, in case you didn't receive one of the cards that were being handed out in the lobby, as the voice of the firefighters themselves. They asked me if I would read this brief statement so their voice will be heard in this dialogue, and so I do.

"Firefighters in Maine are required by the Maine Bureau of Labor Standards to train, maintain, and be proficient in tasks before performing those tasks on the ground. No fire training facility in Maine meets the standards relevant to all of today's firefighting needs. Not only are our current training facilities lacking structurally, they are also lacking in geographical location, with many of Maine's rural firefighters severely underserved. Additionally, no facility provides certified training for advanced operations." And so, on behalf of the firefighters of the State of Maine, I urge the passage of LD 1845. Thank you.

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

ROLL CALL NO. 563

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Fredette, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, 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, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Foley, Frey, Herrick, McLean, Sherman, Sylvester.

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

145 having voted in the affirmative and 0 voted in the negative, with 6 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

SENATE PAPERS

The following Joint Resolution: (S.P. 727)

JOINT RESOLUTION RECOGNIZING MAINE BANKS AND THEIR EMERGING LEADERS

WHEREAS, Maine's 31 retail banks are committed to serving the needs of their customers and communities within all 16 Maine counties. Maine banks employ more than 9,000 Maine citizens and recognize emerging leaders for further educational opportunities and development in order to position the banking industry and Maine for the future; and

WHEREAS, Maine's banks and their employees are a critical component in keeping the State's economic engine moving forward. Maine's banks have assets exceeding \$28,000,000,000 deployed throughout the State. In 2017, those banks lent over \$3,100,000,000 to Maine businesses and more than \$2,100,000,000 to Maine citizens who were purchasing or refinancing homes; and

WHEREAS, Maine's bankers believe that a vibrant state economy helps to ensure continued prosperity for the State's business climate and adds jobs for people in Maine communities. Banks are partners in their communities and can only grow and be successful if those communities thrive and prosper; and

WHEREAS, Maine's banks donated more than \$12,300,000 to Maine charities in 2017, and their employees raised over \$459,000 for community causes in addition to volunteering more than 194,000 hours in their communities; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize Maine's banks, their emerging leaders and all bank employees for their positive contributions and the significant role they have played in the lives of Maine citizens and their communities. Their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Bankers Association and its 31 member retail banks.

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

READ and **ADOPTED** in concurrence.

Non-Concurrent Matter

An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning Freedom of Access Training for Public Officials (MANDATE)

(H.P. 1263) (L.D. 1821)

(C. "A" H-680)

FAILED of **PASSAGE TO BE ENACTED** in the House on April 2, 2018.

Came from the Senate **PASSED TO BE ENACTED** in **NON-CONCURRENCE**.

Speaker GIDEON of Freeport moved that the House **RECEDE AND CONCUR**.

In accordance with the provisions of Section 21 of Article IX of the Constitution, 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 67 against, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

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

Non-Concurrent Matter

Bill "An Act Authorizing the Deorganization of the Town of Atkinson"

(H.P. 1023) (L.D. 1484)
(C. "A" H-698)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-698) in the House on April 2, 2018.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-698) AND SENATE AMENDMENT "A" (S-432)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Protect Maine's Economy by Slowing the Rate at Which the State's Minimum Wage Will Increase and Establishing a Training and Youth Wage" (EMERGENCY)

(H.P. 1210) (L.D. 1757)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** in the House on March 22, 2018.

Came from the Senate with the Minority (6) **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-666) AS AMENDED BY SENATE AMENDMENT "A" (S-428)** thereto in **NON-CONCURRENCE**.

Representative HERBIG of Belfast moved that the Bill be **TABLED** until later in today's session pending **FURTHER CONSIDERATION**.

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending **FURTHER CONSIDERATION**.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is to Table until later in today's session pending Further Consideration. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 564

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, 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, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, 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, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, 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, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Foley, Frey, Herrick, McLean, Sherman, Sylvester.

Yes, 75; No, 70; Absent, 6; Excused, 0.

