

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
61st Legislative Day
Thursday, June 22, 2017

Representative HERBIG of Belfast assumed the Chair.

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

Prayer by Reverend David Matson, Saint Matthew's and Saint Barnabas Episcopal Church, Hallowell.

National Anthem by Delia Reis, Hall-Dale Middle School, Farmingdale.

Pledge of Allegiance.

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

The Journal of yesterday was read and approved.

The following item was taken up out of order by unanimous consent:

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Clarify Licensing Provisions for the Manufacture and Sale of Liquor" (EMERGENCY)

(H.P. 1133) (L.D. 1642)

Sponsored by Representative LUCHINI of Ellsworth.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent for concurrence.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 593)

JOINT RESOLUTION RECOGNIZING OFFICER DAVID BAILEY, OFFICER CRYSTAL GRINER AND OFFICER HENRY CABRERA OF THE UNITED STATES CAPITOL POLICE

WHEREAS, more than 2,100 officers and civilians work for the United States Capitol Police in the District of Columbia; and

WHEREAS, the United States Capitol Police force is tasked with protecting the members, employees, visitors and facilities of the United States Congress; and

WHEREAS, the jurisdiction of the United States Capitol Police also includes providing security outside of Washington, D.C. when required for members of the United States Congress; and

WHEREAS, on June 13, 2017, the Republican team holding a practice session for the annual Congressional Baseball Game at a field in Alexandria, Virginia was attacked by a gunman, who wounded 5 persons including the United States House of Representatives, Representative Majority Whip Stephen Scalise; and

WHEREAS, 3 officers of the United States Capitol Police, David Bailey, Crystal Griner and Henry Cabrera, immediately returned fire; and

WHEREAS, Officers Bailey and Griner rushed at the gunman, despite receiving wounds and, with Officer Cabrera, continued to fire; and

WHEREAS, after a 10 minute shootout, the gunman was shot and killed by the officers; and

WHEREAS, were it not for the presence of Officers Bailey, Griner and Cabrera, many lives would have been lost; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize Officer David Bailey, Officer Crystal Griner and Officer Henry Cabrera of the United States Capitol Police for their bravery and their disregard for their personal safety, which led to their heroic response to this tragic event.

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

READ and **ADOPTED** in concurrence.

Non-Concurrent Matter

Bill "An Act To Protect the Health and Safety of First Responders"

(H.P. 1036) (L.D. 1512)

House **INSISTED** on its former action whereby the Report "C" (2) **OUGHT NOT TO PASS** of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** was **READ** and **ACCEPTED** in the House on June 20, 2017.

Came from the Senate with 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-512)** in **NON-CONCURRENCE**.

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

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Regarding Possession of a Firearm on School Property"

(S.P. 327) (L.D. 988)

Signed:

Senators:

LANGLEY of Hancock

MAKER of Washington

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor

DAUGHTRY of Brunswick

FARNSWORTH of Portland

FULLER of Lewiston

McCREA of Fort Fairfield

PIERCE of Falmouth

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-174)** on same Bill.

Signed:

Representatives:

GINZLER of Bridgton
SAMPSON of Alfred
STEWART of Presque Isle
TURNER of Burlington

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

READ.

Representative KORNFIELD of Bangor moved that the Bill and all accompanying papers be **COMMITTED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

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

Representative **ESPLING**: Thank you, Madam Speaker. I disagree with that motion so, I'm going to be asking for a roll call. Thank you.

The same Representative **REQUESTED** a roll call on the motion to **COMMIT** the Bill and all accompanying papers to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

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 Commit the Bill and all accompanying papers to the Committee on Education and Cultural Affairs. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 374

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan 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, 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, Grohman, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Martin J, 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, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Devin, Harvell, Herrick, Higgins, Theriault, Tipping.

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

75 having voted in the affirmative and 70 voted in the negative, with 6 being absent, and accordingly the Bill and all accompanying papers were **COMMITTED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE** and sent for concurrence.

Six Members of the Committee on **VETERANS AND LEGAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-300)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting (S.P. 577) (L.D. 1624)

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

LUCHINI of Ellsworth
CASÁS of Rockport
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

Six Members of the same Committee report in Report "B" **Ought Not to Pass** on same RESOLUTION.

