

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
53rd Legislative Day
Monday, June 12, 2017

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

Prayer by Honorable Stacey K. Guerin, Glenburn.
National Anthem by Katelyn Robinson, Garland.
Pledge of Allegiance.

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

The Journal of Friday, June 9, 2017 was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Eliminate the 24-hour Reporting Requirement under the Election Laws"

(S.P. 340) (L.D. 1033)

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

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-213)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Amend the Animal Welfare Laws To Add Provisions Relating to the Surrender of Animals"

(H.P. 1097) (L.D. 1593)

Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY READ** and **ACCEPTED** in the House on June 8, 2017.

Came from the Senate with the Majority (7) **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-446)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Facilitate Voluntary Cooperation among School Systems"

(H.P. 1009) (L.D. 1470)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** in the House on June 8, 2017.

Came from the Senate with the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and

ACCEPTED and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-455)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Safeguard Student Contact Information Provided to Schools"

(H.P. 1022) (L.D. 1483)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** in the House on June 8, 2017.

Came from the Senate with the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-456)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Build Greater Accountability into the General Assistance Program by Increasing the Penalty for Falsely Representing Information on an Application for General Assistance"

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

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** in the House on June 7, 2017.

Came from the Senate with the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-129)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Promote Workforce Participation" (EMERGENCY)

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

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-326)** in the House on June 7, 2017.

Came from the Senate with the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-327)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Increase Workforce Participation in the Temporary Assistance for Needy Families Program and Other Assistance Programs"

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

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-329)** in the House on June 7, 2017.

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

Non-Concurrent Matter

Bill "An Act To Clarify the Authority of an Affiliate of a Utility To Own Power Generation outside of the Utility's Territory"

(H.P. 536) (L.D. 756)

(C. "A" H-314)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-314) in the House on May 30, 2017.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-314) AS AMENDED BY SENATE AMENDMENT "A" (S-220)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act To Amend the Laws Governing the Practice of Pharmacy"

(S.P. 187) (L.D. 572)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** in the House on May 31, 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-124)** in **NON-CONCURRENCE**.

On motion of Representative HERBIG of Belfast, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 227)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

June 12, 2017

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

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the following Joint Standing Committee has voted unanimously to report the following bills out "Ought Not to Pass:"

Labor, Commerce, Research and Economic Development
L.D. 701 An Act To Establish the Maine Paid Family Leave Insurance Program

L.D. 1165 An Act To Amend the Laws Regarding Licensure for Professional Engineers

Sincerely,
S/Robert B. Hunt
Clerk of House

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

The Following Communication: (S.C. 498)

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

June 8, 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 following:

- the Minority Ought Not to Pass Report from the Committee on Education and Cultural Affairs on Bill "An Act Regarding College Affordability" (H.P. 792) (L.D. 1129), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Health and Human Services on Bill "An Act To Confer Categorical Eligibility for Supplemental Nutrition Assistance Program Benefit Applications" (H.P. 480) (L.D. 689), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Health and Human Services on Bill "An Act To Provide Supplemental Nutrition Assistance to Veterans and Rental Assistance to Long-term Homeless Persons" (H.P. 1059) (L.D. 1538), 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-400) on Bill "An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents" (H.P. 904) (L.D. 1307), in non-concurrence;
- the Majority Ought to Pass as Amended Report from the Committee on Taxation and Passage to be Engrossed as Amended by Committee Amendment "A" (H-387) on "RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate All Sales Taxes from All Vehicle Sales and Any Vehicle-related Sales to the Highway Fund for Roads and Bridge Capital Improvements" (H.P. 780) (L.D. 1106), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Taxation on Bill "An Act To Support Maine Families by Increasing the Dependent Care Credit" (H.P. 807) (L.D. 1144), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Criminal Justice and Public Safety on Resolve, To

Address Substance Use and Addiction in County Jails (H.P. 588) (L.D. 839), in non-concurrence;

- the Minority Ought Not to Pass Report from the Committee on Taxation on Bill "An Act To Support Employees with Significant Commutes" (H.P. 675) (L.D. 947), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Appropriations and Financial Affairs on Bill "An Act To Include Additional Corrections Officers under the 1998 Special Plan for Retirement and To Amend the Laws Governing Retirement Benefits for Capitol Police Officers" (H.P. 942) (L.D. 1365), 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. 499)

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

June 9, 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 following:

- the Minority Ought to Pass as Amended Report from the Committee on Energy, Utilities and Technology and Passage to be Engrossed as Amended by Committee Amendment "A" (H-273) on Bill "An Act To Provide Maine Landlords Advance Notice of Water Disconnection Postings" (H.P. 1038) (L.D. 1514), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Taxation on Bill "An Act To Prevent Tax Haven Abuse" (H.P. 564) (L.D. 784), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Veterans and Legal Affairs on Bill "An Act To Allow Municipalities To Adjust Times of Operation for Establishments That Serve Alcohol" (H.P. 781) (L.D. 1107), 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. 500)

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

June 9, 2017
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Gideon:

In accordance with 3 MRSA §158 and Joint Rule 506 of the 128th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Agriculture, Conservation and Forestry, Donald A. Kleiner of Union for appointment to the Land For Maine's Future Board.

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.**

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Clarify Eligibility for Unemployment Benefits during Labor Disputes"

(S.P. 455) (L.D. 1341)

Signed:

Senators:

BELLOWS of Kennebec
LANGLEY of Hancock

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-165)** on same Bill.

Signed:

Senator:

VOLK of Cumberland

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-165).**

READ.

Representative FECTEAU of Biddeford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

The **SPEAKER**: 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. 291

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, 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, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Winsor, Zeigler, Madam Speaker.

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

ABSENT - Grignon, Hanington, Marean, Ordway, Perry.
Yes, 78; No, 67; Absent, 5; Excused, 1.

78 having voted in the affirmative and 67 voted in the negative, with 5 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-228)** on Bill "An Act To Promote Workforce Development and Provide an Economic Stimulus for Maine-based Filmmakers and Supporting Businesses"

(S.P. 501) (L.D. 1450)

Signed:

Senators:

DOW of Lincoln
CHENETTE of York
CUSHING of Penobscot

Representatives:

BICKFORD of Auburn
COOPER of Yarmouth
HILLIARD of Belgrade
McCREIGHT of Harpswell
POULIOT of Augusta
STANLEY of Medway
TERRY of Gorham
WARD of Dedham

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

Signed:

Representatives:

TIPPING of Orono
GRANT of Gardiner

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-228).

READ.

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

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Tipping.