75 having voted in the affirmative and 70 voted in the negative, with 6 being absent, and accordingly the Bill was **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 487)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY**

March 6, 2018

Honorable Sara Gideon

Speaker of the House

Honorable Michael D. Thibodeau

President of the Senate

128th Legislature

State House

Augusta, Maine 04333

Dear Speaker Gideon and President Thibodeau:

Please accept this letter as the report of the findings of the Joint Standing Committee on Agriculture, Conservation and Forestry from its review and evaluation of the Maine Agricultural Bargaining Board under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

In its review, the majority of the committee found that, although currently inactive, there is interest in preserving the Maine Agricultural Bargaining Board's statutory authority to exist. Therefore, the majority report of the committee does not recommend any changes or legislation.

One member of the committee recommends that the committee report out legislation to repeal the Maine Agricultural Bargaining Board.

Sincerely,

S/Senator Paul T. Davis, Sr.

Senate Chair

S/Representative Michelle Dunphy

House Chair

READ AND ORDERED PLACED ON FILE.

The Following Communication: (H.C. 489)

STATE OF MAINE

**HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

AUGUSTA, MAINE 04333-0002

April 4, 2018

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 April 2, 2018

Nicki Fowlie of Appleton for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,
S/Sara Gideon
Speaker of the House

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

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

REPORTS OF COMMITTEE
Divided Reports

Nine Members of the Committee on **STATE AND LOCAL GOVERNMENT** report in Report "A" **Ought Not to Pass** on Bill "An Act To Ensure the Safe and Consistent Regulation of Pesticides throughout the State by Providing Exemptions to Municipal Ordinances That Regulate Pesticides"
(S.P. 700) (L.D. 1853)

Signed:
Senators:
DAVIS of Piscataquis
DESCHAMBAULT of York

Representatives:
MARTIN of Sinclair
BEEBE-CENTER of Rockland
BRYANT of Windham
HOGAN of Old Orchard Beach
MADIGAN of Rumford
PICKETT of Dixfield
SPEAR of South Thomaston

One Member of the same Committee reports in Report "B" **Ought to Pass** on same Bill.

Signed:
Representative:
ORDWAY of Standish

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "A" (S-431)** on same Bill.

Signed:
Senator:
KEIM of Oxford

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

READ.
On motion of Representative MARTIN of Sinclair, Report "A" **Ought Not to Pass** was **ACCEPTED** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-712)** on Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2018-19" (EMERGENCY)
(H.P. 1297) (L.D. 1862)

Signed:
Senators:
DOW of Lincoln
CUSHING of Penobscot

Representatives:
BICKFORD of Auburn
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
POULIOT of Augusta
TEPLER of Topsham
TERRY of Gorham
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-713)** on same Bill.

Signed:
Senator:
CHENETTE of York

Representatives:
TIPPING of Orono
STANLEY of Medway

READ.
Representative TIPPING of Orono moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

Representative **MARTIN**: Thank you, Madam Speaker. I will be opposing the pending motion simply because I -- although the Minority Report is not before us and therefore I cannot debate it, but I would -- let me share with you a couple of things. First of all, I would like to say that I have the highest respect for the Maine Forest Products Council and, as you know, the Maine Products Council is in favor of the Majority Report and clearly opposed to the other report that I can't debate. And I want to share with you that there's a lot of misinformation being spread. For example, there are those who are promoting the Majority Ought to Pass, the Majority motion, that would suggest that whatever occurs here in regards to the unorganized territory, whatever happens, whatever is assessed to the unorganized territory in Aroostook County would affect all county governments and all counties, and that's not correct. As you know, the municipal cost component piece of legislation which is in effect the assessment for all unorganized territories, the unorganized territory budget is in two parts. It provides municipal-type services for the unorganized territories and it also provides funding for education for unorganized territories. The only part of the unorganized territory budget that affects all of us statewide that are from the unorganized territory is the education portion. For example, the municipal-type services, including public works, emergency management services, police protection in the unorganized territory only affects the Aroostook County portion of the unorganized territory budget. It's for that reason that there are different mill rates in

unorganized territories in all counties that have -- that in effect have unorganized territories. For example, some of the misinformation that's being spread here is on this document that I am holding. It's from the Maine Forest Products Council, and it suggests that in item three, some argue the Legislature cannot remove a budget from -- because Aroostook County has a charter that authorized the county to create the unorganized territory service budget. However, the Aroostook County clearly states -- the Aroostook County Charter clearly states the approved final budget for the unorganized territory provides by states -- by Title 30-A, MRSA Section 7503, and it further suggests that 7503 states the county budget request for the unorganized territory sent through the unorganized territory fiscal administrator, which is a state position, for legislative review and approval. That's, in fact, not correct.