Signed:

Senators:

MASON of Androscoggin
COLLINS of York

Representatives:

DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
WHITE of Washburn

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-301)** on same RESOLUTION.

Signed:

Representative:

HICKMAN of Winthrop

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-300)**.

READ.

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

The Resolution was **READ ONCE**. **Committee Amendment "A" (S-300)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolution was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-300)** in concurrence.

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

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Conform State Law to Federal Law While Promoting Safe Working Environments for Minors"

(S.P. 548) (L.D. 1564)

Signed:
Senator:
BELLOWS of Kennebec

Representatives:
FECTEAU of Biddeford
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-251)** on same Bill.

Signed:
Senators:
VOLK of Cumberland
LANGLEY of Hancock

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

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-251) AND SENATE AMENDMENT "A" (S-279)**.

READ.
On motion of Representative FECTEAU of Biddeford, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-251)** was **READ** by the Clerk and **ADOPTED**.

Senate Amendment "A" (S-279) 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-251) and Senate Amendment "A" (S-279)** in concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Reform Welfare for Increased Security and Employment"

(H.P. 1115) (L.D. 1620)

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 to Pass as Amended by Committee Amendment "A" (H-536)** on same Bill.

Signed:
Senators:
BRAKEY of Androscoggin
HAMPER of Oxford

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

READ.
On motion of Representative HYMANSON of York, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Provide an Exemption from Road Association Payments for Landowners Whose Primary Access Is Not over the Road"

(H.P. 381) (L.D. 537)

Signed:
Senator:
HILL of York

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-531)** on same Bill.

Signed:
Senators:
KEIM of Oxford
WHITEMORE of Somerset

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

READ.
Representative MOONEN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **WADSWORTH**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I brought this bill forward for a group of constituents in Hiram. You

know, these constituents, there are at least six of them that live on a town maintained road, but the backs of their properties are bordered by an old railroad bed. This railroad bed was just turned into a private road association last year by a group of wealthy waterfront camp owners up this newly formed road. The present association would not exempt these six homeowners from dues, from maintenance, or the liability. This is unbelievable and completely unfair. Why should these homeowners now have to be part of an association that does not benefit them, but, in fact decreases their property value? Thank you.

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: The Chair recognizes the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Thank you, Madam Speaker, Men and Women of the House. I just want to briefly explain the Ought Not to Pass position. This is one of a number of bills that we dealt with in our committee, dealing with either condo associations or road associations. And in either case, these are private associations who have their own system of government, they have by-laws, they have rules, and in general, we prefer that they work out their disputes amongst themselves, rather than coming to the government when they have been unable to solve a dispute and ask us to pass a law to solve it for them. So, generally, we are hands-off, but in a couple of the bills this year with condos and road associations, we have tried to reach consensus, not just among the committee, but amongst the various stakeholders interested in these issues, including realtors, title attorneys, road association advocates, homeowners, etc. On some of those bills, we were successful in reaching that consensus. Unfortunately, this bill, that was not the case. The interested parties do not agree with this amendment on the Minority Report and because we could not reach consensus on this bill amongst everybody who has a stake in this, we felt like it was not appropriate to move forward at this time, and hopefully we can accept the Ought Not to Pass Report and try again next year. Thank you, Madam Speaker.

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. 375

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

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, 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, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Devin, Harvell, Herrick, Higgins, Sanderson, Theriault, Tipping, Madam Speaker.

Yes, 76; No, 67; Absent, 8; Excused, 0.

76 having voted in the affirmative and 67 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-532)** on Bill "An Act Regarding Driver's License Suspensions for Nondriving-related Violations"

(H.P. 827) (L.D. 1190)

Signed:

Senators:

KEIM of Oxford
HILL of York
WHITTEMORE of Somerset

Representatives:

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

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

Signed:

Representatives:

GUERIN of Glenburn
JOHANSEN of Monticello

READ.

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

Eight Members of the Committee on **HEALTH AND HUMAN SERVICES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-533)** on Bill "An Act To Implement the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers"

(H.P. 207) (L.D. 274)

Signed:

Senators:

BRAKEY of Androscoggin
CHIPMAN of Cumberland

Representatives:

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

Three Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-534)** on same Bill.