Representative TIPPING: Thank you, Madam Speaker. I move the Majority Ought to Pass as Amended Report because I have respect for the work of the Taxation Committee and I respect the work they put in coming to a majority vote on this. But, I disagree with the outcome. This bill goes beyond giving tax incentives to film companies to try and get them to film here, and goes all the way to directly reimbursing film companies, to the tune of a maximum of three quarters of a million dollars for a film or a quarter of a million dollars per episode of TV show shot in the state. The question I have is, why would we spend this money to artificially bolster an industry, when across the country states are showing that this approach does not work? The NCSL put out a report saying, since 2009, 10 states have ended their incentive programs. Most recently, unclear economic benefits caused Michigan, New Jersey, and Alaska to cut their incentive programs. Reading from a report recently from Pew, a retired Federal Bank of Boston economist and lecturer at Brandeis said on the impact of film tax incentives, "Most careful studies show that you spend an awful lot for every job you create for residents of a state. Film tax credits don't pay for themselves, so states have to raise taxes or cut expenditures to make up the difference, and those choices snuff out jobs that were meant to be created in the first place." And I just want to make this clear, we have a very good example of this: Massachusetts, a state that we sometimes are angry about stealing filming away from Maine, because in some places they have similar coastlines. From the period of 2006 to 2014, one net new Massachusetts resident job was created for every \$100,000 of tax incentive put out by the state. I don't think we should be in the position of buying one job for \$100,000. The net effects from a Maryland study on the same issue said, "The net economic impact resulting from the combined impacts of the tax credit are initially positive. But the benefits are short-lived, with total employment decreasing. Not only are the gains short-lived, but the state is actually worse off in the later years as there are fewer jobs compared to if there was no credit at all. The state essentially continues to pay for the credit after production has ceased." Madam Speaker, I don't think this is a great way for Maine to move, especially with the current debate about our tax policy on the table. And, I'll just end, trying to keep this brief, with one short quote, again from the Pew piece. Matthew Mitchell, of the conservative Mercatus Center at George Mason University said, "We shouldn't try to create industries where they haven't grown up naturally. There is an allure to policymakers who get irrationally starstruck. The idea of being in a production shoot with Ben Affleck or whoever," Mitchell said. With enough incentives you can grow oranges in Maine, but would it be wise to do so? I don't know if we have any orange growers in Maine that I may have just angered. But, Madam Speaker, I encourage you to oppose this motion and I ask for a roll call.

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

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

The SPEAKER: 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. 292

YEA - Austin S, Babbidge, Bailey, Bickford, Blume, Bradstreet, Campbell, Casas, Cebra, Collings, Cooper, Farrin, Fecteau, Fredette, Grohman, Hamann, Harlow, Harrington, Harvell, Herbig, Hickman, Higgins, Hilliard, Hogan, Kinney J, Longstaff, Luchini, Lyford, Madigan C, McElwee, Parry, Picchiotti, Pierce J, Pouliot, Prescott, Reckitt, Sampson, Sanderson, Seavey, Sherman, Skolfield, Stanley, Stearns, Sylvester, Terry, Theriault, Tuell, Vachon, Wallace, Ward, Wood, Zeigler, Madam Speaker.

NAY - Ackley, Alley, Austin B, Bates, Battle, Beebe-Center, Berry, Black, Brooks, Bryant, Cardone, Chace, Chapman, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Fay, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Guerin, Haggan, Handy, Hanley, Hawke, Head, Herrick, Hubbell, Hymanson, Johansen, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Madigan J, Malaby, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Perkins, Pickett, Pierce T, Reed, Riley, Rykerson, Sanborn, Schneck, Sheats, Simmons, Sirocki, Spear, Stetkis, Stewart, Strom, Sutton, Talbot Ross, Tepler, Timberlake, Tipping, Tucker, Turner, Wadsworth, Warren, White, Winsor.

ABSENT - Grignon, Hanington, Marean, Ordway, Perry.

Yes, 53; No, 92; Absent, 5; Excused, 1.

53 having voted in the affirmative and 92 voted in the negative, with 5 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative TIPPING of Orono, the Minority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-469)** on Bill "An Act To Provide Traffic Safety Education in Schools"

(H.P. 793) (L.D. 1130)

Signed:

Senators:

MAKER of Washington
MILLETT of Cumberland

Representatives:

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

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

Signed:

Senator:

LANGLEY of Hancock

Representatives:

KORNFIELD of Bangor
GINZLER of Bridgton
TURNER of Burlington

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" (H-469)** 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-469)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Facilitate Substance Abuse Treatment for Certain Applicants for and Recipients of Temporary Assistance for Needy Families Benefits"

(H.P. 1111) (L.D. 1615)

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-476)** 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 **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment" (H.P. 52) (L.D. 65)

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" (H-466)** on same Bill.

Signed:
Senators:
VOLK of Cumberland
LANGLEY of Hancock

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

READ.

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

Six Members of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-473)** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General 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" (EMERGENCY)

(H.P. 281) (L.D. 390)

Signed:
Senator:
BREEN of Cumberland

Representatives:
GATTINE of Westbrook
FREY of Bangor
HUBBELL of Bar Harbor
JORGENSEN of Portland
TEPLER of Topsham

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-474)** on same Bill.

Signed:
Representatives:
SEAVEY of Kennebunkport

SIROCKI of Scarborough
TIMBERLAKE of Turner
WINSOR of Norway

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "C" (H-475)** on same Bill.

Signed:
Senators:
HAMPER of Oxford
KATZ of Kennebec

One Member of the same Committee reports in Report "D" **Ought Not to Pass** on same Bill.

Signed:
Representative:
MARTIN of Eagle Lake

READ.

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

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Gattine.

Representative **GATTINE**: Thank you, Madam Speaker, Women and Men of the House. Today I rise to speak in support of Committee Amendment "A" to LD 390, and make no mistake, how we move forward on this piece of legislation is the most important business we have been sent here to do this session, and I don't say that with any hyperbole. The budget, LD 390, has far-reaching consequences. This legislation, and how we end this session, will affect every department in State Government, every public school classroom, our hospitals, nursing home residents, our transportation system, our state employees, our teachers, our community colleges, all of it. When all is said and done, the state budget will impact every single person here in Maine. Bearing that in mind, Committee Amendment "A" is a responsible budget that strengthens Maine's economy, while working within existing resources. Today, we offer this chamber the chance to support a budget that reflects the opportunities Mainers have demanded. With these opportunities in mind, and our constituents' voices in our ears, this budget protects property tax relief for working families, fully funds the state share of K-12 public education, and rejects a number of harmful and unnecessary cuts. It was built with the idea that a strong and thriving economy is the key to prosperity for every Mainer, and with investment in our communities, in excellent schools, in lower property taxes, and in quality health care, that we can build a better Maine for our children. This budget honors the intention made twice by the voters to fully fund the state share of K-12 public education, so that every kid, regardless of their zip code, receives the excellent education that prepares them for success in today's world, and with the understanding that every new dollar goes directly into the classrooms for our teachers and our students. This budget delivers the property tax relief needed so desperately by so many. For years, homeowners have seen their property tax rates skyrocket to cover the state's share of education, and essential services have been ignored. Seniors on fixed incomes, and struggling families, risk losing their homes as they try to keep up. We have the duty and the responsibility to address this issue right here and right now. We cannot kick the can down the road any longer. This report in front of you rejects destructive and disastrous cuts. All Mainers should be provided the opportunity to succeed in our great state, from our youngest to our eldest. We have not and