Here's what Title 30-A, Section 7503 states: "The budget for the unorganized territory shall be finalized at the same time as a regular county budget. A copy of the finalized budget and identification of any surplus which can be used to reduce the amount needed to be collected in taxes shall be submitted to the State Tax Assessor and to the fiscal administrator of the unorganized territory by January 1st of each year." Nowhere in our statutes does it suggest that county budgets request for the unorganized territory sent to the fiscal administrator shall be subject for review. Thank you, Madam Speaker.

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

Representative **BICKFORD**: Thank you, Madam Speaker. I urge everyone in the body to follow the light of the majority of the Taxation Committee. The Aroostook County Charter clearly states, "The approved final budget for the unorganized territories shall be sent to the state, as provided by Title 30-A, MRSA Subsection 7503." It is the Taxation Committee that approves the unorganized territories' municipal cost component, and it did that by a vote of 10-3. Please support the Majority Report.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker, Members of the House. Twenty-nine years ago, the Legislature created the Aroostook County Financial Committee, in addition to the charter which has just been mentioned. The Finance Committee requirements are in statute. It sets up a nine-member district basically to deal with setting taxes for all of Aroostook County, both organized and unorganized communities.

The County Commissioners and the Finance Committee adopted what you have before us, minus that amendment that's being proposed in the Majority Report. On two separate occasions, people came in and testified before the Finance Board as well as the County Commissioners, and they were rejected. Their request was rejected. That same group then appeared before the Taxation Committee. I repeat, the County Commissioners and the Finance Committee both have endorsed the entirety. The danger that I am worried about is that eventually what this means is that we will then be dealing with county budgets again. When Senator Collins and I created the legislation that came into law 29 years ago, it was to avoid the need of the Legislature to deal with Aroostook County issues, and now it looks like we may be in it again. It's not a problem from my point of view, because at some point both the House and Senate being controlled by the same party and then we can do whatever we'd like to in Aroostook County, and the Aroostook County delegation will then act appropriately. But that's not where we ought to be, because

it's clear, it's clear what the law says, and it says after the county budget has been adopted by the Finance Committee and the County Commissioners it shall then be filed with the State Auditor, and it remains there. The law does not provide for the Taxation Committee to start making changes. The only authority of the Taxation Committee is to set the rate of taxation, and that's done by law, as required by law.

I suspect that if this Majority Report were to be accepted, I suspect that the County Commissioners could well go to court and make sure that that takes -- doesn't take place. And, so, before us, I think it's clear. Now, the reason why the County Commissioners did what they did, quite frankly, is because municipalities have been complaining about the fact that municipalities are paying for unorganized services being provided by the taxpayers of Aroostook. Aroostook County has over 100 unorganized territories, and these are the issues. When you get to the question of education, that's very clear in the law. Those students who come from the unorganized are automatically taken care of by the unorganized territory. This is an issue of protection and protection of property in the unorganized. And so, the issue to me is clear, and it has been clear for a long time, but when you give someone an opportunity to find a way to get around, that's exactly what we are finding here. So, I urge you to vote against the Majority Report, and for those of us who believe strongly in supporting the County Commissioners and the Finance Committee of Aroostook to vote no so we can then adopt the Minority Report. And, Madam Speaker, I request the vote be taken by the yeas and nays.

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

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

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

Representative **POULIOT**: Thank you, Madam Speaker. The one time during the legislative session that I feel like a town official is when we're dealing with this aspect of the process. Much like city government, when the local municipal fire department or police department has a budget that they put together, they propose it to the local council or town, you know, fathers, whatever you have in your area, and then they make a decision whether to support that aspect of the budget or not. That's essentially what we were doing in the Taxation Committee when it comes to this and the issue of Aroostook County. We did not believe, the majority did not believe that there was a demonstrated need for this additional half-time position, which would've also required them to buy a whole car, because you can't buy half a car for the half-time position. So it would've been an additional \$80,000, approximately, expenditure for that area. And we heard from a number of people that were opposed to this additional spending. So, the Taxation Committee voted 11-2 to move forward the bill, but taking out that piece, and also, we took out a bridge that was on private land in Oxford County, because that would've been spending that was not necessary.