Signed:

Representatives:

CHACE of Durham
HEAD of Bethel
MALABY of Hancock

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "C" (H-535)** on same Bill.

Signed:

Senator:

HAMPER of Oxford

Representative:

SANDERSON of Chelsea

READ.

On motion of Representative HYMANSON of York, **TABLED** pending **ACCEPTANCE** of any Report and later today assigned.

UNFINISHED BUSINESS

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

SENATE DIVIDED REPORT - Majority (7) **Ought to Pass** - Minority (6) **Ought Not to Pass** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Worker Wages and Benefits"

(S.P. 35) (L.D. 86)

- In Senate, Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-100)**.

TABLED - May 18, 2017 (Till Later Today) by Representative FECTEAU of Biddeford.

PENDING - ACCEPTANCE OF EITHER REPORT.

On motion of Representative FECTEAU of Biddeford, the Bill and all accompanying papers were **INDEFINITELY**

POSTPONED in **NON-CONCURRENCE** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-482)** - Minority (6) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve Care Provided to Forensic Patients" (EMERGENCY)

(H.P. 120) (L.D. 162)

TABLED - June 13, 2017 (Till Later Today) by Representative HYMANSON of York.

PENDING - ACCEPTANCE OF EITHER REPORT.

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

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

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

The SPEAKER PRO TEM: 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. 376

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

ABSENT - Devin, Harvell, Herrick, Higgins, Theriault, Tipping.

Yes, 78; No, 67; Absent, 6; Excused, 0.

78 having voted in the affirmative and 67 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-482)** 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-482)** and sent for concurrence.

An Act To Provide Traffic Safety Education in Schools
(H.P. 793) (L.D. 1130)
(C. "A" H-469)

TABLED - June 15, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **PASSAGE TO BE ENACTED.**

On motion of Representative DAUGHTRY of Brunswick, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION.**

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-469).**

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

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-469)** was **ADOPTED.**

The same Representative **PRESENTED House Amendment "A" (H-537)** to **Committee Amendment "A" (H-469)** which was **READ** by the Clerk and **ADOPTED.**

Committee Amendment "A" (H-469) as Amended by House Amendment "A" (H-537) thereto was **ADOPTED.**

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-469) as Amended by House Amendment "A" (H-537)** thereto in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Protect Taxpayers in the Privatization of State Services"

(S.P. 407) (L.D. 1213)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **STATE AND LOCAL GOVERNMENT** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-289)** in the House on June 21, 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 **STATE AND LOCAL GOVERNMENT** was **READ** and **ACCEPTED** in **NON-CONCURRENCE.**

The House voted to **INSIST.**

Non-Concurrent Matter

Bill "An Act To Improve the Quality of Teachers"

(S.P. 263) (L.D. 818)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-203)** in the House on June 21, 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 **EDUCATION AND**

CULTURAL AFFAIRS was **READ** and **ACCEPTED** in **NON-CONCURRENCE.**

The House voted to **INSIST.**

COMMUNICATIONS

The Following Communication: (S.C. 546)

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE

June 21, 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 957, "Resolve, To Update Maine's Liquor Laws."

When a bill requires significant work to be performed by a department of the Executive Branch but does not provide funding, it is an unfunded mandate—plain and simple. This bill will require significant work for the Department of Administrative and Financial Services and the Bureau of Alcoholic Beverages and Lottery Operations, whose staff is already concentrating on essential work in front of them.

I have not been presented with a compelling case for why the recodification of this chapter is necessary, and I do not consent to directing the Department to invest significant time and energy on this unfunded exercise.

For these reasons, I return LD 957 unsigned and vetoed. I 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 Legislative Staff To Recodify and Revise Title 28-A of the Maine Revised Statutes

(S.P. 313) (L.D. 957)

(C. "A" S-192)

In Senate, June 21, 2017, this Resolve, 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 Resolve become a law notwithstanding the objections of the Governor?'

34 voted in favor and 0 against, and 34 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Resolve become law and the veto was overridden.