do not believe in blindly slashing valuable programs. We have come together time and time again in this chamber to reject these types of cuts, and we need to do so again. And while most of our public discussion so far is centered around public education and how to pay for it, there is much more that this one budget and Committee Amendment "A" does. We support an investment in higher education, we support innovative job training efforts, we improve our disability services, we strengthen consumer protections. We cannot be single minded and we must produce a budget that recognizes our state's challenges as well as our state's strengths. Over the past five months, members of the Appropriations Committee have been hard at work. We've tried over and over again to find compromise, to hear each other out, to recognize and craft a document that meets our state's needs, but frankly, we have not found that consensus; and so that is why we find ourselves here today with this Committee Amendment being offered. I can tell you quite honestly that I wish we were in a different situation. I respect and honor the work of the Committee that I serve on, and every single member of that Committee. But we could not in good conscience ignore the results of the referendum. We could not shortchange our students and our property taxpayers again. We must continue to fight for those Mainers who cannot be here to fight for themselves. In order to continue to do our work to serve the people of Maine, and to close the budget, we have to move this process forward. Today's vote is another step in that process. We're about to enter uncharted territory, but we must do so with purpose, with transparency, with accountability, and with the voice of Maine people ringing in our ears. But this process must and will come to an end. We must fulfill our obligation to Maine people. We must perform our service to the state, and we must enact a budget before June 30th. We must continue our legacy of leadership, and we must close this budget. So, with all this in mind, Madam Speaker and Men and Women of the House, I ask that you move this process forward, and to join me in voting in favor of Committee Amendment "A." Madam Speaker, I request a roll call.

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

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

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

Representative **PRESCOTT**: Thank you, Madam Speaker. May I ask a question through the Chair?

The **SPEAKER**: The member may proceed.

Representative **PRESCOTT**: Committee Amendment "A," is the spending more or less than the money we take in? And, are there any new taxes that are projected for this income?

The **SPEAKER**: The Representative from Waterboro, Representative Prescott, has posed a question through the Chair, if there is anyone who wishes to answer. The Chair recognizes the Representative from Lewiston, Representative Golden.

Representative **GOLDEN**: Thank you, Madam Speaker. There has been a lot of talk around the building that there could potentially be a Committee of Conference for this budget, and some members have had some questions about the process today talking to me, and so, I was hoping that perhaps you may be able to shed some light on the process for that, and also who can be chosen.

The **SPEAKER**: The Representative from Lewiston, Representative Golden, has posed a question to the Chair. The Chair would draw members' attention the Joint Rule 352.

When the chambers do not agree on an action and call for a Committee of Conference, should they call for a Committee of Conference, then the Committee of Conference would be in order. Committee of Conference would consist of three members from each chamber who voted on the prevailing side of acceptance of the initial report offered in the chamber. A Committee of Conference would have to meet and submit a report within 10 legislative days, to the chamber asking for the conference. The Report must be agreed to by a majority of members from each chamber. The Committee Report may be that it is unable to agree, and if that should happen, should a Committee of Conference take place in the first place, the Committee Report may be either accepted or rejected, but no other action may be had except through another Committee of Conference. And if that were the case, and it were necessary, a new Committee of Conference could then be ordered. That is looking down the line. I hope I have answered the Representative's question.

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

ROLL CALL NO. 293

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, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tipping, Tucker, Warren, Winsor, Zeigler, Madam Speaker.

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

ABSENT - Grignon, Hanington, Marean, Ordway, Perry.

Yes, 81; No, 64; Absent, 5; Excused, 1.

81 having voted in the affirmative and 64 voted in the negative, with 5 being absent and 1 excused, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-473)** 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-473)** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 198) (L.D. 583) Bill "An Act To Improve the Tax Appeal Process for Maine Businesses and Consumers" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-227)**

(S.P. 243) (L.D. 731) Bill "An Act To Require Mortgage Servicers To Act in Good Faith in Dealings with Homeowners" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-229)**

(H.P. 574) (L.D. 794) Bill "An Act Regarding the Taxation of Flavored Malt Beverages" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-472)**

(H.P. 836) (L.D. 1199) Bill "An Act To Promote Fiscal Responsibility in the Purchasing of Debt" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-468)**

(H.P. 939) (L.D. 1349) Bill "An Act Regarding the Registration of Appraisal Management Companies" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-467)**

(H.P. 940) (L.D. 1363) Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program and Prescription of Opioid Medications, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-477)**

(H.P. 1052) (L.D. 1532) Bill "An Act To Modernize the Laws Governing Maine Harness Racing" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-478)**

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

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

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

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 Friday, June 9, 2017, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-432)** - 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)

TABLED - June 7, 2017 (Till Later Today) by Representative MOONEN of Portland.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

Subsequently, Representative MOONEN of Portland 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 the Houlton Band of Maliseet Indians, Representative Bear.

Representative BEAR: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I want to first express my appreciation for the motion, and second, to keep myself brief today and just say that this is the right thing to do. Efforts have been made in the past to make this part of Maine's Constitution more accessible. There have been complaints that it isn't yet, and that we publish our laws. There has been some significant debate about the cost and how much more lengthy publishing Section V would entail. It's not that much longer in terms of printing, as we have found out in the fiscal notes and speaking to experts involved. The treaty that this Section refers to is real. There are treaties before that the current treaty of 1776 refers to that has been celebrated just this Saturday in Machias, when the community and the Tribes were together, celebrating the continuing good and strong relationship that this Section of Maine's Constitution represents. It's right that since 1875 when this Section was removed from publication, for whatever reason, that we now, 150 years later, put it back in, and anyway, I thank you and ask that you do support this motion. Thank you, Madam Speaker.

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. 294

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Longstaff, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Picchiotti, Reckitt, Riley, Rykerson, Sheats, Skolfield, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Denno, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grant, Guerin, Haggan, Hanley, Harrington, Harvell, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Luchini, Lyford, Mason, McElwee, O'Connor, Parry, Perkins, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reed, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sherman, Simmons, Sirocki, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Grignon, Hanington, Hawke, Lawrence, Malaby, Marean, Ordway, Perry.