So, we didn't make a change just with regard to Aroostook County, there was also this change in Oxford County as well, and just did not feel that there was a demonstrated need there where Aroostook County has, really, a very low crime rate. I asked the question of the sheriff, you know, "Have you seen additional increase in crime to justify this extra position?" and he said, "No, there's actually been a decrease." And, if you look at the revised statutes that we have, a county may not be

reimbursed for services unless a legislative allocation is pertained pursuant to this process under 36 MRSA, subsection 1603. So, I don't think what we're doing runs any risk of being challenged in court or us being sued for doing this. I think it's a fiscally prudent thing to do, and I do want to thank the chair of the Committee, from Orono, Representative Tipping, for moving the Majority Report, and I would ask that you follow my light.

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

Representative STEWART: Thank you very much, Madam Speaker. I'm not going to -- I've got some statutes in front of me that I could quote and whatnot, but I think the crux of the issue is that this is essentially a cost shift of the services provided by the Sheriff's Department from the county to the UT, and I don't disagree with the good Representative from Eagle Lake when he talks about the need to increase collaboration, particularly in rural parts of the state, and look at ways that we can cost save, particularly as it relates to some of these public safety issues. However, I do not feel that this is the mechanism to make that happen. I feel that it needs to be more organic, it shouldn't be coming from Augusta. That's a really, really complex issue that we're talking about all the time up north, and is something that needs to be addressed sooner rather than later. Again, this is not the mechanism to do that. And to just reiterate on one other point that was made earlier, there is some organic opposition to this. In fact, the County Commissioner that represents my neck of the woods up there is actually opposed to this, and he's one of the three County Commissioners that we have, so to suggest that all of the County Commissioners are in favor of this is simply not accurate. Thank you very much, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Monticello, Representative Johansen.

Representative JOHANSEN: Thank you, Madam Speaker. This plan fell apart in Committee and we got the 10-3 decision from the Committee when it was discovered that it was a scheme to supply a deputy sheriff in Eagle Lake and have somebody else pay for it. That's when that scheme fell apart. Thank you.

The SPEAKER: The Chair will first of all say there are times where it is difficult to hear members clearly, and that there have been two times in this chamber today where I have questioned what a member has said and whether it is crossing the line. I'm not sure exactly what you said but I -- what the Representative from Monticello just said, that I'm worried that it might have done so, and I will remind members not to question the integrity or the motives or the actions of other members.

The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Thank you, Madam Speaker. For the record, I do want to point out, of the three County Commissioners, the one from Houlton, the Independent, voted for the present budget, the one from the Valley voted for the present budget and the one from Presque Isle voted against the budget.

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. 565

YEA - Ackley, Austin B, Austin S, Bickford, Black, Bradstreet, Cebra, Chace, Cooper, Corey, Craig, Dillingham, Espling, Farrin, Fay, Fredette, Fuller, Gerrish, Gillway, Ginzler, Grant, Grignon, Guerin, Haggan, Hanington, Hanley,

Harrington, Harvell, Hawke, Head, Hilliard, Johansen, Kinney J, Kinney M, Kornfield, Kumiega, Lockman, Lyford, Malaby, Marean, Mason, Mastraccio, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sheats, Simmons, Sirocki, Stearns, Stetkis, Stewart, Strom, Sutton, Tepler, Terry, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

NAY - Alley, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Chapman, Collings, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fecteau, Gattine, Golden, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, McCreagh, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Reckitt, Riley, Rykerson, Sanborn, Schneck, Skolfield, Spear, Stanley, Talbot Ross, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

ABSENT - Foley, Frey, Herrick, McLean, Sherman, Sylvester.

Yes, 77; No, 68; Absent, 6; Excused, 0.

77 having voted in the affirmative and 68 voted in the negative, with 6 being absent, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-712)** 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-712)** 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-714)** on Bill "An Act To Increase Transparency in the Direct Initiative Process"

(H.P. 1301) (L.D. 1865)

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
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor
WHITE of Washburn

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

Signed:

Representatives:

CASÁS of Rockport
HICKMAN of Winthrop

READ.