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

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

ROLL CALL NO. 377V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Brooks, Bryant, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth,

Farrin, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Hawke, Head, Herbig, Hickman, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, Wood, Zeigler.

NAY - Bradstreet, Campbell, Johansen, Kinney J, Lockman, Lyford, Mason, Ordway, Prescott, Reed, Sirocki, Stetkis, Strom, Sutton, Turner, White, Winsor.

ABSENT - Devin, Fredette, Harvell, Herrick, Higgins, Theriault, Tipping, Madam Speaker.

Yes, 126; No, 17; Absent, 8; Excused, 0.

126 having voted in the affirmative and 17 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 542)

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

June 20, 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 1384, "An Act To Amend the Election Laws."

This bill would allow municipalities to charge political parties rental and cleaning fees if the parties hold caucuses in public buildings. The bill provides no limit to the amounts municipalities would be able to charge. I firmly believe that caucuses are vital to our political process, and they should not be subject to local fees.

What this bill really proposes is a tax on the political process to be levied by municipal officials. In a landmark Supreme Court case in which it was held that a state cannot tax instruments of the federal government, Chief Justice Marshall wrote that the power to tax is the power to destroy. I think the same principle applies to this bill. Localities should not be given the authority to hinder the political process that is so central to our system of government. Public buildings should be open to the public generally, and they should definitely not be used as a way for municipalities to tax the political process.

For this reason, I return LD 1384 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 Amend the Election Laws

(S.P. 471) (L.D. 1384)

(C. "A" S-169)

In Senate, June 21, 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?'

29 voted in favor and 5 against, and 29 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. 378V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Harlow, Head, Herbig, Hickman, Hilliard, Hogan, Hubbell, Hymanson, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, White, Wood, Zeigler.

NAY - Campbell, Craig, Gerrish, Grignon, Hanley, Harrington, Hawke, Johansen, Jorgensen, Kinney J, Lockman, Lyford, O'Connor, Ordway, Pickett, Reckitt, Reed, Sampson, Sanderson, Sherman, Sirocki, Stetkis, Stewart, Strom, Sutton, Turner, Winsor.

ABSENT - Devin, Fredette, Harvell, Herrick, Higgins, Theriault, Tipping, Madam Speaker.

Yes, 116; No, 27; Absent, 8; Excused, 0.

116 having voted in the affirmative and 27 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 268)

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

June 20, 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 1598, "An Act To Allow the Commercial Growth and Sale of Water Spinach in the State."

This bill would prohibit the Maine Department of Agriculture, Conservation and Forestry (DACF) from objecting to the approval of a federal permit to grow a noxious aquatic weed known as water spinach. The State has requested that the USDA deny these permits for a number of years because Maine has aquatic weed problems. This problem has become very expensive to combat and is affecting our valuable natural resources.

I fully support DACF working with any individual with permitting issues, but it is not right to mandate in statute that the department take a position on a permit when it may not be in the best interest of all Mainers.

For this reason, I return LD 1598 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

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

(H.P. 1101) (L.D. 1598)

(C. "A" H-380)

The SPEAKER PRO TEM: The Chair recognizes the Representative from South Berwick, Representative Lawrence.

Representative **LAWRENCE**: Thank you, Madam Speaker. I wanted to have a chance to speak on this veto. This bill went through, it had such broad, bipartisan support when it went through I didn't speak on it in the House, and I was a little bit surprised that it was vetoed because of what it's trying to do, and how it's trying to deal with over-regulation and too much bureaucracy, that is hurting business growth here in Maine. I don't know if you've ever had a constituent come to you and say they want to do a business, they have an idea, and they're trying to grow the business, but some regulation in the State of Maine, or some form of bureaucracy, trying to deal with the State Government, is preventing them from doing it. That's what happened in this case. In fact, it started three or so years ago. Water spinach, and despite in the veto message it's cited that the feds do call it a noxious aquatic weed, and I kind of get to think about that humorously because that's what my parents used to call me when I wouldn't come out of the beach, down at York Beach. But water spinach is simply very similar to bok choy, very similar to other vegetables that are used in Asian food. I guarantee you, this morning, all across Maine at all different types of Asian restaurants, trucks have been lining up to deliver water spinach to those restaurants. Those trucks have had to come from businesses in Massachusetts that grow it. In New Jersey they grow it. In New York they grow it. In Michigan, Minnesota, all these states that allow it to be grown under controlled circumstances.