Yes, 73; No, 69; Absent, 8; Excused, 1.

73 having voted in the affirmative and 69 voted in the negative, with 8 being absent and 1 excused, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolution was **READ ONCE**. **Committee Amendment "A" (H-432)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolution was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-432)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-437)** - 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" (EMERGENCY)

(H.P. 999) (L.D. 1447)

TABLED - June 7, 2017 (Till Later Today) by Representative LUCHINI of Ellsworth.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, Representative LUCHINI of Ellsworth 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 the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Thank you, Madam Speaker. I really don't know what to say. I'm kind of surprised by the motion, Madam Speaker. I was expecting to stand up and oppose, I have to rewrite my speech. Let me just say, thank you, and I'm going to read the letter from my Chief to the Committee and let it stand for itself, if I may. The Chief speaks to the Committee and says, "As many of you may or may not know, this topic is one of great importance to the Maliseets. The reasons for this are many. I will begin by giving you a brief introduction into the history of our Band which has received recognition" -- I'm paraphrasing -- "in 1980, settling in our homeland on the Meduxnekeag River. Currently 1,665 enrolled members, 1,500 acres of federal trust lands in Littleton and Houlton and southern Aroostook County, including parts of Monticello. We do provide services for our members in health and social services, housing, education, environmental protection, youth and elder programs, domestic violence, sexual assault, just to name a few. We built our community literally from the ground up. We have worked over the past 36 years to rebuild relations with the town, and have disseminated millions in federal and private dollars within and around our community. We have proven to be good neighbors who care about and contribute to the economy. This legislation of a Maliseet casino, located on 52 acres of our property directly off of I-95 exit, would be both sustainable and reasonable in our northern market. We believe there will be no significant impact on existing or proposed gaming operations, which are at least more than 100 miles away. Since the advent of gaming in

Maine, there is continued effort by opposing groups and other casinos who serve to stagnate growth, to discourage future gaming initiatives by others. In 2014, we were encouraged by the Veterans and Legal Affairs Committee members, who authorized funding and undertook the implementation of a nonbiased, independent market feasibility study on expanded gaming in Maine. This study, by WhiteSand Gaming, clearly invalidates any question that additional gaming is not possible. I urge you to review this report, most of you probably have already. It is important now to remember that report. As an Indian Tribe, we are deeply connected to our community and lands. Our profits would be spent and invested locally, as we have and continue to support local businesses. Our small to moderate casino would not be in direct competition with Hollywood Slots, Oxford Casino, and would capture monies from the location, which is near a port of entry to Canada and will provide a potential customer base. Indian gaming is not new, it is an economic tool that has proven to bring substantial increased benefits to Tribal governments as well as nontribal members. Indian gaming is being conducted in many states outside of Maine, with the highest standards of operation, Madam Speaker. From a Tribal government perspective, I would like to emphasize that this proposal is critical to the health and welfare of the Maliseet Tribal people, who currently suffer the highest mortality and unemployment rates in the entire State of Maine. Funds generated will provide expanded services to our members, decreasing the need for public assistance while raising the standard of living for Maliseet people along with many other residents of southern Aroostook area. As we have witnessed from Bangor and Oxford County facilities, many jobs have been created. This will have a positive, direct impact on area citizens and businesses in Houlton and the surrounding towns. Perhaps of more interest to the state, county, and local municipalities, it will result in new tax revenue increases. So, the decision to expand gaming with potential revenue will have an impact on the lives of my people, townspeople, and the entire Aroostook County."

Since this message was delivered to the Committee on Veterans and Legal Affairs, we've also received several other letters. Let me rephrase that. We've received unprecedented support. I have here the original letter from the County of Aroostook which says, by Douglas Beaulieu, the County Administrator, that they are supporting the right to have a casino on Tribal land without the need of a referendum. It's now widespread, gaming, that is, and legal in Maine, and so they recognize that. They suggest, and I believe you have a package, that they will rely on a \$400,000 planned profit distribution that could help fund programs that are struggling for funding, including their jail budget, and that they hope that we are successful. Then the Town of Houlton, for the first time in history, has sent a letter supporting this business venture, and they voted unanimous, 5-0, in support of this proposal in the Town of Houlton, where they have helped build a new sewer system, water supply, and upgraded the electrical service to the 52 acres that the Tribe has set aside and that the United States has already designated for the purpose of gaming. So, without belaboring the point and to contain my happiness for the motion, I will now stop talking and ask that you do support this modest gaming facility, which will benefit all four Tribes because there is a significant, if you look at the fiscal note, a very good fiscal note. There is a significant benefit to all four Tribes, while not impacting the funds that they currently receive already and alternatively from gaming in the state. But more importantly, it will have no impact on the Oxford Casino, none. I would suggest it would even help bring

the idea around the world, across the country, that there is gaming in Maine. It will be unique and add to that. But, it will impact Bangor's Hollywood Casino by three percent, according to the fiscal office that prepared the note. But that is made up in the revenue, the tax that will be lost from Bangor, that would be made up, it seems in reading the report, from the revenue the state will get from the Tribal casino in Houlton, which initially will provide over \$1 million in fees to the state, and some \$100,000 per table game, which is comprised of \$100,000 per table game if we were to operate 10 table games. This casino is one-quarter the size of the operation in Bangor and yet, depending on market forces and how many people from the Canadian side, from the five Provinces that comes through the port at Houlton will patronize us, will determine exactly how many machines we'll actually operate. It's possible we may only operate 50 or 125 but, either way that will represent jobs, up to 80, maybe 100 jobs, and it will also bring in significant net profit to be split among all the parties, including the Tribes, the town, the county, and the state. Thank you for listening to me, Madam Speaker.

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

Representative **JOHANSEN**: Thank you, Madam Speaker. I'm not sure if Representative Bear left me anything to comment on, but I'm going to try anyway. I rise in support of LD 1447, "An Act To Recognize the Right of the Houlton Band of Maliseet Indians To Operate a Casino on Houlton Band Trust Land." This project supported by the Maliseet Band, is fully supported by the town of Houlton Town Council, and is enthusiastically supported by the Aroostook County Commissioners with no opposition known in the communities. Folks, the Houlton Band of Maliseets have been good neighbors. They live amongst us conducting their business in cooperation with the surrounding community, and I would ask you to support this bill. Thank you.