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

**CONSENT CALENDAR
First Day**

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

(H.P. 1201) (L.D. 1721) Bill "An Act To Require Room Remarketers and Operators of Transient Rental Platforms To Be Registered for the Collection and Reporting of Sales Taxes" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-711)**

(H.P. 1309) (L.D. 1877) Bill "An Act To Expand the Areas Subject to Municipal Residency Restrictions for Sex Offenders" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-709)**

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

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

(H.P. 1057) (L.D. 1537) Bill "An Act To Replace the Educational Opportunity Tax Credit with the Student Loan Repayment Credit for Maine Residents" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-710)**

On motion of Representative HERBIG of Belfast, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

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

**ENACTORS
Emergency Measure**

An Act Regarding the Limit on the Number of Children Who May Be Placed in a Single Foster Home

(S.P. 708) (L.D. 1863)
(C. "A" S-430)

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

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 308: Standards of Conduct for Transmission and Distribution Utilities and Affiliated Generators, a Major Substantive Rule of the Public Utilities Commission

(H.P. 1244) (L.D. 1799)
(C. "A" H-704)

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. 120 voted in favor of the same

and 4 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Ensure Protection of Patients

(S.P. 339) (L.D. 1032)
(C. "A" S-394)

An Act To Ensure Transparency in the Distribution of Federal Block Grant Funds

(H.P. 990) (L.D. 1435)
(C. "A" H-701)

An Act To Allow the Maine Developmental Services Oversight and Advisory Board Access to Investigations of Suspicious Deaths and Mortality Reviews Performed by the Department of Health and Human Services

(H.P. 1189) (L.D. 1709)
(C. "A" H-702)

An Act To Reinstate Certain Other Special Revenue Funds Allocations for the Maine Commission on Indigent Legal Services

(H.P. 1330) (L.D. 1897)

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

Resolves

Resolve, To Increase Digital Literacy Education in Rural Communities

(H.P. 951) (L.D. 1372)
(C. "A" H-703)

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

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

UNFINISHED BUSINESS

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

SENATE DIVIDED REPORT - Majority (8) Ought to Pass as Amended by Committee Amendment "A" (S-395) - Minority (4) Ought Not to Pass - Committee on TAXATION on Bill "An Act To Create the Hire American Tax Credit for Businesses That Hire Residents of the United States"

(S.P. 643) (L.D. 1744)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-395) AS AMENDED BY SENATE AMENDMENT "A" (S-412)** thereto.

TABLED - April 3, 2018 (Till Later Today) by Representative ESPLING of New Gloucester.

PENDING - ACCEPTANCE OF EITHER REPORT.

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

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

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

The SPEAKER: 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. 566

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Black, Blume, Brooks, Bryant, Cardone, Casas, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fecteau, Fuller, Gattine, Golden, Grohman, Guerin, Hamann, Handy, Hanington, Hanley, Harlow, Herbig, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Perry, Pickett, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Stewart, Sutton, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Wadsworth, Ward, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Bradstreet, Campbell, Cebra, Craig, Dillingham, Espling, Fredette, Gerrish, Gillway, Ginzler, Grant, Grignon, Haggan, Harrington, Harvell, Hawke, Head, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Mason, McElwee, Ordway, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Strom, Theriault, Timberlake, Turner, Vachon, Wallace, Winsor.

ABSENT - Foley, Frey, Herrick, McLean, Sherman, Sylvester.

Yes, 96; No, 49; Absent, 6; Excused, 0.

96 having voted in the affirmative and 49 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-395)** was **READ** by the Clerk.

Senate Amendment "A" (S-412) to **Committee Amendment "A" (S-395)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-395) as Amended by **Senate Amendment "A" (S-412)** 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-395) as Amended by Senate Amendment "A" (S-412)** thereto in concurrence.

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

**REPORTS OF COMMITTEE
Divided Report**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-715)** on Bill "An Act To Develop a Statewide Resource and Referral Center and Develop Hub-and-spoke Models To Improve Access, Treatment and Recovery for Those with Substance Use Disorder"

(H.P. 984) (L.D. 1430)

Signed:

Senators:

BRAKEY of Androscoggin
CHIPMAN of Cumberland
HAMPER of Oxford

Representatives:

HYMANSON of York
CHACE of Durham
DENNO of Cumberland
HEAD of Bethel
MADIGAN of Waterville
MALABY of Hancock
McCREIGHT of Harpswell
PARKER of South Berwick
PERRY of Calais

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

Signed:

Representative:

SANDERSON of Chelsea

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" (H-715)** 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-715)** and sent for concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 490)

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

April 3, 2018

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 1778, "Resolve, Regarding Medicaid Reimbursement for Rehabilitation Hospitals."