But Maine does not allow that. What this bill proposes to do is to allow it to be grown in a very controlled environment: a greenhouse in a hydroponic environment where it's very controlled, under federal regulation. In fact, it would be grown under stricter federal regulations than is done in most states. But we don't allow it to be done here in the State of Maine. Part of the veto message refers to fully supporting the Department of Agriculture working with people who want to do this and want to get permitted. Well, how this bill ended up was, three years ago, the Agriculture Committee told the Department and requested the department to work with this individual to get them permitted so they could grow it in this controlled environment and the Department refused. And so, it just simply came back to the Committee, and in a bipartisan manner, the Committee said we're going to essentially mandate it, saying we're not going to allow you to over-regulate, over-regulate these businesses. I know the state's experience with milfoil; milfoil is very different. It can grow in this environment. Water spinach is a plant that only becomes invasive in zone eight. That's Florida, that's Louisiana, that's Texas, who by the way, allows it in their state. In the State of Maine, thanks to our heavy frost and our short growing season, it dies here in Maine. It can't become invasive here in Maine. It can't reproduce; it can't live long enough to become invasive. But even if it could, this bill, this provision, allows it only to be grown in controlled circumstances, in greenhouses where it's controlled and has no exposure to the outside environment. So I ask you take a position in getting rid of over-regulation, getting rid of bureaucracy. There are many businesspeople in Maine who want to invest, want to expand this type of business, want to sell it to restaurants here in Maine, and want to sell it in other states; and I ask you to support those businesses, support that entrepreneurial spirit, and get rid of this unnecessary over-regulation. 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. 379V

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

NAY - Black, Bradstreet, Chace, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hanington, Hanley, Hawke, Head, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stearns, Stetkis, Stewart, Strom, Timberlake, Tuell, Turner, Vachon, Wadsworth, Ward, White, Winsor, Wood.

ABSENT - Devin, Harvell, Herrick, Higgins, Theriault, Tipping.

Yes, 92; No, 53; Absent, 6; Excused, 0.

92 having voted in the affirmative and 53 voted in the negative, with 6 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 272)

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

June 21, 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 Maine, I am hereby vetoing LD 1441, "An Act To Create Veteran-friendly Workplaces."

My administration has made meeting the needs of veterans and attracting them to settle and work in our state a priority. I recognize the need of many of our returning veterans to access health services at the VA and how critical that access is for veterans with a service-connected disability.

The deteriorating state of the healthcare system for our returning veterans provided through the federal Department of Veteran's Affairs is a national embarrassment. Appointments are hard to schedule, and many of the veterans are forced to travel quite a distance from home or work to Togus to receive care, rather than be able to access services conveniently in their communities. These are the problems this bill seeks to address by mandating that employers of all sizes grant unlimited sick time to veterans so they can travel to scheduled appointments.

State law should not be trying to fix the problems created by the federal government's inadequate and disgraceful management of their own programs. Instead of solving the problems with the VA and ensuring our veterans receive convenient, high-quality care close to home—which requires a federal solution—this bill mandates our employers of all sizes provide unlimited sick leave for veterans. Although employers with fewer than 25 employees are only mandated to provide such leave if given a two-week notice, there is no exemption for small businesses.

If a business has three employees, and one worker is on maternity leave, one wants to take a week off for a honeymoon and the third is a veteran who has scheduled a medical appointment with two weeks' notice during the same week the employee is requesting the honeymoon, this law would require the employer either to deny the honeymoon leave request or to close the business while the veteran is out. That is an unreasonable burden to place on employers, and one that might actually discourage the hiring of veterans—the opposite of what the title of this bill purports to do. We should not be taking any action that could discourage veteran hires.

If this bill were amended to provide employers with reasonable exemptions to deny this medical leave in limited circumstances, as does our successful law granting leave for victims of domestic violence in Title 26 §850, I could then support this bill.