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. 295

YEA - Alley, Austin S, Bailey, Bates, Battle, Berry, Bryant, Campbell, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Dunphy, Farnsworth, Fay, Fecteau, Fuller, Gattine, Grant, Grohman, Hamann, Harlow, Harrington, Herbig, Hickman, Hogan, Hymanson, Johansen, Jorgensen, Kinney J, Longstaff, Madigan C, Madigan J, Malaby, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Picchiotti, Prescott, Reckitt, Riley, Rykerson, Sampson, Sanborn, Sherman, Sirocki, Skolfield, Spear, Stanley, Strom, Sutton, Sylvester, Talbot Ross, Terry, Theriault, Tipping, Tucker, Vachon, Warren, Madam Speaker.

NAY - Ackley, Austin B, Babbidge, Beebe-Center, Bickford, Black, Blume, Bradstreet, Brooks, Cardone, Chace, Craig, Denno, Dillingham, Duchesne, Espling, Farrin, Foley, Fredette, Frey, Gerrish, Gillway, Ginzler, Golden, Guerin, Haggan, Handy, Hanley, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Hubbell, Kinney M, Kornfield, Kumiega, Lockman, Luchini, Lyford, Mason, O'Connor, Ordway, Parry, Perkins, Pickett, Pierce J, Pierce T, Pouliot, Reed, Sanderson, Schneck, Seavey, Sheats, Simmons, Stearns, Stetkis, Stewart, Tepler, Timberlake, Tuell, Turner, Wadsworth, Wallace, Ward, White, Winsor, Wood, Zeigler.

ABSENT - Doore, Grignon, Hanington, Lawrence, Marean, Perry.

Yes, 74; No, 70; Absent, 6; Excused, 1.

74 having voted in the affirmative and 70 voted in the negative, with 6 being absent and 1 excused, and accordingly the Minority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-437) 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-437)** and sent for concurrence.

JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO NEGOTIATE TRADE AGREEMENTS WITH THE EUROPEAN UNION TO KEEP MAINE AND DOMESTIC LOBSTER AND SEAFOOD PRODUCTS COMPETITIVE WITH CANADIAN LOBSTER AND SEAFOOD PRODUCTS

(H.P. 1120)

TABLED - May 31, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **ADOPTION.**

Representative KUMIEGA of Deer Isle **PRESENTED House Amendment "A" (H-490)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Deer Isle, Representative Kumiega.

Representative **KUMIEGA**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, this amendment makes some minor changes to the Resolution. Some concerns were brought up to me, that the way the Resolution was originally titled, it seemed like we were endorsing a trade deal that we actually didn't know very much about. So, the amendment changes that to focus on the problem at hand, which is that the European Union and the Canadian government have negotiated a trade deal that eliminates most tariffs on Canadian seafood products, specifically lobster. So it creates a situation where Maine lobster is suddenly at a competitive disadvantage to Canadian lobster in the European market, so the Resolution urges Congress and the Federal Government in general to try and do something about the tariff problem, and reduce tariffs on Maine seafood. Thank you, Madam Speaker.

Subsequently, **House Amendment "A" (H-490) was ADOPTED.**

Subsequently, the Joint Resolution was **ADOPTED as Amended by House Amendment "A" (H-490).** Sent for concurrence. **ORDERED SENT FORTHWITH.**

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (1) **Ought to Pass** - Committee on **MARINE RESOURCES** on Bill "An Act To Provide for an Elver Dealer's License for the Houlton Band of Maliseet Indians" (EMERGENCY)

(H.P. 913) (L.D. 1316)

TABLED - June 1, 2017 (Till Later Today) by Representative KUMIEGA of Deer Isle.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Subsequently, on motion of Representative BEAR of the Houlton Band of Maliseet Indians, the Bill and all accompanying papers were **INDEFINITELY POSTPONED**. Sent for concurrence.

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

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

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

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

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

TABLED - June 7, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **FURTHER CONSIDERATION**.

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

The same Representative **PRESENTED** House Amendment "B" (H-488) to Committee Amendment "A" (H-331), which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (H-331) as Amended by House Amendment "B" (H-488) thereto was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-331) as Amended by House Amendment "B" (H-488)** thereto in **NON-CONCURRENCE** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (H-421)** - Minority (1) **Ought Not to Pass** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Provide Youth Mental Health First Aid Training to Secondary School Health Educators"

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

TABLED - June 7, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - Motion of Representative KORNFIELD of Bangor to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

The Bill was **READ ONCE**. Committee Amendment "A" (H-421) was **READ** by the Clerk.

Representative McCREIGHT of Harpswell **PRESENTED** House Amendment "A" (H-471) to Committee Amendment "A" (H-421), which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Madam Speaker. I just wanted to explain that the amendment corrects a drafting error and therefore removes any fiscal note. It was unintended that this be a requirement of the department, and the amendment fixes that language, and therefore there is no fiscal note. Thank you.

Subsequently, House Amendment "A" (H-471) to Committee Amendment "A" (H-421) was **ADOPTED**.

Committee Amendment "A" (H-421) as Amended by House Amendment "A" (H-471) 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" (H-421) as Amended by House Amendment "A" (H-471)** thereto and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act To Increase Funds Deposited into the Companion Animal Sterilization Fund through the Pet Food Surcharge

(H.P. 1104) (L.D. 1601)

(C. "A" H-447)

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. 104 voted in favor of the same and 36 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Provide Training for Forest Rangers To Carry Firearms

(H.P. 9) (L.D. 8)

(C. "A" H-451)

An Act To Amend the Requirements of the Temporary Assistance for Needy Families Program

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

(C. "A" H-298)

An Act To Amend Laws Relating to Agricultural Pulling Events

(H.P. 390) (L.D. 548)

(C. "A" H-458)

An Act To Implement the Recommendations of the Government Oversight Committee To Improve the Efficiency and Effectiveness of Evaluations of the State's Investments in Economic Development

(H.P. 849) (L.D. 1217)

(C. "A" H-445)

An Act To Facilitate Compliance by School Employees with Criminal History Record Check and Fingerprinting Requirements

(S.P. 438) (L.D. 1286)
(C. "A" S-221)

An Act To Adopt the Nurse Licensure Compact

(S.P. 488) (L.D. 1410)
(C. "A" S-215)

An Act To Ban the Purchase of Retail Marijuana and Retail Marijuana Products with Temporary Assistance for Needy Families Program Benefits

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

An Act To Raise the Debtor's Exemption on Vehicles

(S.P. 497) (L.D. 1442)
(C. "A" S-212)

An Act To Update Professional and Occupational Licensing Laws

(S.P. 498) (L.D. 1443)
(C. "A" S-216)

An Act To Amend the Maine Tax Laws

(H.P. 1069) (L.D. 1551)
(C. "A" H-463)

An Act To Protect Maine Consumers from Unexpected Medical Bills

(H.P. 1073) (L.D. 1557)
(C. "A" H-459)

An Act To Support Employment Opportunity in Maine

(H.P. 1109) (L.D. 1608)
(C. "A" H-461)

An Act To Allow the Androscoggin County Commissioners To Establish Reasonable Office Hours for County Offices

(S.P. 575) (L.D. 1622)

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

Resolves

Resolve, To Establish the Task Force To Recognize Computer Science in the Path to Proficiency

(H.P. 289) (L.D. 398)
(C. "A" H-454)

Resolve, Providing for the Official Observance of the 200th Anniversary of the Formation of the State of Maine

(H.P. 806) (L.D. 1143)
(C. "A" H-453)

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

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Report of the **Joint Standing Committee on Education and Cultural Affairs** on Bill "An Act To Promote Workforce Education Attainment"

(S.P. 589) (L.D. 1638)

Reporting **Ought to Pass** pursuant to Joint Order 2017, S.P. 293.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

The Bill was **READ ONCE**.

