

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE  
FIRST REGULAR SESSION  
57th Legislative Day  
Friday, June 16, 2017

The Speaker resumed the Chair.

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

Prayer by Reverend Shane Stoops, First United Pentecostal Church, Augusta.

National Anthem by Leonard Middle School Saxophone Ensemble, Old Town.

Pledge of Allegiance.

Doctor of the day, Sydney Sewall, M.D., Hallowell.

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

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The Journal of yesterday was read and approved.

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**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Support Maine's Employers and Encourage Employers To Hire Young Workers"

(S.P. 565) (L.D. 1609)

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 13, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-246)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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**Non-Concurrent Matter**

Bill "An Act To Establish a Minimum Wage for Minors"

(S.P. 330) (L.D. 991)

Majority (7) **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" (S-248)** in the House on June 13, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-249)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**Non-Concurrent Matter**

Resolve, To Establish the Commission To Study the Phase-out of Subminimum Wage

(S.P. 371) (L.D. 1117)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** READ and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-190)** in the House on June 13, 2017.

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

The House voted to **INSIST**.

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**Non-Concurrent Matter**

Bill "An Act To Prohibit an Electric Utility from Charging a Customer for Using an Electromechanical Meter"

(S.P. 75) (L.D. 229)

Minority (6) **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" (S-176)** in the House on June 14, 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 **ENERGY, UTILITIES AND TECHNOLOGY** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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**Non-Concurrent Matter**

Bill "An Act To Formalize the Governance of the Maine Educational and Attainment Research Navigation System, a Longitudinal Data Series for Workforce Information"

(H.P. 1042) (L.D. 1518)

House **INSISTED** on its former action whereby the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** was **READ** and **ACCEPTED** in the House on June 14, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-346) AS AMENDED BY SENATE AMENDMENT "A" (S-219)** thereto and **ASKED** for a Committee of Conference in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**Non-Concurrent Matter**

Bill "An Act To Expand Opportunities for Moose Permit Winners To Swap Their Permits"

(H.P. 446) (L.D. 630)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312)** in the House on May 30, 2017.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312) AS AMENDED BY SENATE AMENDMENT "A" (S-257)** thereto in **NON-CONCURRENCE**.

On motion of Representative DUCHESNE of Hudson, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

**Non-Concurrent Matter**

Bill "An Act To Increase Efficiency in Enforcement of the Maine Human Rights Act"

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

Majority (8) **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-434)** in the House on June 7, 2017.

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

The House voted to **INSIST**.

**Non-Concurrent Matter**

Bill "An Act To Improve Public Sector Labor Relations"

(S.P. 466) (L.D. 1358)

Majority (7) **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" (S-232)** in the House on June 12, 2017.

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

The House voted to **INSIST**.

**COMMUNICATIONS**

The Following Communication: (H.C. 244)

**MAINE DAIRY AND NUTRITION COUNCIL  
333 CONY ROAD  
AUGUSTA, MAINE 04330**

June 2, 2017

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Gideon:

Enclosed for your review is the calendar year 2016 Audit Report of the Maine Dairy and Nutrition Council, prepared by Austin & Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please don't hesitate to contact either Austin & Associates or myself. Austin

& Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 287-3621.

Sincerely,  
S/Cheryl L. Beyeler, CFCS  
Executive Director

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

The Following Communication: (H.C. 245)  
**MAINE DAIRY PROMOTION BOARD  
333 CONY ROAD  
AUGUSTA, MAINE 04330**

June 2, 2017

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Gideon:

Enclosed for your review is the calendar year 2016 Audit Report of the Maine Dairy Promotion Board, prepared by Austin & Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please don't hesitate to contact either Austin & Associates or myself. Austin & Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 287-3621.

Sincerely,  
S/Cheryl L. Beyeler, CFCS  
Executive Director

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

The Following Communication: (S.C. 517)  
**MAINE SENATE  
128TH LEGISLATURE  
OFFICE OF THE SECRETARY**

June 13, 2017

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

Senate Paper 289, Legislative Document 889, "An Act To Reduce Youth Cancer Risk," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

22 voted in favor and 13 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Senate Paper 334, Legislative Document 1027, "An Act Regarding the Taxation of Certain Nonprofit Organizations," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

4 voted in favor and 31 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

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

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 521)

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

June 15, 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 Majority Ought Not to Pass Report from the Committee on Judiciary 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), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Judiciary 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), in non-concurrence.

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

**READ and ORDERED PLACED ON FILE.**

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

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**ORDERS**

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 39)

ORDERED, that Representative Henry John Bear of the Houlton Band of Maliseet Indians be excused June 7, 8 and 9 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Michael G. Devin of Newcastle be excused May 16, 17, 18, 23, 24, 25, 30 and 31; and June 1, 5, 6, 7, 8, 9, 12 and 13 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Aaron M. Frey of Bangor be excused June 8 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Stacey K. Guerin of Glenburn be excused June 1 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative MaryAnne Kinney of Knox be excused June 9 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Lawrence E. Lockman of Amherst be excused June 5 and 6 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Donald G. Marean of Hollis be excused June 12, 13 and 14 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Jeffrey K. Pierce of Dresden be excused June 8 and 9 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Michael A. Sylvester of Portland be excused June 8 and 9 for personal reasons.

**READ and PASSED.**

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Dr. Ann Lemire, of South Portland, for her more than 20 years of service to the City of Portland at the India Street Health Center. Dr. Lemire started and led the STD clinic, was the medical visionary behind Positive Health Care, made naloxone accessible to clients in the Needle Exchange Program and educated residents and interns about compassionate medicine, harm reduction and nonjudgmental care and respect. We extend to Dr. Lemire our appreciation for her service and offer her our best wishes;

(HLS 554)

Presented by Representative TALBOT ROSS of Portland. Cosponsored by Senator MILLETT of Cumberland, Representative RECKITT of South Portland, Representative HAMANN of South Portland, Representative BATTLE of South Portland.

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

**READ and PASSED** and sent for concurrence.

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**REPORTS OF COMMITTEE  
Ought to Pass as Amended**

Report of the Committee on **JUDICIARY** on Bill "An Act To Promote Impartiality in the Probate Court"

(S.P. 345) (L.D. 1043)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-230).**

Came from the Senate with the Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-230) AND SENATE AMENDMENT "A" (S-254).**

The Report was **READ and ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-230) was READ** by the Clerk and **ADOPTED.**

**Senate Amendment "A" (S-254) 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-230) and Senate Amendment "A" (S-254)** in concurrence.

**Divided Reports**

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Make a Needed Clarification to the Term 'Heroin' as Used in the Maine Criminal Code"

(S.P. 576) (L.D. 1623)

Signed:

Senators:

ROSEN of Hancock  
DIAMOND of Cumberland

Representatives:

WARREN of Hallowell  
GROHMAN of Biddeford  
LONGSTAFF of Waterville  
NADEAU of Winslow  
RECKITT of South Portland  
TALBOT ROSS of Portland

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

COREY of Windham  
GERRISH of Lebanon  
HERRICK of Paris  
MAREAN of Hollis

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

**READ.**

On motion of Representative WARREN of Hallowell, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-237)** on Bill "An Act To Support the Professional Development of Principals in Maine Schools"

(S.P. 291) (L.D. 891)

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

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

Signed:

Representatives:

SAMPSON of Alfred

STEWART of Presque Isle

TURNER of Burlington

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-237)**.

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-237)** 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-237)** in concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-241)** on Bill "An Act To Restore Community Support Services for Adults with Mental Illness"

(S.P. 253) (L.D. 808)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York  
DENNO of Cumberland  
HAMANN of South Portland  
MADIGAN of Waterville  
PARKER of South Berwick  
PERRY of Calais

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

Signed:

Senators:

BRAKEY of Androscoggin  
HAMPER of Oxford

Representatives:

CHACE of Durham  
HEAD of Bethel  
MALABY of Hancock  
SANDERSON of Chelsea

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-241) AS AMENDED BY SENATE AMENDMENT "A" (S-270)** thereto.

**READ.**

Representative HYMANSON of York 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: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. I have here a letter from Michelle Gardner, she's the Clinical Director of the Dorothea Dix Psychiatric Center, and I'd like to share what she had to write with you regarding this bill: "LD 808 refers to a group of services called Community Support Services. While not covered by most private health insurers, these supports are MaineCare reimbursable under Section 17 of the MaineCare Benefits Manual. Hence, these services are sometimes referred to as Section 17 Services. They are designed to support individuals with the most severe, serious, and persistent mental illness so that they may live safely in the community. Services covered under Section 17 include case management, daily living support --

The SPEAKER: The member will defer. The House will be in order. The member may proceed.