The Department of Health and Human Services recently made an adjustment to the hospital tax and match scheme to more

equitably account for both inpatient and outpatient services provided by hospitals. Because rehabilitation hospitals provide significantly more inpatient services than outpatient services, the change negatively affected the total reimbursement received by Maine's only rehabilitation hospital. This bill would reduce the share of supplemental pool income received by hospitals around the state and redirect those dollars to just one specific hospital.

I hear often about the fiscal challenges of Maine's hospitals. In fact, one of the primary arguments used by proponents of Medicaid expansion was that expanding Medicaid would help provide additional support to struggling Maine hospitals. While I disagree with that assumption, it seems antithetical to then cut reimbursement for a broad group of hospitals just to give one hospital an increase.

For this reason, I return LD 1778 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE. Sent for concurrence.

The accompanying item Resolve, Regarding Medicaid Reimbursement for Rehabilitation Hospitals (EMERGENCY) (H.P. 1224) (L.D. 1778) (C. "A" H-622)

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

Representative **JORGENSEN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, thank you for giving me the opportunity to advocate for this bill, LD 1778, which passed following a unanimous report out of the HHS Committee and went under the hammer in both House and the Senate.

This is a small bill that has no cost to the state budget. It's a small bill, however, that fixes a very, very large financial problem for a single hospital, New England Rehabilitation Hospital, located in my district in Portland. Now, New England Rehab is the only rehabilitation hospital in Maine, and as such, it is also the only hospital in our state with almost no outpatient services. There are no emergency room services, no babies are born there, no outpatient surgeries happen. Instead, it's almost all inpatients: people who have had very serious medical events, like bad, bad strokes, who go there from all over Maine. They tend to stay there for weeks or even months as they are rehabilitated. But that's where the problem arises, Madam Speaker. Because of a recent rule change, Medicaid reimbursements for hospitals are now based on a split between a hospital's rate of inpatient and outpatient services, and as a consequence, the hospital is experiencing serious losses due to this rule change. These are losses that were not anticipated by DHHS or anyone else while these rules were being developed. Only later did the problem become apparent. So, this bill fixes that problem in a way that is cost-neutral to the state budget, it reallocates the funds that go to hospitals statewide in order to make this one hospital whole again. New England Rehab is not getting a budget bump, not getting any kind of an increase, but just what they were getting before this rule change took effect.

Now, to be sure, hospitals across Maine are losing money, and none of them relishes the idea of giving up any funds, but they also understand fairness, and they know that every hospital in the state has referred people to New England Rehab. They also know that if that hospital were to leave Maine, there would be no other place in the state providing

these specialized advanced rehabilitation services. So, that's why this solution was developed hand in hand with the Maine Hospital Association. It's a solution by hospitals for hospitals. It's been agreed to. And, again, it has no cost impact on the state budget. You don't often hear the terms zero state budget impact and hospital care in the same sentence, but I'm proud to say that these two issues are correctly paired here.

So, look, I'm happy to invite all of you to District 41 any time. I will buy any legislator who shows up there lunch, I will take you on a tour, I'll share with you all the many wonders of that part of Portland. That's the very best way to visit, I assure you. But, if, on the other hand, you should find yourself in my district as a result of some kind of an adverse health event, and patients do come there from all over Maine, I can guarantee that, while it won't be as much fun as an afternoon touring Portland with me, you will be treated similarly well. The care, the kindness, and the expert medical treatment you will receive at New England Rehab will be really unmatched. It's really a remarkable institution.

So, by supporting the pending measure, you'll be assuring that this unique hospital is able to continue providing its critical services to our state. Thank you very much, Madam Speaker.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm going to accept the good Representative of Portland's invitation to visit and have him buy lunch; and in addition to that, I would agree with his representation on that. My understanding, in regards to this bill, it really simply allocates -- reallocates money within a certain bucket of money. There's no cost to the General Fund and whatnot, and therefore I will be voting to override, and ask that you follow my light. Thank you.