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

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Establish an Independent Citizens Oversight Committee on Maine's Welfare Programs"

(S.P. 486) (L.D. 1408)

Majority (9) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-156)** in the House on June 9, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (4) **OUGHT NOT TO PASS** Report of the Committee on **HEALTH AND HUMAN SERVICES** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Clarify the Use of Public Money for Bulk Mailing in the Election Process"

(S.P. 395) (L.D. 1174)

Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** in the House on June 9, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-214)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Include Tax-exempt, Nonprofit Regional Transportation Providers under the Maine Tort Claims Act" (EMERGENCY)

(H.P. 213) (L.D. 280)

Minority (6) **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-464)** in the House on June 9, 2017.

Came from the Senate with the Majority (7) **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 Prioritize Family Members as Surrogates for Medical Decisions"

(H.P. 1108) (L.D. 1607)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on June 9, 2017.

Came from the Senate with the Minority (6) **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-465)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Require Responsible Contracting on Public Construction Projects"

(H.P. 961) (L.D. 1382)

Minority (2) **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" (H-450)** in the House on June 9, 2017.

Came from the Senate with the Majority (10) **OUGHT NOT TO PASS** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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

CONSENT CALENDAR

First Day

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

(S.P. 147) (L.D. 445) Bill "An Act To Encourage Maine Consumers To Comparison-shop for Certain Health Care Procedures and To Lower Health Care Costs" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-236)**

(S.P. 423) (L.D. 1260) Resolve, To Establish the Commission To Create a Plan for the Establishment of a Probate Court System with Full-time Judges Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-231)**

(H.P. 329) (L.D. 463) Bill "An Act To Improve the Funding of County Jails" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-487)**

(H.P. 639) (L.D. 911) Bill "An Act To Prohibit Certain Gifts to Health Care Practitioners" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-481)**

(H.P. 981) (L.D. 1427) Bill "An Act To Make Community Paramedicine Projects Permanent" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-489)**

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

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-223)** on Bill "An Act To Encourage Broadband Coverage in Rural Maine"

(S.P. 477) (L.D. 1399)

Signed:

Senators:

WOODSOME of York
DION of Cumberland

Representatives:

BERRY of Bowdoinham
COOPER of Yarmouth
DeCHANT of Bath
HARVELL of Farmington
RILEY of Jay
RYKERSON of Kittery
SANBORN of Portland

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

Signed:

Senator:

CUSHING of Penobscot

Representatives:

HANLEY of Pittston
O'CONNOR of Berwick
WADSWORTH of Hiram

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-223)**.

READ.

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

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

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

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

Representative **WADSWORTH**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise today against the pending motion. I cannot support legislation that is funded by assessments on communication service providers, and tax assessments on telecommunication equipment. These funds would then be used to compete against broadband providers. This is the exact opposite strategy that should be used to expand broadband. Currently, FairPoint is in the second round of Connect America funding, where they are spending almost \$14 million connecting underserved areas. With this bill having nearly a \$7 million fiscal note, I ask you to

follow my light and keep the state out of business with private industry.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker and Men and Women of the House. Like many of you, I represent an area that desperately wants additional access to high-speed internet, and when I speak to my constituents about it, I'm often reminded of the story of an area that I represent where no one lives today. A hundred years ago, Swan Island was a town in the middle of the Kennebec River with 1,700 acres and 17 very large, very prosperous, and very active families. They were engaged in international trade, including shipbuilding, ice harvesting, fishing, and much more. Swan Island and the town of Perkins gradually went away because its young people went away. Between 1900 and 1940 it went from a town, to a township, to a property of the state where no one lives, and the reason for that is that --

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

Representative **BERRY**: Thank you. The reason that Swan Island, in those two generations, lost its young people, is that the young people wanted modernity: they wanted roads, and there was no bridge to Swan Island; they wanted electricity, and there were no poles and wires to Swan Island; and they wanted telephone service, and there was no telephone service on Swan Island. Madam Speaker, we are on our way to becoming an island today. More of us in Maine are dying than are being born, and we need desperately to keep our young people here. A decade ago, we created the ConnectME Authority. At the time, it was a groundbreaking concept. It helped us to get to the basic internet service that we have now which is roughly on par with other states. But, the ConnectME Authority no longer does the job. We need to skate to where the puck is going, and with respect to high-speed internet access, truly high-speed internet access, Madam Speaker, we are now 49th in the nation -- 49th in the nation. Supporting the bipartisan Majority Report on LD 1399 is the best way we can move forward at this time. So, why are we 49th in the nation in true high-speed internet? Because today, we invest just \$1.1 million per year in broadband infrastructure. In other words, we invest less than \$1 per Mainer per year -- less than \$1. Imagine if we spent less than \$1 per Mainer per year on our roads, or on our telephone service, or on our poles and wires for electricity. Our young people would have left a long time ago. The funding source that was mentioned by my friend from Hiram, with whom I've greatly enjoyed the opportunity to serve on the Energy, Utilities, and Technology Committee, was actually proposed by the Executive to go to the municipalities. And the municipalities told us in the hearing on this bill that they would rather have this money go to the purpose designated here than go to municipalities. They said, please, take the \$6 million from us and give it to broadband, because we know that it is desperately needed in Maine. We see our young people leaving. We don't want to become Swan Island. We need our young people here. Madam Speaker, many of us went to Millinocket together, and we heard from the folks who are working so hard to make Millinocket prosperous again, as it once was. And we heard from them that the number one thing that we could do is to give them better access to high-speed broadband. We heard from them that many of our young people have jobs that they can take anywhere, anywhere in the world. And I know we all know some of those people who have incredible skills with technology and want to live in Maine