Representative **SANDERSON**: Thank you, Madam Speaker. "Services covered under Section 17 include case management, daily living supports, assertive community treatment, and other supports. Prior to last spring's rulemaking, MaineCare eligibility for Section 17 allowed nearly every individual with any diagnosis of mental illness to receive Section 17 services." And I will insert right here, this is a bill that the Health and Human Services Committee in the last legislative session worked very hard and very diligently on, and we passed out these new rules unanimously out of committee. "For many of these members with conditions such as depression, post-traumatic stress disorder, or anxiety, Section 17 services, most notably the case management, were not clinically indicated. For these mental illnesses, the National Institutes for Mental Health recommends medication management and/or psychotherapy services, both of which are available under Section 65 of MaineCare. In an effort to ensure that Section 17 services were directed toward those for whom the services were clinically indicated, MaineCare made changes to the clinical criteria to align them with evidence-based practices. The current clinical criteria for Section 17 allows a person 18 or older, or an emancipated minor, to receive community support services if he or she meets specific clinical criteria. These are the requirements which were unanimously, unanimously agreed to and voted on by the Health and Human Services Committee. One, a primary diagnosis of schizophrenia or schizophrenic disorder in accordance with the Diagnostic and Statistical Manual, or two, another primary DSM-5 diagnosis or DSM-5 equivalent, diagnosis with the exception of neuro-cognitive disorders, neurodevelopment disorders, antisocial personality disorder and substance abuse disorders, who, number 1-A, has a written opinion from a clinician based on a documented or reported history stating that he or she is likely to have future episodes related to mental illness with a non-excluded DSM-5 diagnosis that would result in, or have significant risk factors of, homelessness, criminal justice involvement, or require a mental health inpatient treatment greater than 72 hours, or residential treatment, unless community support services were provided; or, has already received treatment in a state psychiatric hospital within the past 24 months, has been discharged from a residential facility within the last 24 months, has had two or more episodes of inpatient treatment for mental illness for greater than 72 hours per episode, has been committed by a civil court for psychiatric treatment, or, until the age of 21, the recipient was eligible as a child with severe emotional disturbance and the recipient has a written opinion

from a clinician in the last 12 months. Essentially, what this wants to do is reserve Section 17 services for the folks who need the highest level. Other folks, who do not have a schizophrenia disorder or a schizophrenic disorder, or qualifies under some of these other parameters can, and do, receive services under another Section of MaineCare." She goes on to write, "there has been some confusion over the eligibility of individuals who do not hold a diagnosis of schizophrenia or schizoaffective disorder." The criteria listed above, which I read to you, is the criteria included in the MaineCare Benefits Manual and is used by MaineCare in determining eligibility for Section 17. In fact, approximately two-thirds of members who currently qualify for community integration services under Section 17 do so pursuant to a diagnosis other than schizophrenia or a schizoaffective disorder, which means, even though they don't have those two diagnoses, which are important for qualifying for Section 17, they do fall under the other criteria to make sure that they get these services.

Last spring, the Health and Human Services Committee spent substantial time reviewing the clinical criteria changes. After hearing extensive testimony, the committee made procedural changes to the rulemaking, such as requiring a 120-day transition period for members deemed no longer eligible. We put that in place to make sure that those who were transitioning off this service had the time to make sure that they got into another appropriate service for their diagnosis and the level of care that they needed. The department has collected, and continues to collect, data on members who have transitioned out of Section 17. For example, they know that over half, 3,388 members, of the members who left Section 17 since last spring have entered behavioral health homes, while another 22 percent are receiving other outpatient psychiatric services. Of great importance is the finding that members who left Section 17 are not, they are not accessing higher level services such as inpatient psychiatric services and residential treatment at higher rates than those who remained in Section 17. The department believes that the reversal of clinical criteria for Section 17 is not only clinically contradicted, but also disruptive and destabilizing for members who have successfully transitioned out of the 17. For example, those 3,388 individuals have entered behavioral health homes following the changes to this Section 17. Behavioral health homes are integrated care settings that seek to ensure individuals meet mental and physical health needs and make sure those both are met. The model has spread rapidly throughout the state and includes care coordination, which is similar in nature to targeted case management. Should the Section 17 eligibility revert back to its previous incarnation, the department is concerned that individuals will be shepherd back onto 17 model, which again, is not clinically indicated for individuals with conditions such as anxiety, depression, or PTSD, which is what this bill would seek to add back to 17. While this may not seem like such a bad development on its face, it could very well result in a stymied progress toward independence, which is the opposite of the intended outcome for this population. Treating people with depression or anxiety under Section 17 is inappropriate care for them. These are individuals who we want to make sure reach independence and gain independence. Wrapping them completely around in services does not achieve that goal. I am standing in opposition to this motion and I hope you will join me in voting no. 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. 323**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Hanington, Harlow, Herbig, Hickman, Higgins, 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, Tuell, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, 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, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Battle.

Yes, 83; No, 67; Absent, 1; Excused, 0.

83 having voted in the affirmative and 67 voted in the negative, with 1 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-241)** was **READ** by the Clerk.

**Senate Amendment "A" (S-270)** to **Committee Amendment "A" (S-241)** was **READ** by the Clerk.

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

Representative **HYMANSON**: Thank you, Madam Speaker, Men and Women of the House. I'm going to speak about the Senate Amendment that has just been put forward on this bill, which I think is a wonderful fix. If we don't take care of mental health illness in the community, people's mental illness decompensates. Their lives and families disrupt. Hospitals and criminal justice facilities become mental health centers, at great hurt and expense. This bill, with the amendment, lets back in two psychiatric diagnoses that would be paid for by MaineCare Section 17. These two diagnoses are bipolar disorder and PTSD. With this fix, the Department of Health and Human Services can cut its administrative time having to review exemptions, and the behavioral health communities can cut their administrative burden and help people manage their mental illness in the community, where mental health treatment belongs, before it escalates. Thank you.

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

Representative **SANDERSON**: Thank you, Madam Speaker. As I read, there are exemptions to the diagnosis. Anybody who's in danger of homelessness, hospitalization, injury, and several other pieces of criteria will continue to qualify for these services. Not all people with those diagnoses

need this host of wrap around services. We want to encourage individual independence and that's what the services that they will qualify under other Sections of MaineCare can offer them. Thank you.

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

Representative **HYMANSON**: Thank you. I wanted to qualify that these two diagnoses were come to with discussions with the Department of Health and Human Services and the community mental health providers, by asking which of the diagnoses were requested most often, and which exemptions were given most often; and both organizations decided that it was worth accepting these two diagnoses, because the administrative burden of going back and forth with exemptions, and also accepting the exemption, seem to be very reasonable to both parties. So, I think it's a really good fix and I'm glad it's here.

Subsequently, **Senate Amendment "A" (S-270)** to **Committee Amendment "A" (S-241)** was **ADOPTED**.

**Committee Amendment "A" (S-241)** as Amended by **Senate Amendment "A" (S-270)** 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-241) as Amended by Senate Amendment "A" (S-270)** thereto in concurrence.

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Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-31)** on Bill "An Act To Continue the Doctors for Maine's Future Scholarship Program" (S.P. 164) (L.D. 503)

Signed:

Senators:

VOLK of Cumberland  
BELLOWS of Kennebec  
LANGLEY of Hancock

Representatives:

FECTEAU of Biddeford  
BATES of Westbrook  
HANDY of Lewiston  
MASTRACCIO of Sanford  
SYLVESTER of Portland  
VACHON of Scarborough

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

Signed:

Representatives:

AUSTIN of Gray  
LOCKMAN of Amherst  
STETKIS of Canaan

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-31)**.  
**READ.**

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**: 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. 324**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, 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, Harlow, Harrington, Herbig, Hickman, Higgins, 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, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Ward, Warren, Zeigler, Madam Speaker.

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

ABSENT - Battle, Grignon, Harvell.

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

86 having voted in the affirmative and 62 voted in the negative, with 3 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-31)** 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-31)** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Amend the Laws Governing Legislative Political Action Committees"

(S.P. 405) (L.D. 1211)

Signed:

Senators:

MASON of Androscoggin  
COLLINS of York

Representatives:

LUCHINI of Ellsworth  
DILLINGHAM of Oxford

FARRIN of Norridgewock  
HANINGTON of Lincoln  
LONGSTAFF of Waterville  
SCHNECK of Bangor  
WHITE of Washburn

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

CASÁS of Rockport  
HICKMAN of Winthrop  
MONAGHAN of Cape Elizabeth

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

On motion of Representative LUCHINI of Ellsworth, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

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

**UNFINISHED BUSINESS**

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

An Act To Authorize a General Fund Bond Issue To Provide Funding for Upgrades of Learning Spaces and Other Projects Funded by the School Revolving Renovation Fund (BOND ISSUE)

(H.P. 101) (L.D. 143)

(C. "A" H-452)

TABLED - June 13, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **PASSAGE TO BE ENACTED**.

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

Representative **FARNSWORTH**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is a bill that is -- sort of has its roots back in the 118<sup>th</sup>, when we passed not only the construction funding for public schools, but also we passed a piece that would allow for the repairs and maintenance of certain kinds of school buildings, under the idea that maybe, if we fix it early enough, we won't have to replace it so soon. And, unfortunately, in the process of the many years, and of course tight budgets, the funding for the repair and maintenance piece has been reduced significantly. This is called a revolving fund. The intent was that people could borrow from it, basically interest-free, or there would be some small grants and would be paid back, and then, with the money that was paid back, it could be restored. At this particular point, we are faced with tremendous demands for construction money and big bucks, to be quite honest; and my thinking was that maybe it's time to put some additional money back into the repair and maintenance side, especially on the side of trying to restore and make better the learning environments, the classrooms, and that sort of thing, that our children are experiencing as learning environments. And so, in discussions with people in the department, while they didn't

suggest the amount, I certainly felt as though we needed to take and put some money into this particular fund and make it work. We got fantastic support from the committee, it was a unanimous vote and I would just hope that everybody will allow appropriations to make an appropriate decision. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Ginzler.

Representative **GINZLER**: Thank you, Madam Speaker. This is a good idea. The problem with it is it's in the budget and its part of the budget discussions with education. So, at this time, I'm opposing the motion. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Good morning all. It would appear to me that this is a, my understanding is this is a bill that didn't even start out as a bond bill, and as we all know here, bonds don't necessarily usually start in committees. I mean, bond bills get drafted, and they get sent to the Appropriations Committee, and most often those bond bills get talked about after a budget has been completed. And so, while I appreciate the good work of the committee on this and I do believe that this is something that is going to be considered as part of the conversations as part of the budget, again, I think it's important that we recognize that there's a proper process to go through in terms of creating a bond. I don't think what we want to have is 17 committees of jurisdiction all drafting bond bills that they'd like to send to the Appropriations Committee. I certainly can see where Marine Resources could say, we're going to strip the language out of this bill and change the title on it, and we're going to put forward a \$20 million bond. Now, I think the proper committee of jurisdiction here is the Appropriations Committee because it did not go through the appropriate process. I appreciate the hard work of the committee. I think the committee is certainly sending a message in regard to its support of the idea, and I think that this is something that will continue to be part of the ongoing conversation. But, I think in regards to this specific bill, at this specific time, it's not something that I can support in regards to it being something that's, I think, almost improperly before the body. And so, I will be voting against the bill and ask that you follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Montville, Representative Zeigler.