For this reason I am returning LD 1441 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Create Veteran-friendly Workplaces

(H.P. 996) (L.D. 1441)
(C. "A" H-369)

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

The Following Communication: (H.C. 273)

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

June 21, 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 1122, "An Act To Amend the Campaign Reports and Finances Law and the Maine Clean Election Act."

Because our system of government depends on the electoral process, I am of the opinion that election law should be very clear and easy to understand. I also think election law should not favor one candidate over another. This bill violates these two preferences.

This bill purports to add ballot questions to the statutory definition of "election." However, the actual language of the bill simply adds "any referendum" to the definition. Citizen initiatives are different from referenda. Are citizen initiatives going to be included in the definition of "election"? Were they intended to be? The plain language of the bill suggests they will not be included. This bill presents confusion as to the most fundamental question in election law: "What is the meaning of 'election'?" As such, the bill fails to meet the standard of being clear and easy to understand.

The bill also removes a reporting requirement for those who run unopposed in primary elections. As everyone knows, primary elections are by their nature contentious. This bill would present an uneven playing field for those who have primary opponents and those who do not. It is easy to imagine a scenario whereby two candidates are on the primary ballot, one opposed and one unopposed. Both could be late meeting the mandatory 24-hour reporting rule. Under current law, they would be held to the same standard, and both would have to deal with the attendant penalties and public reaction. Under the terms of this bill, only the candidate running in the opposed primary would have to worry about the 24-hour reporting rule. This bill provides for inequality before the law and is fundamentally unfair.

For these reasons, I return LD 1122 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Amend the Campaign Reports and Finances Law and the Maine Clean Election Act

(H.P. 786) (L.D. 1122)
(C. "A" H-367)

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. 380V

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

NAY - Austin S, Black, Bradstreet, Campbell, Cebra, Chace, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Hawke, Head, 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, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Devin, Harvell, Herrick, Higgins, Theriault, Tipping, Madam Speaker.

Yes, 79; No, 65; Absent, 7; Excused, 0.

79 having voted in the affirmative and 65 voted in the negative, with 7 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 538)

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

June 19, 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 committed the Bill "An Act Regarding Parental Rights" (H.P. 335) (L.D. 472) to the Committee on Judiciary, in non-concurrence.

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

- the Minority Ought Not to Pass Report from the Committee on Criminal Justice and Public Safety on Bill "An Act To Allow Municipalities To Prohibit Weapons at Municipal Public Proceedings and Voting Places" (H.P. 257) (L.D. 351), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Veterans and Legal Affairs on "RESOLUTION, Proposing an Amendment to the Constitution of Maine To

Prohibit Payment Per Signature for Citizen Petition Drives" (H.P. 39) (L.D. 53), in non-concurrence;

- the Majority Ought Not to Pass Report from the Committee on Agriculture, Conservation and Forestry on Bill "An Act Regarding the Disclosure of Hormone-disrupting Chemicals in Packaged Food" (H.P. 819) (L.D. 1182), in non-concurrence;
- the Minority Ought to Pass as Amended Report from the Committee on Labor, Commerce, Research and Economic Development and Passage to be Engrossed as Amended by Committee Amendment "A" (H-356) on Bill "An Act To Eliminate the Indexing of the Minimum Wage to Inflation" (H.P. 558) (L.D. 778), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Judiciary on Bill "An Act To Increase Efficiency in Enforcement of the Maine Human Rights Act" (H.P. 862) (L.D. 1239), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 539)

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

June 19, 2017

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Senate Paper 168, Legislative Document 507, "An Act To Establish Regional School Leadership Academies," 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?" 20 voted in favor and 15 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

House Paper 104, Legislative Document 146, "Act To Protect the Confidentiality of State and Local Government Employees' Private Information," 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?"

21 voted in favor and 14 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.

The Following Communication: (S.C. 540)

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

June 20, 2017

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

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Health and Human Services on Resolve, To Reduce MaineCare Spending through Targeted Nutrition Interventions (H.P. 991) (L.D. 1436), in non-concurrence.