and understand the quality of life that we have here, but if they don't have high-speed internet, then they can't do it. And so, I hope that we will listen to our municipalities, I hope that we'll listen to folks like those people who spoke to us in Millinocket. I hope that we'll think about jobs; that we'll think about telemedicine for our seniors and those in need of health care, and which also requires high-speed internet; and that we'll think about our young people, and giving them access to the tools of digital learning both at home and in their schools; and that we'll listen to municipalities who want not for themselves to have this money, but for this money to go into broadband. Please vote for the pending motion. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFELD**: Thank you, Madam Speaker. I come from a rural part of the state, Franklin County, and I also represent some rural towns in Somerset County, and the good folks up there are crying, crying out desperately to get this. And I, like my good friend Representative Berry, I think that you can use the analogy of the way we were 50 to 100 years ago with our highways in the State of Maine. My dad tells the story, and I don't know if you're familiar with my neck of the woods, but it's about 15 miles from where I live in Weld to Madrid, and it's about 15 miles from where I live to Dixfield. Back in the 1930s, my dad had a small dump truck, and he was hired by a lumber operation to haul all of their equipment from their winter logging operation in Madrid back to Dixfield, about a 30-mile trip. Dad left at o'dark thirty in the morning one cold, frosty March morning while the ground was still frozen, because it was a mud road in those days. He got over there to Madrid midday, loaded up all the equipment that they needed to have transferred back to Dixfield. By that time the ground had thawed out. He had to stay the night, got up the next morning while the ground, the roads were frozen, drove to Weld, he got about 15 miles away and he had to stop, because the ground thawed out again, spent the night, drove to Dixfield the next day, delivered the equipment, and spent the night because the ground thawed out again, and came home. Think of that. It was three nights to drive from Weld to Madrid, back to Weld, to Dixfield -- three nights. Can you imagine? Those are the conditions that these folks are finding, if you extrapolate that to what we call the internet today. There are a lot of wonderful, wonderful people up there who want to stay, who want to work, who want to live, who want to thrive and survive in my neck of the woods, and this would give them the opportunity to do that. I know of several young people who have to go to the library or have to go someplace else to get internet. I know of one young man who works out of New York City but he wants to live up there. He has to go to New York every couple of weeks to work. He could do so much more if he could just stay right there in Franklin County, but he's forced to leave, and he's doing it, and he knows a lot of other people who would rather be there and work, but they can't. I'm supporting this motion and I think folks should follow my light. Thank you.

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

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in opposition to this motion. There are countless examples of government getting into the business of providing broadband, with taxpayers footing the bill, only to end in a failure coupled with a lot of debt. What most expansions have resulted in are not the underserved getting services, or those in areas with no broadband, but networks were built on top of private networks

in densely populated commercial stretches of communities. Providing scarce public resources to compete against the private sector does not solve the problem in getting broadband to rural settings. This legislation seeks to redirect General Fund revenues from taxes on telecommunications personal property to fund this new incentive. In addition to the current funding of \$6,250,000, it increases \$66,040 in 2017-2018, \$136,094 in 2018-2019, \$139,632 in 2019-2020, and \$143,263 in 2020-2021, and the beat goes on. This is more wasteful spending, and I urge you to follow my light.

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

Representative **McCREA**: Thank you, Madam Speaker. Most of us ran for this office last year, we all did, and a lot of us mentioned several things, such as improved education, improved economy, population stabilization, quality of life, communications, business. These are all things that have something to do with broadband internet, especially in rural areas of the state. So, for me, very shortly, I totally support this bill, and I request that everybody do the same. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker. I would request that the Clerk read the Committee Report whereby most of our House caucus members on the committee were on the alternative report. I will not be supporting the current motion.

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

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

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

Representative **ACKLEY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I live on Route 135 in Monmouth, and we in Monmouth received electricity in 1932. That's when the poles went up and the wires went down the road. My grandfather's generation found a way to bring what was then cutting-edge technology to rural Maine. Because all it was then was farms. That's what it was. I'd like us all to pause for a moment today to imagine what our lives would be like if they had not made that investment then. That's why I'm supporting the motion today. It's time for us to take a step forward, and do what Mainers have done for generations, and make an investment in our kids' future. Thank you, Madam Speaker.

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

Representative **TUELL**: Thank you, Madam Speaker. I rise in support of the pending motion before us, and I do so as a strong supporter of broadband all across our state. I want to speak today about a success story down in Washington County, and some of you may know the folks from Axiom Technologies, down in Machias, which started up about 10 or 12 years ago now, providing broadband wireless technology in an area that, up to that point, just had dial-up. Well, this little company that employed a handful of people at the time, that was salvaged from other companies that were kind of handed off from one person to another, has grown and flourished and employed local people all across Washington County. They've brought broadband service across Washington County, many times in consort with the ConnectME Authority, which is the subject of this bill before us. They support the legislation before us because of some of the tremendous work that is proposed. Axiom is a strong supporter of digital literacy initiatives, which, the short version of, teaches people how to

use a computer, how to use software, and to some extent, how to use online services. Many of you in rural areas probably know folks who still do their bookkeeping on paper. Well, digital literacy has taught folks how to use and be more efficient through things like Excel, and QuickBooks, and whatnot like that. These resources are proving to be a tremendous hit in rural areas, and in our area resuscitating adult education, which was at one point funded solely by local communities, and is now being taken on by Axiom Technologies and expanded upon. So, not only are we expanding broadband, but we're resuscitating adult ed, and we're bringing people of all ages and multigenerations into a new economy. I think this is incredibly important to do, and I support this bill on that alone. I would conclude by saying that the amendment before us reforms ConnectME Authority, because there are some areas where work needs to be done, and folks rightfully point that out as an issue. So, I would encourage you to support the pending motion, as I will be, for the benefit not just of rural Maine but remote regions of Maine. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Dover-Foxcroft, Representative Higgins.