Representative **ZEIGLER**: Thank you, Madam Speaker and fellow legislators. I rise to speak, which may be a rare occasion, because I come from a tradition where verbosity is not appreciated, and that's what I often see here. Thank you. I have, and I will be succinct, which is also a rare occasion here. I have been on the School Board Facility Committee for four years. Again, I don't know in regards to what the good legislator from Newport may say about the actual logistics of this, but this bill is necessary. This bill is not about fancy new buildings. This bill is about quality air in the schools. This is about quality water in the schools. This is about boilers, heating it, and this is about maintaining what we already have so we don't have to chase new buildings down. This is a necessary bond. If you care about your students learning something, they need to be in a facility that facilitates that. I wasn't that succinct. So, I apologize for that. Thank you very much.

On motion of Representative HERBIG of Belfast, the Bill and all accompanying papers were **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** 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-250)** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Expand Options for the Prevention of Domestic Violence"

(S.P. 396) (L.D. 1175)

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

TABLED - June 14, 2017 (Till Later Today) by Representative WARREN of Hallowell.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, Representative WARREN of Hallowell moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

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

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

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Gerrish.

Representative **GERRISH**: Thank you, Madam Speaker, Men and Women of the House. I rise today in opposition of the pending motion. What we're voting on replaces the bill and creates a judicial process for the imposition of a gun violence restraining order, whereby a court is authorized to order a person to surrender that person's firearms for a six-month period of time when it has been proved by clear and convincing evidence that the person poses a danger of causing personal injury to that person or to another person. The person who possesses a firearm in violation of a gun violence restraining order commits a Class D crime, the sentence for which must include a prohibition on the possession of firearms for a five-year period of time. Current statute already addresses this issue. This bill creates an extraordinary and, quite frankly, shocking process whereby a person who is not accused of a crime and for which there's no probable cause that they committed a crime, can have fundamental rights completely taken away. In speaking with Maine State Police, I learned law enforcement already has the ability to arrest someone if there is probable cause that they committed any of the acts set forth in this bill, and place them on bailed conditions. This bill duplicates already existing protection from abuse and harassment process. There is a fiscal note over the biennium of \$1.1 million. I ask you to follow my light and oppose this pending motion.

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

**ROLL CALL NO. 325**

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



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

ABSENT - Battle, Fredette.

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

68 having voted in the affirmative and 81 voted in the negative, with 2 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative WARREN of Hallowell, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

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

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HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-501)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Prevent Overdose Deaths and Infectious Diseases by Establishing Safer Drug Use Facilities"

(H.P. 954) (L.D. 1375)

TABLED - June 14, 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.

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

Representative **HYMANSON**: Thank you, Madam Speaker, Men and Women of the House. This is a bill that would ask the Department of Health and Human Services to develop regulations to develop two safe injection sites in the State of Maine for people with substance use disorder. Now, two years ago, I heard about this and I thought, are you kidding me? But, while we had the public hearing and I listened to the experience from the safe injection site in Vancouver and the European safe injection sites, and I listened to fentanyl and other even more deadly heroin-like substances coming into Maine through Mexico and China, through the mail from the Dark Web, I began to understand that more people are going to die from this opiate epidemic because of these substances. They can either die in the shadows, or they can be saved in a safe injection site. So, I began to turn my idea around, and while I'm on the Ought Not to Pass Report, I think that this idea needs to percolate from communities, where it will, and I'll help that percolation in the next two years. Because as crazy as an idea as I thought this was, the more I thought about it, and the more I understood that people will come into these safe injection sites that are manned by people who understand opiate addiction, and they're also there to help people and

coax them into treatment; that this takes it out of shadows, helps people to use the injection sites safely.

The SPEAKER: The member will defer. The Chair will remind members that if there are conversations you need to have, please take them outside the chamber. During any debate, we will be respectful to each other and keep our conversation down. Additionally, the Chair will remind members to please address all remarks through the Speaker. The member may proceed.

Representative **HYMANSON**: Thank you, Madam Speaker. So, I have turned my thinking around, and I really rise to ask you to think about this new idea, and as startling as it sounds to have a safe injection site for people who are addicted to opiates to go and inject themselves, once you understand what's going to be happening here in the State of Maine with the more deadly substances coming in, and that, when people come out of the shadows into a place like this and are welcomed by people who understand how treatment starts, you might consider it when it comes back to us in other sessions. Thank you, Madam Speaker.

The SPEAKER: 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 opposition to the pending motion. Maine's overdose death rate has reached record highs, with a 38 percent increase in deaths in 2016 versus 2015. This is a very clear indication that what we are doing is not working. We need to be open to looking at addiction differently and responding to it differently. Madam Speaker, I offer to you today a true story, some reflection, and some food for thought. In 1999, our prayer group had gathered in the chapel of St. Maximilian Kolbe Parish, in Scarborough. I was seven months pregnant. It was a dark, and rainy evening. As the prayer group ended, the lights needed to be turned off in the chapel. The light switches were in the sacristy, through a door at the front of the chapel; however, the door was locked. I knew there was another way to get into the sacristy; it was through the dark small confessional room in the back of the chapel. To get to the light switch in the confessional, you must walk through the small room, around the confessional screen, and to the left. As I turned around the screen, I reached for the light switch that was illuminated by a small red light. Reaching for the switch, simultaneously my eye caught a stooped figure curled in the dark corner, at the exact moment that he groaned at my presence. In total, utter shock, I jumped back, aghast, with one hand to my heart, the other around my pregnant belly. The nature of the confessional conditioned me to naturally say one thing, "I'm sorry." With wits about me, I backed slowly out of the confessional and back to the chapel. My chapel mates saw speechless panic in my eyes as I motioned to them to leave the chapel, get out in the narthex, find the priest. Father Morrison spoke to the man and then escorted him out of the church. He was a haggard transient with a bagged bottle of booze in his hands. His hair was matted, his jacket torn. We watched him leave, I turned off the chapel lights, chatted with my friends, and eventually went on my merry way. I passed him walking slowly and aimlessly to who knows where. I knew I was going home. Where would he end up? I wondered. Putting my head down to rest, I pondered the situation and especially the place where it happened. I must confess, it was a faith challenge for me. I wondered if this man was Jesus in disguise. Had I been put through the test, and worse, had I failed? The words of Matthew's Gospel spoke to me, "Lord, when did we see you hungry, thirsty, or a stranger, or naked,

or ill, or in prison, and not minister to your needs? Amen, I say to you, what you do not do for one of these least ones, you did not do for me." One thing I did know is the man terrified me. It was an encounter I would have rather have not had. It was very clear to me this man was living a very difficult life. It was likely a life that I would never know, nor understand. Observing his response to the priest, nonchalant, no argument, he simply staggered off like this was his life, it happened like this all the time. Madam Speaker, it would in this place here, under the dome, some 18 years later, that I find myself deeply troubled by Maine's opioid crisis. So many overdose deaths, so many babies born afflicted to opioids, that I would immerse myself in books and real-life stories to better understand this crisis wreaking havoc on humanity. Of all the opioid bills brought forward this session, this one probably is the most controversial. The notion of loving a person where they are, providing a place for them to safely administer their own supplied drugs from who knows where, may seem rather insane. I get that. This is a radical paradigm shift that has been successfully done in Vancouver, British Columbia. The bill is for the seriously impaired least ones who live a very different and often transient life. The bill has no expectations that a person will recover. Rather, the likelihood is greater that they will die and they will die young. This bill is about harm reduction for the health and wellbeing for all of us. Among these least ones are those who are homeless, a high percentage have been charged or convicted of crimes, most often petty theft, they're HIV positive, or living with AIDS or Hepatitis C, they're addicted to alcohol or other substances to include vanilla, rice wine, mouthwash, cocaine, heroin, methamphetamine, the list goes on. Many are diagnosed with mental illness. These people have no place to go. A life of trauma, isolation, rejection, and neglect has brought them to this place. In this place, the least ones are supervised by health care professionals. They're educated about overdose prevention and safe injection practices, offered safe needle exchange, are tested for HIV and Hepatitis C. They receive counseling, birth control, and first aid. Here, they are accepted as they are, not judged. Doctor Gabor Maté, a bestselling author and a doctor who treats patients in Vancouver explained in his book, titled *In the Realm of Hungry Ghosts*. Taken from the chapter that he titles, "Their Brains Never Have a Chance," he explains brain development. The first three years of life are so critical for brain development, and I quote, "there are times in the first year of life when, every second, multiple millions of neural connections and synapses are established. Three quarters of our brain growth takes place outside of the womb, most in the early years. By three years of age, the brain has reached 90 percent of the adult size. Brains in progress are highly vulnerable to potentially adverse circumstances." There are three most critical environmental conditions, nutritional, physical security, and consistent emotional nurturing. Without these three things in early life, the least ones among us, as Maté states, never had a chance. Now, we must consider this fact. Maine has the second highest rate in the country, eight percent of babies born in our state are drug afflicted at birth. I'd venture to guess, they too may never have a chance. This is a piece of Maine that we have become, how we deal with this matters. This bill will get our least ones out of dark corners where they probably shouldn't be and where they terrify others. This bill, instead, welcomes them where they can seek shelter and health care, receive birth control, safe needle exchange, HIV and Hepatitis C testing. These least ones are among us already. Vancouver has successfully done this, and it is worth noting that

Vancouver is known internationally as being one of the world's most livable cities. Does Maine reach out and help them, or do we not? My faith tells me I must. I hope you will follow my light. Thank you, Madam Speaker.