Best Regards,

S/Heather J.R. Priest
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 541)

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

June 20, 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 Veterans and Legal Affairs, on Bill "An Act To Recognize and Provide for the Right of the Houlton Band of Maliseet Indians To Operate a Casino on Houlton Band Trust Land Exempt from Certain Gaming Laws" (H.P. 999) (L.D. 1447), in non-concurrence;
- the Majority Ought to Pass as Amended Report from the Committee on Criminal Justice and Public Safety, and Passage to be Engrossed as Amended by Committee Amendment "A" (H-147) on Bill "An Act To Require A Person To Notify Law Enforcement Officers of the Possession of a Hypodermic Needle" (H.P. 716) (L.D. 1014), in non-concurrence.

Best Regards,

S/Heather J.R. Priest
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 544)

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

June 20, 2017

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

Dear Clerk Hunt:

Senate Paper 206, Legislative Document 591, "An Act To Require Motorists To Yield to Transit Buses," 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?" 20 voted in favor and 15 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.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Kennebunk High School Girls Lacrosse Team, of Kennebunk, which won the 2017 Class B State Championship, successfully defending their conference and state titles. We extend to all the members of the team our congratulations and best wishes;

(HLS 591)

Presented by Representative BABBIDGE of Kennebunk.

Cosponsored by Senator COLLINS of York, Representative SEAVEY of Kennebunkport.

On **OBJECTION** of Representative BABBIDGE of Kennebunk, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of Representative BABBIDGE of Kennebunk, this Expression of Legislative Sentiment and all accompanying papers were **INDEFINITELY POSTPONED.**

CONSENT CALENDAR

First Day

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

(S.P. 591) (L.D. 1639) Bill "An Act To Promote Major Business Headquarters Expansions in Maine, Promote the Commercialization of Research and Development in Maine and Create Jobs" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-294)**

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

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

ENACTORS

Acts

An Act To Provide Consistency with Regard to Jury Duty Exemption

(S.P. 26) (L.D. 46)
(C. "A" S-46)

An Act To Amend the Archives and Records Management Law

(S.P. 549) (L.D. 1567)
(C. "A" S-285)

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.

An Act To Increase the Penalty for Allowing Wildlife in Captivity To Escape in Violation of a Permit Requirement

(S.P. 91) (L.D. 305)
(C. "B" S-284)

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

On motion of Representative GOLDEN of Lewiston, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 381

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

NAY - Austin S, Black, Campbell, Casas, Cebra, Chapman, Craig, Dillingham, Farrin, Ginzler, Grignon, Hanington, Hanley, Harlow, Harrington, Head, Hickman, Johansen, Kinney J, Kinney M, Lockman, Lyford, Madigan C, Mason, McElwee, O'Connor, Ordway, Perkins, Pierce J, Prescott, Sampson, Sanderson, Sherman, Simmons, Sirocki, Stetkis, Strom, Sutton, Timberlake, Turner, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Devin, Harvell, Herrick, Higgins, Malaby, Theriault, Tipping, Madam Speaker.

Yes, 97; No, 46; Absent, 8; Excused, 0.

97 having voted in the affirmative and 46 voted in the negative, with 8 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

COMMUNICATIONS

The Following Communication: (H.C. 275)

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

June 22, 2017

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Erin D. Herbig of Belfast to serve as Speaker Pro Tem to convene the House on June 22, 2017.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

ENACTORS

Emergency Measure

An Act To Amend the Marijuana Legalization Act Regarding Retail Marijuana Testing Facilities

(H.P. 1132) (L.D. 1641)

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

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

Pursuant to the Constitution

Public Land

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

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

(C. "A" H-521)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 127 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

Acts

An Act To Restore the Tip Credit to Maine's Minimum Wage Law

(S.P. 235) (L.D. 673)
(H. "A" H-518 to C. "A" S-209)

An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators

(H.P. 970) (L.D. 1396)
(C. "A" H-522)

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. "B" H-529 to C. "A" S-186)

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.

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

On motion of Representative KORNFIELD of Bangor, the House adjourned at 11:45 a.m., until 10:30 a.m., Friday, June 23, 2017, in honor and lasting tribute to William L. Prentice, of Lebanon, and Louis George Cote, of Orland.