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

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

ROLL CALL NO. 567V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Devin, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, 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, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stewart, Strom, Sutton, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Foley, Herrick, McLean, Sherman, Stetkis, Sylvester.

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

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

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Amend the Laws Governing Expedited Permitting for Wind Energy Development" (EMERGENCY)

(H.P. 1255) (L.D. 1810)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY READ** and **ACCEPTED** in the House on April 3, 2018.

Came from the Senate with the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-707)** in **NON-CONCURRENCE**.

Representative ESPLING of New Gloucester moved that the Bill be **TABLED** until later in today's session pending **FURTHER CONSIDERATION**.

Representative HERBIG of Belfast **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending **FURTHER CONSIDERATION**.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is to Table until later in today's session pending Further Consideration. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 568

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

NAY - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Hamann, Handy, Herbig, Hickman, Higgins, 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 J, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Simmons, Spear, Stanley, Stearns, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Wood, Zeigler, Madam Speaker.

ABSENT - Foley, Herrick, McLean, Perkins, Sherman, Sylvester.

Yes, 64; No, 81; Absent, 6; Excused, 0.

64 having voted in the affirmative and 81 voted in the negative, with 6 being absent, and accordingly the motion to **TABLE** until later in today's session pending **FURTHER CONSIDERATION FAILED**.

Subsequently, Speaker GIDEON of Freeport moved that the House **INSIST**.

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **INSIST**.

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

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

ROLL CALL NO. 569

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harrington, Herbig, Hickman, Higgins, 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, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Simmons, Spear, Stanley, Stewart, Strom, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Ward, Warren, White, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harlow, Harvell, Hawke, Head, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Picchiotti, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Skolfield, Stearns, Stetkis, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Winsor, Wood.

ABSENT - Foley, Herrick, McLean, Perkins, Sherman, Sylvester.

Yes, 89; No, 56; Absent, 6; Excused, 0.

89 having voted in the affirmative and 56 voted in the negative, with 6 being absent, and accordingly the House voted to **INSIST**.

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

The **SPEAKER**: The Chair recognizes the Representative from Monmouth, Representative Ackley.

Representative **ACKLEY**: Thank you, Madam Speaker. Request permission to speak on the record.

The **SPEAKER**: The Representative may proceed on the record.

Representative **ACKLEY**: Thank you, Madam Speaker. Madam Speaker, the voters have spoken and today the court has spoken. Justice Michaela Murphy said, "The uncertainty that halting the ranked-choice voting implementation process at this late date would cause is significant." She said, "Clarity, stability, and public confidence is essential to ensure the legitimacy of Maine elections." The court has noted, Madam Speaker, that any more uncertainty on the people-approved, court-approved election process undermines the institution of our democracy itself. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Espling, who wishes to address the House on the record.

Representative **ESPLING**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As some of you may or may not know, the community of Gray/New Gloucester has suffered a great loss this week of one of our young people. And so I wanted to share a post that someone from the community had posted on Facebook, and I know a lot of us with children in high school, especially, have had to deal with this this week and this tragedy. But I thought this was a good reminder to all of us, and this was from one of the women in our community. "Finally, to all the young people in my life and community who are struggling to understand what doesn't make sense, please know that I and so many others care fiercely about you, beyond any job title or description. My heart hurts so much, both with you and for you, that you know this pain. Be kind and gentle to yourselves and each other as together we try to process this immense loss. Hug and cry and love freely, unabashedly. Know and remember and remind others that you are not alone. Please, please, please reach out for help if needed, because there are people like me who will listen and understand and be there in your time of need. I know from personal experience that there is help available and there is always, always hope. You are not alone. We are here together. You are not alone." And this person was making this public because it was meant for the entire G/NG community; and I think it's important for us also to remember this, and, as we get into the heat of the last weeks of session, that we just love each other and just kind of remember that there are other things that happen outside of this building that are immense and, you know, I think it's just important to remember that. Thank you.

On motion of Representative HICKMAN of Winthrop, the House adjourned at 12:44 p.m., until 10:00 a.m., Thursday, April 5, 2018, in honor and lasting tribute to Ellery (Bud) Morrell Merchant, Jr., of Beals; and Dr. Martin Luther King, Jr.