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

Representative **PRESCOTT**: Thank you, Madam Speaker. You know, here we are discussing putting money into a building where people can go do drugs safely, legally, however you want to put it. Yet the few years I've been here, not one word of in-house drug rehabilitation centers, where people get off the streets, are in there, they stay in there. They get help from doctors, they have counselors, they get good food, good beds, where they get off drugs. And, I have to point out, specifically, right in our state license agreement, it dictates you go from category one, which is outpatient, then you go to a stronger one, which is number two, which you get more counseling. And after that, you go in-house. Here we are taking a bill which completely dismisses the license agreement, which mimics federal law. I think it's about time, instead of cutting right through to making people do drugs, we should get to giving them places where they can get away from drugs. Thank you.

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

Representative **HARLOW**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I'm standing against this motion. I have a constituent who contacted me and is in strong support of this idea, and I request a roll call.

The same Representative **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 have the utmost respect for my colleague from Scarborough, Representative Vachon, and absolutely she certainly believes with her heart with what she believes. I happen to have another point of view. I'm in support of this pending motion. Perhaps what the Representative from York said is right, that Maine, at this time, just isn't ready for one of these facilities. That may be true. But, one of the things that I want to put out for your consideration as well. What about our youth? The youth across the state. We have some impressionable youth right now, and what they see on TV, what they hear in the news, I believe they've come highly desensitized to a lot of what we knew as children is wrong. Again, I've said this before in this chamber floor and I will say it again, as the mother of a very, very, very impressionable 14-year-old daughter, if I were to continue to tell her do not do drugs, she would immediately come back to me and say, it's okay to do there, why can't I do it here? I think that's something that is real. It's a thought that is very real. It may happen. Another thing that I think we need to consider is the effect on our law enforcement officers, by setting up these houses where it's safe to actually go inject some of these illegal drugs. Hey, these places become targets for dealers, and if you think they're not going to, then you're wrong. I wish you could still get it online right now, I would ask you to Google "The Methadone Maze." It was in the *Bangor Daily News* quite some time ago, and it told the story of what actually happens in the parking lots of our methadone clinics across the state. This one was actually talking about Acadia

Hospital. While some things have gotten a little bit better around our methadone clinics, if you talk to the clients who go there, and I do talk to some of the clients who go there who contact me, they're very concerned about the dealing that actually goes on in the parking lots of our methadone clinics, and they are the ones who are actually going there for treatment. They are going there to get off of heroin; they are going there to be able to become clean at some point. They come to me with several concerns. If we don't think that this is going to happen with a facility or a building that allows safe injection use of an illegal substance, then we're kidding ourselves. I think these are big concerns, we are not ready for this, I hope we're never ready for this. The -- Representative Prescott, he is right, instead of making it easier and allowing places, we need to step up our efforts for treatment, which we've been trying to do with the opioid health homes, to identify folks. We need to identify young mothers who are addicted to drugs and make sure they get into treatments and supports, sooner rather than later. There are so many more things that we can do and should be doing. We should not be asking the Department of Health and Human Services to create a program to license two facilities where illegal drug use gets a blind eye turned toward it. Thank you.

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

Representative **SYLVESTER**: Thank you, Madam Speaker, good folks and colleagues of the House. I stand today to present a bill that asks two very hard questions -- because it is a bill about a very hard reality and a solution -- safe user facilities. It's a difficult question in our personal life, it's difficult in our political life, it is literally life and death in our constituents' lives. The first question is whether we, as Mainers and legislators, Madam Speaker, care more about helping our constituents in their hour of need, or if we care more about punishing them for their misdeeds. It isn't as simple a question as it sounds. Secondly, the bill asks, do we care more about our political lives than we do about saving the lives of our neighbors? For that is what is at risk here, and I concede it is a risk, helping is always a risk. Saving lives, more so. Will we jump in the river to save the drowning child or will we stay on the bank? Will we stop by the road to aid the stranger, to be the Good Samaritan that we are asked to be? My intention is to run you quickly through the parts of this bill and explain its intention, so we understand it, whether it's now or two years from now or four years from now. Then I want to explain to you why I put this bill and why it's so personal to me.

LD 1375 creates two safer drug use facilities. What does the bill mean by that? Well, it's a number of things. The facility must provide a location supervised by trained staff where a client may self-administer previously obtained drugs; provide sterile drug use supplies, collect hypodermic needles and syringes, and provide secure hypodermic needle and syringe disposal services; provide overdose education; distribute or administer Naloxone; educate clients on the risks of contracting human immune deficiency virus, viral hepatitis, and sexually transmitted infections; answer questions about safer injection practices; monitor clients for potential overdose; provide referrals to services, including substance use disorder counseling and treatment, reproductive health education and services, and wound care; provide reasonable and adequate security of the facility, equipment, staff, and clients; in other words, to make sure that people are safe and have adequate availability to treatment and medical supply while not on site. In short, the facility provides a safe and supervised location for folks to use the drugs they've acquired elsewhere, so they do

not die. Being addicted is a lonely and desperate situation. These facilities provide a safe place with clean equipment, when someone is ready to seek treatment, they can be told, "Down the hall to the left," or at least, "Let me help you get over there." It is a treatment strategy that is used effectively in numerous countries. It has been introduced as legislation in three other states. There are studies and data, including 20 peer-reviewed studies of the site in Vancouver alone, that show that there is no harm to the community, that money is saved in incarceration and crime, and that people find treatment. What I find, though, is that in talking with numerous people about this bill, is that if you are opposed to the idea, it comes to the question of whether you believe that people who suffer from substance use disorder suffer from a disease, or a mere lack of willpower. No sense in sugarcoating it in your heart. So, what I want to talk about was my motivation for this bill. When I was first approached about this bill and the idea of safer treatment centers, I didn't know much about them. So, I asked why they were asking me. And, I was told that they had heard that I was someone in a district who might be able to think outside the box. I listened, and having just been engaged in a local campaign to save the India Street Clinic and its drug and needle exchange -- it's a needle exchange, not a drug exchange. Then I began talking to folks in the recovery side and the treatment side and I realized that this bill was not outside the box, but a bill that offered hope that our friends, our neighbors, our sons and daughters and parents would have the opportunity to remain here with us, outside that final box that we shall all fill one day. They might get to lead their lives, to manage their addictions, and one day, maybe find recovery. To have the dignity accorded to the people who have a disease, which is what I believe substance use disorder is. Now some, Madam Speaker, may bristle at my use of the word disease, they may see people with substance use disorder as on an inevitable path to death. Some policy leaders might prefer that, like Scrooge in *A Christmas Carol*, who said if they would rather die, they had better do it and decrease the surplus population, some folks see those in addiction as a group to be shunned and isolated and not to be discussed in polite company. And, it's like that for many people until the one that is lost is their loved one. In fact, we have now reached a point where there aren't many of us who don't know somebody who has either lost somebody or we have lost somebody ourselves or became a casualty in our war on drugs. One of those people who opposed my bill, was a 14-year-old girl from Oxford County, who wrote me about this bill. She wrote, "My parents tell me the law is the law. If people stick a needle in their arm, they deserve to die." Harsh words, and I'll admit that I spent a pretty hard weekend thinking about those, and the compassion being taught out there. So I wrote her a long email back, and in part, the reason that I put in this bill was because so many people are dying from the drugs you mentioned. This type of supervised facility has saved thousands of lives in other countries and Vancouver, Canada. Being addicted to drugs is a lonely thing to be. Being in a safe place, where you feel cared for, and where counseling is available to help you get off drugs, has led to tens of thousands of people beating their addiction. Those lives seem worth saving. Since it wouldn't supply drugs, and would stop people from overdosing, and it would be run privately, I put in this bill. And, I've had a lot of people who, like you, think it's crazy, you're right, but sometimes we have to be crazy to do what's right. And, the people who asked me to put in this bill were the parents of kids who had died. They thought a place like this might have saved them. So, I thought it was worth

trying. Now, you don't have to agree with me, but now you know what I was thinking. More than a person a day in Maine is overdosing, so I think we have to try everything, and that's why both some Democrats and some Republicans in the committee supported my bill. Couple of days later she wrote back to me, Madam Speaker, and she said she was glad that I'd explained, and that she thought those lives were worth saving too. And, she said, and I quote, "her parents had taught her well enough that just because someone else was doing drugs, she knew that didn't give her permission." Now some, I realize, might not agree with myself and this 14-year-old girl, and I understand that. But, for me, it reminds me of another group of people who were marginalized and shunned, who were left to die in silence until the losses mounted, and I am speaking of course of the AIDS and HIV positive patients of the 1980s and early 90s. I lost my cousin Louie to AIDS in 1988. Louie wasn't just outside the box, he would jump up on top the box and try to get people to help him push it down the hill while he was dancing. He had one of the most agile minds, he was the smartest guy I ever met, but because there were not many treatment options available at that time, nor much funding, nor much will to develop any, he was lost. This is where we are with the opioid epidemic. We've begun to recognize its scope. We've begun to seek avenues in search of a successful approach. So, can the help of treatment facilities proposed in LD 1375 help? Well, a facility certainly might have helped Katie, or so her mother believes. Katie grew up on Peaks Island, where I live. In an abusive relationship, she turned to opioids and pills. She tried to get herself clean so many times, until she began to despair that she would never be free. So, she tried to manage her addiction around her life. Katie had a successful business on the island, cleaning houses. When she was using and not suffering from the bouts of flu that her friends all knew meant she was trying to kick, she would clean houses in the morning, go home to use, and then return later to finish more houses. On December 9<sup>th</sup>, after she was charged with attempting to buy heroin, she went to seek professional help. She was told that while the charges were pending she couldn't enter the program, because she would be covered in jail. So, to raise money for her legal costs, she took on extra cleaning jobs. That meant she didn't have time to get home. On December 19<sup>th</sup>, Katie died in the bathroom of a summer home she was cleaning, alone, and certainly not planning to die that day, Madam Speaker. She ran into a hot shot. If she had had a place to go, like her home, where she was supervised, would she have lived? We'll never know. Will these use facilities save other Katies? We will never know unless we give every option a try. That is why I put in this bill. The people who have studied it say it works. No question, the argument is that we're not ready. What I know is this -- the other day I was walking with my 11-year-old son, and we saw a girl who couldn't have been more than 19, sitting in a bush, shooting up between her toes with the dirtiest looking needle I'd ever seen in my life. And my son looked at me, and he said, "Why would anyone do something like that?" And I said, "Son, do you think anyone ever thought that this would be their life?" None of us do, until we are in this place, and none of us hope this for our children. But, we find them there. And I say, let's explore all roads to treatment. Let's not be silent. Doctor Martin Luther King, Jr., in his mountaintop sermon, remarked on what made the Good Samaritan good. He said, "I'm going to tell you what my imagination tells me. It's possible that these men were afraid. You see the Jericho Road is a dangerous road, and so the first question that the Levite asked was, if I stopped to help this man, what will happen to me?"

But, then the Good Samaritan came by and he reversed the question. He said, "If I do not stop to help this man, what will happen to him?" Now, I don't have the type of faith that Dr. King had, but I will forgive those who find it too risky. We all understand the postcard that could be generated from the people who care more about dirty politics than clean needles. And with that, I thank you for your indulgence. But, the public may not know...

The SPEAKER: The member will defer. The Chair recognizes the Representative from Chelsea and inquires as to why she rises?

Representative SANDERSON: I find it very disturbing that anybody who opposes this bill is being accused of dirty politics, and Scrooge, and the member who has been speaking's testimony, while very moving, has been laced with innuendo that anybody who does not support this bill is somehow mean-spirited. Thank you.

On **POINT OF ORDER**, Representative SANDERSON of Chelsea objected to the comments of Representative SYLVESTER of Portland because he was questioning the motives of other members of the House.

The SPEAKER: The member will please be mindful of not impugning the character or motives of anybody else in this chamber in his remarks. The member may proceed.

The Chair reminded Representative SYLVESTER of Portland that it was inappropriate to question the motives of other members of the House.

Representative SYLVESTER: Thank you, Madam Speaker. Now, I would like to take a moment, because in actual direct opposition to the point brought up by good colleague, I have nothing but respect for the people in this chamber, and I understand, as I said, that I will try my best to forgive all people who do not see this as I see it. As weak as my faith sometimes is, I will struggle to do that. But, because I understand that this chamber, and that so many of the people in it, understand the depth of this crisis, I am now taking this moment to let anyone who may be listening or watching understand so, and I do so by listing a group of people, our fellow citizens, our children, and parents, and neighbors, and friends who have lost their battle with substance use disorder, in a moment of honor and memory. According to an article in the *Portland Press Herald*, between January 2015 and December 2016, Maine lost 648 people to drug overdoses. These are some of those names: Nicholas Douglas, 25, of Minot, son of Patty Dumont; Ashley Newell, 28, of Winslow and Portland; Mark Berglund, 50, of Augusta; Billy Munroe, 36, of South Portland, father of Arianna Munroe; Patricia Sandberg, 36, of Portland, daughter of Kathleen Sandberg; Alex Legendre, 25, of Saco; Ryan Bossie, 26, of Caribou; Bobby Jo Hafford, 36, of Presque Isle; Ashley Rideout, 28, of South China; David Bridges, 35, of Biddeford; Matthew McCarthy, 24, of Hampden; Benjamin Boulay, 27, of Greene, father of Savannah and Hunter Boulay; Anthony Renna, Jr., 26, of Portland, son of Christine DeDominico; Coleen Singer, 32, of Bangor; Gregory Lumbert, Jr., 32, of East Pittston, and a proud veteran; Sarah Willard DeSalle, 46, of Portland; Garrett Brown, 21, of Augusta, son of Traci Brown; Mikey Fields, 31, of Eliot and Kittery; Ernie Paterno, 45, of Portland, father of Aela Paterno; Shauna Poirier, 33, of Waterville; Randy Ouellette, 42, of Old Town; Utopia Brooks, 18, of Sanford; Jeffrey Proulx, 33, of Biddeford; Darrell Clapper, 29, of Belfast; Molly Parks, 24, of York; Evan Richard, 23, of Saco; Shane Mills, 30, of Arundel; Corey Coburn, 28, of Lisbon; Matthew Fecteau, 27, of Biddeford; Cory Boissonneault-Fontaine, of Biddeford and Kittery; Michelle Olds, 50, of Lewiston, a proud veteran;

Christopher Gerry of Waterville; Jesse Gorman, 31, of Scarborough; Shawn Robbins, 26, of Augusta; Gregory Lang, 30, of Biddeford; Jesse Erskine, 31, of Boothbay; Joshua Fournier, 26, of Sanford; Samuel Stevens, 23, of Whiting; Dennis Tardie, 26, of Portage Lake and Presque Isle; Jocelyn Houston, 35, of South Portland; Kenny Ferguson, 36, of East Machias, David Zysk, 33, of Alfred; Erica Marie Foster, 34, of Windham; Kristina Emard, 28, of Lebanon, and another proud veteran; Brian Hodge, 37, of Winthrop; Joseph Cahill, 27, of York; Dana Cote, 32, of Auburn; and Paul Miller, 42, of Westbrook, father of Nicole Carroll; and I ask a moment of silence please. 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. 326**

YEA - Alley, Austin B, Austin S, Babbidge, Bickford, Black, Bradstreet, Bryant, Campbell, Cardone, Cebra, Chace, Cooper, Corey, Craig, DeChant, Denno, Devin, Dillingham, Duchesne, Espling, Farrin, Fay, Foley, Frey, Gerrish, Gillway, Ginzler, Golden, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Herbig, Herrick, Higgins, Hilliard, Hogan, Hymanson, Johansen, Kinney J, Kinney M, Kornfield, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mason, McCrea, McElwee, Nadeau, O'Connor, Ordway, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Riley, Sampson, Sanderson, Schneck, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stanley, Stetkis, Stewart, Strom, Sutton, Terry, Theriault, Timberlake, Tuell, Turner, Wallace, Ward, White, Winsor, Wood, Zeigler.

NAY - Ackley, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Casas, Chapman, Collings, Daughtry, Doore, Dunphy, Farnsworth, Fecteau, Fuller, Gattine, Grant, Hamann, Handy, Harlow, Hickman, Hubbell, Jorgensen, Kumiega, Malaby, Mastraccio, McCreight, McLean, Melaragno, Monaghan, Moonen, O'Neil, Parker, Reckitt, Rykerson, Sanborn, Sheats, Spear, Stearns, Sylvester, Talbot Ross, Tipping, Tucker, Vachon, Warren, Madam Speaker.

ABSENT - Battle, Fredette, Grohman, Harvell, Tepler, Wadsworth.

Yes, 98; No, 47; Absent, 6; Excused, 0.

98 having voted in the affirmative and 47 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-491)** - Minority (4) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure Access to Behavioral Health Services"

(H.P. 1041) (L.D. 1517)

TABLED - June 14, 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 York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Madam Speaker. This is a bill that would raise, by two percent, the

resources for salaries in our outpatient behavioral health community. Now, I already spoke about this about another bill, how important it is to support community health services for people with mental illness. And, the Health and Human Services has been working with a rate study that is very thorough and comprehensive, and has really been done very well. Except that, in the end, when the behavioral health community looked at the numbers and did their financial analysis, they could not make ends meet. So, this is a bill that would further raise, by two percent, it has a \$6 million general fund allotment with a \$12 million federal match, just to be clear. In a snapshot of only 20 community agencies, there are 501 vacancies, 14 percent of the workforce, meaning that 3,789 people are not receiving services for critical behavioral outpatient health service needs. This is a small step forward to address this crisis, but a critical one. We only need to look at the recent tragic suicide of a young middle school girl, in Auburn, who could not get access to services, and I generally don't like to raise one case like this in order to make a point, but I am because the parents are the ones who cried out about the struggle they had finding help for their daughter. I'm going to read from the paper an abridged version, she killed herself at the end of May, just a few weeks ago, after what her parents said was a long battle with depression and a lengthy struggle to find help. Her death shocked the community and horrified her classmates. Her parents said, quoted from the newspaper, they struggled to find help for their daughter for months, calling Maine's mental health system "fragmented" and "broken." Mental health services couldn't make an appointment for three weeks, and then cancelled the one it did schedule. Her parents said the teen program in mental health to help her no longer existed, and said they were looking in Brunswick for a program that might help her. This was a tragedy. It really boils down to rates being too low to provide adequate pay to have enough staffing. Please, join me in support of this small step forward. Thank you.

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

Representative **MADIGAN**: Thank you, Madam Speaker. I want to say a few words about this bill and why it's important. I think we all can accept that there's quite a difference between the more urban areas, of our state and the more rural areas of our state. Some of these rate reductions, particularly in the case of nurse practitioners, physician assistants, targeted case management, really impact rural areas more so than the other areas and I think this is all about making sure there is enough access for people to get mental health services. In addition, I would say that, as a licensed clinical social worker myself, listening to the testimony on this bill on how the rate study was done, not really, it wasn't really accurate, as far as what the show rate is, how that sector of our economy really works. So, thank you very much.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-491)** 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-491)** 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-492)** - Committee on **TAXATION** on Bill "An Act To Establish the Let's Grow Maine Program"

(H.P. 1066) (L.D. 1548)

TABLED - June 14, 2017 (Till Later Today) by Representative TIPPING of Orono.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

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

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

The **SPEAKER:** 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 and urge this body to follow my light to support 200,000 Mainers who don't have enough food and nutrition to stay healthy, including 55,000 Maine kids and 56,000 Maine seniors. This bill guarantees that every one of them has enough food to live an active and productive life, and it does not raise taxes one penny, because it will be achieved with existing available resources. LD 1548 poses a simple question: Does this body want to end hunger? It's not a bill that nibbles around the edges, instead it is a bill that provides 100 percent hunger relief for our state's food insecure population: hunger over. I won't bother talking too much about the statistics, like how food insecurity has risen in Maine at the same time that it's declined in the rest of the country, or statistics about how we have one of the highest rates of hunger in America and we have the highest rate of hunger in New England for children and seniors. It's an undeniable fact that the state of hunger is bad in the State of Maine. Instead, I'm going to talk about cost of hunger. Nationally, hunger costs American taxpayers \$160 billion each year. That's not the cost of emergency food resources like government assistance programs, rather it includes the cost of hunger related health conditions, lower educational productivity, and lifetime earnings or economic costs -- \$160 billion a year. Well, let's just talk about the cost of hunger-related health conditions, because those are the most expensive and preventable costs of food insecurity. Hunger-related health conditions alone should sound the alarm that doing nothing to address hunger is an expensive and unsustainable option. Food insecurity puts people at risk of obesity, type 2 diabetes, and cardiovascular disease, collectively known as metabolic syndrome. Why is that? Two reasons. First, when you don't have enough money and can't afford basic necessities, you develop strategies to stretch your grocery budget. When a family stretches their grocery budget, they make tradeoffs that inevitably lead to purchasing calorie dense, nutrient void foods. It's a survival strategy, and particularly if it starts in childhood, it drastically increases the risks of life-long diet-related diseases, or metabolic syndrome. So, the first part of the solution is access to proper nutrition. Second, when you are food insecure, you're likely to experience periods of feast and famine. When you run out of food, this dips your blood sugar. Then you get paid, or your SNAP benefits come through, and you have money to eat so you fill your empty stomach with the calorie dense, nutrient void foods I just mentioned. Not only does this

spike your low blood sugar, creating a whiplash effect, the processed nature of these cheap foods also sends your blood sugar through the roof, giving your pancreas a double whammy. Over time, this roller coaster cycle puts you at risk of metabolic syndrome, first obesity, then type 2 diabetes and hypertension. And the younger you are, the more susceptible you are. These two risk factors, what people are eating and the dips and spikes in blood sugar, drastically increase the risk of becoming obese and developing type 2 diabetes. If the cause of poor health for food insecure families is the content and availability of food, then the antidote is consistent access to proper nutrition. And in fact, food insecurity is the number one risk factor for metabolic syndrome, and type 2 diabetes alone costs MaineCare \$20 million per year. Yet, no one's talking about it. I'm here not only to talk about it but offering a solution that, with your help, will break this expensive metabolic cycle of hunger and poor health for 200,000 of our neighbors. Here's what the bill does. It creates a food and farm fund within the Department of Agriculture, Conservation and Forestry that's equipped to purchase fruits and vegetables from Maine farmers, and then distributes this produce to food insecure families throughout the church basement food pantries and school pantries, the backpack programs, and the senior hunger programs that makeup this state's emergency food network. That network, sustained by volunteers and churches, is currently supplying about half of the food needed to end hunger in this state. To be clear, this bill purchases the other half, and 100 percent of that other half will come from Maine farms. That might explain the name of the program, The Let's Grow Maine program. We will be growing food to keep people healthy while growing the rural farm economy and creating jobs. The vast majority of the funds will land in the pocket of Maine farmers, and all of the food, all of the food, will land in the hands of people at risk of metabolic syndrome, keeping them healthy. Decisions about how to spend the funds will be made by a food security council, appointed by the Chief Executive, and all services will come through public-private partnerships identified through a competitive RFP process to make sure we're getting the best deal. Madam Speaker, let's reject the notion that hunger is inevitable. Let's reject the notion that federal food assistance programs are the only way to help our constituents avoid hunger. We're an agricultural state, let's act like it. Let's refuse to accept that deprivation of a quarter of Maine's kids, that food insecurity for 56,000 seniors, that health care costs, and low productivity due to food insecurity and diet-related diseases are just somehow the way it is. The proposal before you today will end hunger. Maine will be the first state in America to be able to make this claim, and we will do it without raising taxes and instead paying Maine farmers to help meet the need. LD 1548 is an investment in Maine's farm businesses, an investment in rural communities, an investment in jobs, and it is an investment in public health; and with a quarter of Maine children victims of this public health crisis, it's an investment in our state's future. Let's keep people fed and healthy, and let's solve this problem through strategic public-private economic development partnerships that invest millions of dollars in our rural farm economies. Thank you, Madam Speaker.

The **SPEAKER:** The Chair recognizes the Representative from Belgrade, Representative Hilliard.

Representative **HILLIARD:** Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, this bill attempts to feed all the hungry people in Maine, and I think we all agree that that's not a bad idea. However, the initial bill proposed to take funding by increasing the noncigarette

tobacco tax by approximately 20 percent. The amendment will take the money to fund this bill from TANF funds in the amount of approximately \$10 million. The administration of this bill will be done by the Department of Agriculture. I'm not sure they really want that burden. I encourage you to follow my light and vote against this motion.

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

**ROLL CALL NO. 327**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Sanborn, Schneck, Sheats, Spear, 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, Grignon, 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, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Wood.

ABSENT - Battle, Grohman, McCrea, Rykerson, Winsor.  
Yes, 75; No, 71; Absent, 5; Excused, 0.

75 having voted in the affirmative and 71 voted in the negative, with 5 being absent, and accordingly the Minority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-492)** 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-492)** and sent for concurrence.

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

(S.P. 201) (L.D. 586)  
(C. "A" S-202)

**TABLED** - June 15, 2017 (Till Later Today) by Representative ESPLING of New Gloucester.

**PENDING - PASSAGE TO BE ENACTED.**

On motion of Representative BLACK of Wilton, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (S-202)**.

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-202)** was **ADOPTED**.

The same Representative **PRESENTED** **House Amendment "A" (H-517)** to **Committee Amendment "A" (S-202)** which was **READ** by the Clerk and **ADOPTED**.

**Committee Amendment "A" (S-202)** as Amended by **House Amendment "A" (H-517)** thereto was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (S-202)** as Amended by **House Amendment "A" (H-517)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

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

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

Bill "An Act To Expand Opportunities for Moose Permit Winners To Swap Their Permits"

(H.P. 446) (L.D. 630)

Which was **TABLED** by Representative DUCHESNE of Hudson pending **FURTHER CONSIDERATION**.

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

On further motion of the same Representative, the Bill and all accompanying papers were **COMMITTED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in **NON-CONCURRENCE** and sent for concurrence.

**SENATE PAPERS**  
**Non-Concurrent Matter**

Bill "An Act To Eliminate the Indexing of the Minimum Wage to Inflation"

(H.P. 558) (L.D. 778)

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 13, 2017.

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-356)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**ENACTORS**  
**Emergency Measure**

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2018 and June 30, 2019

(H.P. 995) (L.D. 1440)  
(C. "A" H-504)

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

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

Representative **McLEAN**: Thank you, Madam Speaker. I appreciate the opportunity to speak briefly on the enactment of the biennial Highway Fund budget. Our colleague in this House a couple of weeks ago said that they've seen most of our colleagues just yawn at the Highway Fund budget, because it certainly doesn't get the attention that it deserves. But, I can assure you that if we didn't have the transportation infrastructure that we do in this state, no one would be yawning, there would be no jobs. People wouldn't be able to get from place to place. Our transportation infrastructure in our state is extremely important, it's why we have an economy, and it deserves a lot more attention than it certainly gets in this building, and we have a lot more work to do in that respect. We're simply not spending enough on our transportation infrastructure. Our Transportation Committee, however, is a really, really wonderful committee, and we've had some tough but very good conversations this year, and I look forward to the conversations that we'll have in the future. While we weren't able to raise any additional money for our -- a significant amount of money this year for our transportation infrastructure, we were able to raise a little bit through some increases in some fees that haven't been raised in nearly 35 years that cover the cost of driver's license and registration fees, etc. I'm really proud of the work that the Transportation Committee does, on both sides of the aisle, and I'd personally like to thank each and every member of the committee for the work that they do and the commitment they bring to the issues that we face on our committee. So, I appreciate the time, thank you very much.

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

Representative **PARRY**: Thank you, Madam Speaker. As ranking member on the Transportation Committee, I'm in my fourth term. I want to agree with my good friend from Gorham, the House Chair. A lot of times, things get overlooked down in the Highway Fund and, you know, we had a few challenges this year with the Appropriations Committee taking a little money back that was in our budget originally, and I'm hoping that the Appropriations members that are here remember that as we're looking at our General Fund budget, but I think that overall, we had a great committee this year. We really worked the budget, there was a very few changes needed. I'll follow-up with my good friend from Gorham on the few fees. We were looking at them, and there were some that hadn't been updated since 1980, which would have been, I was probably one of the first people to pay the new fee back in 1980 when I got my license. So, in the Secretary of State's office, it was costing them about double what we were collecting on some of those fees. So, we thought it appropriate to do some adjustments there, because every dollar that we used for covering those costs was a dollar that didn't go into a road or a bridge. So, it's very important that, you know, any dollars that

we can save in Highway is a dollar going to a road and a bridge in all of our districts throughout the State of Maine. So, I was very happy with the work and I hope you can follow my light, and my good friend from Gorham's light, and support the Highway Fund budget. Thank you.

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

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**Emergency Measure**

An Act To Allow Municipalities To Establish Ordinances Banning or Restricting Marijuana Caregivers within 500 Feet of a School

(H.P. 1129) (L.D. 1636)  
(C. "A" H-509)

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. 131 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.

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**Emergency Measure**

Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Late-filed Major Substantive Rule of the State Board of Education

(H.P. 295) (L.D. 404)  
(C. "A" H-495)

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. 124 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

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**Acts**

An Act To Extend Time Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement

(H.P. 649) (L.D. 921)  
(C. "A" H-513)

An Act To Amend the Law Regarding Notice of Claim Recordings by Statutory Road Associations

(H.P. 908) (L.D. 1311)  
(C. "A" H-435)

An Act Regarding Mental Health First Aid Training for Corrections Personnel

(H.P. 916) (L.D. 1322)  
(C. "A" H-499)

An Act Regarding the Epidemic of Opiate Abuse

(H.P. 983) (L.D. 1429)  
(C. "A" H-510)

An Act To Clarify the Language Defining Schedule W Drugs and To Add Drugs to the List of Schedule W Drugs

(S.P. 541) (L.D. 1546)  
(C. "A" S-262)

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.

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**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-274)** on Bill "An Act To Create the Procurement Review Board"

(S.P. 447) (L.D. 1295)

Signed:

Senator:

DESCHAMBAULT of York

Representatives:

MARTIN of Sinclair

BEEBE-CENTER of Rockland

BRYANT of Windham

HOGAN of Old Orchard Beach

MADIGAN of Rumford

SPEAR of South Thomaston

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

Signed:

Senators:

DAVIS of Piscataquis

KEIM of Oxford

Representatives:

GRIGNON of Athens

HARRINGTON of Sanford

ORDWAY of Standish

PICKETT of Dixfield

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

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-274)** 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-274)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Improve the Effectiveness of Notices Required by State Law"

(S.P. 580) (L.D. 1630)

Signed:

Senators:

DAVIS of Piscataquis

DESCHAMBAULT of York

KEIM of Oxford

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-275)** on same Bill.

Signed:

Representatives:

GRIGNON of Athens

HARRINGTON of Sanford

ORDWAY of Standish

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

**READ.**

Representative MARTIN of Sinclair 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 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. 328**

**YEA** - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Golden, Grant, Grignon, Grohman, Hamann, Handy, Hanington, Harlow, Herbig, Herrick, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mason, Mastraccio, McCreia, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pickett, Pierce T, Prescott, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Spear, Stanley, Stewart, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Wallace, Ward, Warren, Zeigler.

**NAY** - Austin S, Bickford, Black, Bradstreet, Cebra, Chace, Craig, Espling, Farrin, Gillway, Ginzler, Guerin, Haggan, Hanley, Harrington, Harvell, Hawke, Head, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Marean, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Strom, Theriault, Timberlake, Turner, Vachon, Wadsworth, White, Winsor, Wood.

**ABSENT** - Battle, Campbell, Chapman, Dillingham, Fredette, Gerrish, Malaby, Madam Speaker.

Yes, 91; No, 52; Absent, 8; Excused, 0.

91 having voted in the affirmative and 52 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

**ENACTORS**  
**Constitutional Amendment**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District  
(H.P. 32) (L.D. 31)  
(C. "A" H-503)

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

Representative GOLDEN of Lewiston **REQUESTED** a roll call on **FINAL PASSAGE**.

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

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

This being a Constitutional Amendment, and a two-thirds vote of the House being necessary, a total was taken.

**ROLL CALL NO. 329**

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bickford, Black, Bradstreet, Bryant, Casas, Cebra, Chace, Corey, Craig, DeChant, Denno, Doore, Duchesne, Dunphy, Esping, Farrin, Fay, Foley, Fuller, Gillway, Ginzler, Golden, Grignon, Grohman, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Johansen, Kinney J, Kinney M, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan J, Marean, Martin R, Mason, McCrea, McCreight, McElwee, Monaghan, Nadeau, O'Connor, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Riley, Sampson, Sanborn, Sanderson, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler.

NAY - Bates, Beebe-Center, Berry, Blume, Brooks, Cardone, Collings, Cooper, Daughtry, Devin, Farnsworth, Fecteau, Frey, Gattine, Grant, Hamann, Handy, Harlow, Hymanson, Jorgensen, Kornfield, Madigan C, Martin J, Mastraccio, McLean, Melaragno, Moonen, O'Neil, Reckitt, Rykerson, Schneck, Sylvester, Talbot Ross, Tepler, Terry, Tipping.

ABSENT - Battle, Campbell, Chapman, Dillingham, Fredette, Gerrish, Malaby, Madam Speaker.

Yes, 107; No, 36; Absent, 8; Excused, 0.

107 having voted in the affirmative and 36 voted in the negative, with 8 being absent, and accordingly the Resolution was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

**Emergency Measure**

An Act To Address Severe and Ongoing Shortfalls in the Funding of Direct Care Workers in Long-term Care Settings and To Establish the Commission To Study Long-term Care Workforce Issues

(S.P. 512) (L.D. 1466)  
(H. "A" H-514 to C. "A" S-186)

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

Representative GOLDEN of Lewiston **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.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned. (Roll Call Ordered)

**Acts**

An Act To Continue the Doctors for Maine's Future Scholarship Program

(S.P. 164) (L.D. 503)  
(C. "A" S-31)

An Act Regarding Sexual Activity and Sexual Assault at Secondary and Postsecondary Educational Institutions

(H.P. 472) (L.D. 681)  
(C. "A" H-505)

An Act To Restore Community Support Services for Adults with Mental Illness

(S.P. 253) (L.D. 808)  
(S. "A" S-270 to C. "A" S-241)

An Act To Support the Professional Development of Principals in Maine Schools

(S.P. 291) (L.D. 891)  
(C. "A" S-237)

An Act To Promote Impartiality in the Probate Court

(S.P. 345) (L.D. 1043)  
(C. "A" S-230; S. "A" S-254)

An Act To Protect Maine Children from Lung Cancer by Requiring Radon Testing in Schools

(H.P. 988) (L.D. 1433)  
(C. "A" H-516)

An Act To Revise Certification Statutes for Educational Personnel

(H.P. 1080) (L.D. 1569)  
(C. "A" H-515)

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.

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Allow Municipalities To Prohibit Weapons at Municipal Public Proceedings and Voting Places"

(H.P. 257) (L.D. 351)

Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89)** in the House on June 6, 2017.

Came from the Senate with the Minority (4) **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**.

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

**Non-Concurrent Matter**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit Payment Per Signature for Citizen Petition Drives

(H.P. 39) (L.D. 53)

Majority (10) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-436)** in the House on June 7, 2017.

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

The House voted to **INSIST**.

**Non-Concurrent Matter**

Bill "An Act Regarding Parental Rights"

(H.P. 335) (L.D. 472)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on June 8, 2017.

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

Representative ESPLING of New Gloucester moved that the House **RECEDE AND CONCUR**.

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

Representative **ESPLING**: Thank you, Madam Speaker. This was a bill that I'd put in this session. I do think there's some more work to be done on the bill. I appreciate the way that this comes back from the other body being committed back to the Committee on Judiciary and that's why I hope that we can Recede and Concur. Thank you.

Representative GOLDEN of Lewiston **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

**ROLL CALL NO. 330**

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

NAY - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Collings, Cooper, Daughtry, DeChant, Denno, Devin, 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, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler.

ABSENT - Battle, Chapman, Dillingham, Fredette, Gerrish, Malaby, Madam Speaker.

Yes, 68; No, 76; Absent, 7; Excused, 0.

68 having voted in the affirmative and 76 voted in the negative, with 7 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

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

**CONSENT CALENDAR**

**First Day**

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

(S.P. 360) (L.D. 1089) Bill "An Act To Prohibit the Use of Handheld Phones and Devices While Driving" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-272)**

On motion of Representative McLEAN of Gorham, 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.

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Prohibit Female Genital Mutilation"

(H.P. 525) (L.D. 745)

Report "B" (3) **OUGHT TO PASS AS AMENDED** of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-484)** in the House on June 13, 2017.

Came from the Senate with Report "A" (7) **OUGHT TO PASS AS AMENDED** of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-483)** in **NON-CONCURRENCE**.

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

Representative GOLDEN of Lewiston **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 PRO TEM: 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. 331**

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

NAY - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Collings, Cooper, Daughtry, DeChant, Denno, Devin, 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.

ABSENT - Battle, Chapman, Dillingham, Gerrish, Malaby, Madam Speaker.

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

68 having voted in the affirmative and 77 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, Representative HERBIG of Belfast moved that the House **INSIST**.

Representative ESPLING of New Gloucester moved that the House **RECEDE AND CONCUR**.

Representative GOLDEN of Lewiston **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

Representative **SIROCKI**: Thank you, Madam Speaker. I strongly urge this chamber to Recede and Concur. I think some interesting information may help the members here. I received this message from a lawyer from Portland by the name of John Chapman. He says, "I don't think, absent mutilation of a United States official or on U.S. property, or as part of international travel, the federal law can be enforced as part of a purely in-state act. Where is the source of federal jurisdiction?" And, I think this highlights the problem with not having a state law in place, and this is why 24 other states do have laws prohibiting this form of child abuse. On the very first day here in this chamber, we heard our Speaker say in very clear terms that one of her goals was to protect children, and I think we all strongly agree with that, protecting children. I explained just a few days ago that the Federal Government has selected Maine as one of eight high-risk areas for this form of child abuse. And as such, we are currently receiving federal grant money that is already being used, as of last summer, to implement an education program on this. So, that piece is in place. What we don't have is a state law prohibiting this. This is a really important piece that we're missing. For those of you that voted in opposition earlier, I hope you will think about children, and I spoke to several members that voted in opposition who told me that they'd like to see if this education program could work for a couple of years and see how that goes. Not convinced that it's really happening here now, even though I have proof, and mentioned that proof with our own MaineCare billing system. Our own MaineCare billing system identified the female genital mutilation codes were used by providers here in the state eight times last year. If this happens once, once, is it not worth it to us to put this prohibition in place? And, for those of you who are concerned about expanding the criminal code and think that our existing laws are sufficient, I challenge you to think really carefully

about that. We voted not long ago to establish a crime for a 17-year old to use a tanning booth. We didn't seem to have a problem with that. We have a distracted driving law, and we just tabled a motion to consider the prohibition of using handheld phones. We clarify our existing laws frequently. This is clarifying this type of child abuse, and protecting children. I strongly urge we Recede and Concur. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lincoln, Representative Hanington.

Representative **HANINGTON**: Madam Speaker, Ladies and Gentlemen of the House, I've got to concur with the good Representative from Scarborough, Representative Sirocki. We need to Recede and Concur. The reason being, this is coming from me, I identify myself as a Christian, I identify myself of reading the Bible, it tells us in the Bible, suffer not the little children, and when I lay my head down tonight, if there's a little girl that passes away because of the wrongdoing of this body, I will not have any guilt, and I ask this body to think strongly about that.

The SPEAKER PRO TEM: The Chair would like to announce that there are eight people in the queue. The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I will be brief. We have a chance here today to do something. I think we all want the same thing. We recognize this is a horrific action against children that none of us want to see happen or ever happen again. I think we all do. It doesn't make any difference which side of the aisle we're sitting on. However, the difference in what we have to do here is very plain and very simple. We can do something here that puts some strength, some meat on the bones, that actually does something to stop this from happening, and make a penalty that can be enforced on it, or we can do what we have so far with Amendment "B" and have a feel good bill that says yes, we don't ever want to see it happen again, but we're not willing to follow through to make it so it doesn't happen again. Please, follow my light and let's vote this motion down, I mean, vote this motion up, to Recede and Concur and do the right thing for the children that are going through this action, that need a voice, and we have a chance to be their voice. Thank you very much.

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

Representative **TIMBERLAKE**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I haven't spoken a lot this year, and there's a reason, but I don't, there's something I don't understand here today. If this law isn't needed and we pass it, we don't hurt anything. But, I got sent a video by Representative Sirocki a while ago, it kind of showed a 7 or 8-year-old girl that this was happening to, screaming and crying and yelling, and I can't imagine why on God's creation we wouldn't support this bill as being child abuse. We do things to protect animals from the HSUS, we do everything in the world, and we're not willing to protect a little girl from being mutilated with a razor blade? What in the devil is wrong with us? If we can't support this what do we support? I ask you from the bottom of my heart to really think about that, and picture that little girl laying there screaming while two people are holding her legs down, why are they doing this to her? And, we can't Recede and Concur with the other body? Please, follow my light and Recede and Concur. It is the right thing to do. It's morally right. Everything about it's right. Thank you.

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

Representative **VACHON**: Thank you, Madam Speaker, Men and Women of the House. For the love of little girls and the support of women's health care, I ask you, please, Recede and Concur. Thank you.

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

Representative **GUERIN**: Thank you, Madam Speaker. I'd like to address just the ladies of the House. Ladies of the House, I consider myself a conservative feminist and I have many sisters across the aisle who consider themselves liberal feminists. Surely, today, the women of this House can stand together to send an abundantly clear message, we will not allow little girls to be abused and mutilated.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, a few days ago my granddaughters were in this chamber walking up and down. And, I'm wondering as they did that and you looked in their eyes and touched their hands, if you could assist in holding one of them down, or watch me do it, and perform this procedure upon them, and then not call it a criminal act. I hope you can look into your granddaughter's eyes and answer that question correctly today as you vote with me to Recede and Concur. Thank you.

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

Representative **PRESCOTT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is America. If it was not for lawmakers, we'd still have slavery. If it was not for lawmakers, people would still be getting tied to a tree and whipped to death and hung, but lawmakers straightened that out. People just like us. You look back in history; women were burned at the stake because their religion called them witches. Lawmakers straightened that out. We need to straighten this out. Thank you.

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

Representative **PERRY**: Thank you. I want to vote in opposition of this. Punishment is after the fact. Education is before the fact. The point is to prevent it, not to punish it after it's happened. I vote in opposition.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Madam Speaker. You all came here to do the very best you can for the people in your district and the people of Maine. We all did. We came here to do what is right, and do the right thing for the people in and around our lives. To Recede and Concur is the right thing to do. Thank you.

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

Representative **GUERIN**: My apologies for speaking a second time. I would just question the good Representative from Calais and ask her if she would think we should remove the punishments for rape and only have information given out that it is the wrong thing to do.

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

#### ROLL CALL NO. 332

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

NAY - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Collings, Cooper, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, 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.

ABSENT - Battle, Chapman, Dillingham, Gerrish, Malaby. Yes, 69; No, 77; Absent, 5; Excused, 0.

69 having voted in the affirmative and 77 voted in the negative, with 5 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

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

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#### Non-Concurrent Matter

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)

Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-437)** in the House on June 12, 2017.

Came from the Senate with the Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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

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**COMMUNICATIONS**

The Following Communication: (S.C. 512)  
**OFFICE OF THE GOVERNOR**  
**1 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0001**

June 12, 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 412, "Resolve, To Direct the Development of After-school Programs."

This bill represents a classic bait-and-switch approach to legislation. The sponsor originally introduced a bill that would restore emphasis on home economics and industrial arts in our public schools. For all the money we spend on public education in Maine, I understand why supporters of the bill were interested in making sure Maine students develop life skills that enable them to be productive members of their households and the workforce.

During the legislative process, the bill was amended to direct the Department of Education to work with a specific nonprofit organization, which was designated in statute. The legislature did not fund this working group, creating an unfunded mandate for the Department.

Further, the workgroup is charged with designing and developing afterschool programs that the legislature can require schools to implement as part of the growing list of unfunded mandates, or they can come back to the public trough for more state funding for afterschool programs. However, these programs are only necessary because the legislature failed to ensure our public schools are using the school day to provide young Mainers with the skills they need to be effective in life.

Instead of solving a problem, this bill creates an unfunded workgroup that will leave even more problems unsolved.

For these reasons, I return LD 412 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,  
S/Paul R. LePage  
Governor

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

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

The accompanying item Resolve, To Direct the Development of After-school Programs

(S.P. 139) (L.D. 412)  
(C. "A" S-132)

In Senate, June 15, 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?'

31 voted in favor and 4 against, and 31 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

Representative **ESPLING**: Thank you, Madam Speaker. I just wanted to stand and speak to the Chief Executive's veto that we have in front of us. I believe that schools can do this

on their own. I believe strongly in local control. I'm not a fan of the mandate on the department, so I will be sustaining this veto. Thank you.

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

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

**ROLL CALL NO. 333V**

**YEA** - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, 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, 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, Vachon, Warren, Zeigler.

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

**ABSENT** - Battle, Chapman, Dillingham, Gerrish, Harvell, Malaby, Sanderson, Sherman, Sirocki, Madam Speaker.

Yes, 79; No, 62; Absent, 10; Excused, 0.

79 having voted in the affirmative and 62 voted in the negative, with 10 being absent, and accordingly the Veto was **SUSTAINED**.

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The Following Communication: (S.C. 513)  
**OFFICE OF THE GOVERNOR**  
**1 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0001**

June 12, 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 983, "An Act To Increase Efficiency in the Enforcement of Restitution and Bail Orders."

This bill tasks the Executive Branch with additional duties, but does not appropriate any additional funding that will be necessary to carry the proposed law into effect. In the case of this bill, the State Tax Assessor would be required to help enforce forfeiture orders. This new initiative would take time and money to implement.

I have said it before, and I will likely have to say it again: if the Legislature wants to mandate that the Executive Branch undertake more work, then the Legislature must appropriate

the financial resources necessary to accomplish that work. This bill fails to live up to that simple rule of good government. For this reason, I return LD 983 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 Increase Efficiency in the Enforcement of Restitution and Bail Orders

(S.P. 322) (L.D. 983)  
(C. "A" S-115)

In Senate, June 15, 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?'

31 voted in favor and 4 against, and 31 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

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

**ROLL CALL NO. 334V**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Fredette, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grohman, Haggan, Hamann, Handy, Harlow, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumioga, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Picchiotti, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Skolfield, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Ward, Warren, Wood, Zeigler.

NAY - Austin S, Black, Campbell, Cebra, Chace, Craig, Espling, Farrin, Foley, Ginzler, Grignon, Guerin, Hanington, Hanley, Harrington, Hawke, Johansen, Kinney J, Kinney M, Lockman, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Pickett, Pierce J, Prescott, Reed, Sampson, Simmons, Stetkis, Strom, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, White, Winsor.

ABSENT - Battle, Chapman, Dillingham, Gerrish, Harvell, Malaby, Sanderson, Sherman, Sirocki, Madam Speaker.

Yes, 99; No, 42; Absent, 10; Excused, 0.

99 having voted in the affirmative and 42 voted in the negative, with 10 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

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

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Base the Minimum Wage on a New England State Average and To Restore the Tip Credit"

(S.P. 277) (L.D. 831)

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 13, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-210)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**Non-Concurrent Matter**

Bill "An Act Regarding the Disclosure of Hormone-disrupting Chemicals in Packaged Food"

(H.P. 819) (L.D. 1182)

Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-506)** in the House on June 15, 2017.

Came from the Senate with the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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

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

Representative **RILEY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, in reference to Roll Call 317 on LD 90, had I been present I would have voted yea.

The SPEAKER PRO TEM: Another announcement from the Chair. I just want to wish everyone a Happy Father's Day this Sunday. I am certainly thankful for all of the fathers in my life and I'm sure you are as well. I also just want to wish you all to really enjoy your families this weekend and come back ready to work on Monday.

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

Representative **HANINGTON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm very dismayed what this body is made up of. This state, for the last 40 years has gone downhill. If we don't continue, I mean, if we continue to have this partisan divide, this state in the next generation is going to be null and void. I think it's very hypocritical. I think it's very wrong, very disrespectful for the people that we serve. And, I urge each and every one of us on both sides of this aisle, do some soul searching this weekend because it is pathetic, we're so willing to put our partisan ideologies, and I tell you right now, Madam Speaker, it is very troublesome. It is very troublesome, and I tell you right now, it is disrespectful to the people that we serve. Thank you.

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On motion of Representative KORNFIELD of Bangor, the House adjourned at 4:56 p.m., until 12:00 p.m., Monday, June 19, 2017.