Representative **HIGGINS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Those of you who were here two years ago, I promise not to give you another 20 or 30-minute presentation. Though I think it's probably improved by now, but I will spare you all that. My good friends here today, I think, have laid out the issues about why broadband and high-speed internet is so important. I'd like to give you a couple of numbers to think about. We've heard a lot of numbers here today. New York State is investing \$500 million dollars, not \$100,000 or \$200,000 or \$25,000 -- 500 million in western New York, rural New York. Massachusetts is in the final stages of completing a \$300,000 network out in Lenox, west of Springfield, a very rural area of Massachusetts. Montana has invested heavily, and is recruiting businesses and young people from the west coast. It's not just enough to come to Montana because that's the way life should be, I think we've seen that sign somewhere else, but in fact, because the high-speed internet and you can work there. You don't have to live in Southern California or Portland, Oregon, or wherever. But I do know, from my own experience living in Piscataquis County, the number one question, or complaint, or inquiry, it all comes in different forms, is "What are we going to do about the internet?" I hear that all the time. Oftentimes it comes with, "So, what are you people thinking about down there?" I don't really want to tell them that's not one of our strengths. But, anyway it's, people get really angry, and it's not about Netflix. It's about the ability to work at home. It's about the ability to access health care at home. It's about the ability to build a new economy in rural Maine. In Piscataquis County, we're fortunate enough to have a \$125,000 grant, and the reason we acquired that is that 16 communities in Piscataquis County came together under the leadership of the Piscataquis County Commissioners, what I call the three crusty old men, and the 16 towns voted to come together to submit an application to begin the planning process of bringing high-speed internet to Piscataquis County. You know, we're pretty conservative folks up there, and I don't know if in my lifetime I have ever recalled that we could get 16 communities to agree on anything in Piscataquis County. In fact, I'm pretty sure we can't. School consolidation has been living proof of all of that. But broadband, high-speed internet -- and why? Because people get it. We have an industry in Guilford that doesn't have enough access, and lost a \$450,000 contract because they

didn't have the high-speed internet they needed. A major industry in Milo has moved part of its operation out of state because it doesn't have the broadband capacity it needs. A major sawmill in Dover-Foxcroft was able to access it in our new mill project, and brought its financial business operations back to Dover-Foxcroft because they wanted them close to home. We could go on and on and on about the advantages and the reasons to do it, but this is a very modest bill. It's a very modest proposal. It reflects the fact that ConnectME, we've outgrown the ability of ConnectME to lead us in this initiative. This is a restructuring, a repurposing, a refocusing, and a recommitment. I ask for your support on this bill. Thank you.

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

Representative **GROHMAN**: Thank you, Madam Speaker, Women and Men of the House. I want to point out -- we're spending some time talking about the financing of broadband and I think that's really important, but I think that the good Representative from East Machias, Representative Tuell, led into something that I really want to highlight. The ConnectME Authority is kind of a stand-alone organization. There's a lot in this bill to like as far as how the structure will be modified. The work here in this bill would kind of follow the Maine Technology Institute model, or the Maine International Trade Center. So, what we'll do is move this into DECD, the Department of Economic and Community Development, and it will be a standalone, nonprofit organization, the same as those are. That's going to have significant advantages, not least of which the group will then be able to be under the administration of the DECD, raise outside funding through grants or whatever other mechanisms, and there are just variety of changes in this statute that I think are really appealing, and are going to modify the operations of ConnectME in really positive ways that are going to have big impacts, besides the dollars. Now, the dollars are there, we all spend a lot of time thinking about the dollars, and those are hard calls and hard decisions to make. The funding that's tied to this is the oft-debated two-way telecommunications funding, I think we've all heard around these halls quite a bit, and I think the Executive has advanced that those funds collected by the state under the mechanism we have today is something that he really wants to take a look at, and I would be hard pressed to argue for something besides their dedication to this effort. But, notwithstanding your position on that, I really think we would be well positioned to advance this legislation because of the statutory changes it makes to bring ConnectME within the Department of Economic and Community Development where it belongs, and I'll be supporting the pending motion. Thank you, Madam Speaker.

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

ROLL CALL NO. 296

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney M, Kornfield, Kumiega, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby,

Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perkins, Picchiotti, Pickett, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Turner, Vachon, Wallace, Ward, Warren, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Craig, Espling, Fredette, Ginzler, Guerin, Haggan, Hanley, Kinney J, Lockman, O'Connor, Ordway, Parry, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Wadsworth, White, Winsor.

ABSENT - Grignon, Hanington, Lawrence, Marean, Perry.
Yes, 116; No, 29; Absent, 5; Excused, 1.

116 having voted in the affirmative and 29 voted in the negative, with 5 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-223)** 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-223)** in concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-232)** on Bill "An Act To Improve Public Sector Labor Relations"

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

Signed:

Senator:

BELLOWS of Kennebec

Representatives:

FECTEAU of Biddeford

BATES of Westbrook

DUNPHY of Old Town

HANDY of Lewiston

MASTRACCIO of Sanford

SYLVESTER of Portland

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

Signed:

Senators:

VOLK of Cumberland

LANGLEY of Hancock

Representatives:

AUSTIN of Gray

LOCKMAN of Amherst

STETKIS of Canaan

VACHON of Scarborough

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-232)** 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-232)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Allow Delivery Vehicles To Display Lighted Advertising Signs"

(S.P. 122) (L.D. 381)

Signed:

Senators:

COLLINS of York
ROSEN of Hancock

Representatives:

McLEAN of Gorham
AUSTIN of Skowhegan
BRYANT of Windham
GRANT of Gardiner
PARRY of Arundel
PERKINS of Oakland
SCHNECK of Bangor
SHEATS of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-238)** on same Bill.

Signed:

Senator:

MIRAMANT of Knox

Representatives:

CEBRA of Naples
GILLWAY of Searsport

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-238)**.

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-234)** on Bill "An Act To Simplify the Licensing Process for Off-site Catering"

(S.P. 538) (L.D. 1543)

Signed:

Senators:

MASON of Androscoggin
CARPENTER of Aroostook
COLLINS of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-235)** on same Bill.

Signed:

Representative:

LONGSTAFF of Waterville

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-234)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-234)** 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-234)** in concurrence.

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

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

Representative **HICKMAN**: Thank you, Madam Speaker. Madam Speaker, I request unanimous consent to address the House on the record.

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

Representative **HICKMAN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, on this day in 1963, Medgar Evers was assassinated by Klansmen in the front of his house. Medgar Wiley Evers was an American civil rights activist from Mississippi who worked to overturn segregation at the University of Mississippi, and to enact social justice and voting rights. A World War II veteran and college graduate, he became active in the civil rights movement in the 1950s. He became a Field Secretary for the National Association for the Advancement of Colored People. Following the 1954 ruling of the United States Supreme Court in *Brown v. Board of Education* that segregated public schools were unconstitutional, Medgar Evers worked to gain admission for African Americans to the state-supported, public University of Mississippi. He also worked on voting rights and registration, economic opportunity, access to public facilities, and other

changes in a segregated society. Evers was murdered by Byron De La Beckwith, a member of the White Citizens' Council, a group formed in 1954 to resist integration of schools and civil rights activities. As a veteran, Evers was buried with full military honors at Arlington National Cemetery. His murder and the resulting trials inspired civil rights protests, as well as numerous works of art, music, and film. Two all-white juries failed to reach verdicts in the first two trials of Beckwith. He was convicted in a new state trial in 1994 after his body was exhumed and new evidence was presented. I will close with a quote from Medgar Evers that he gave on a radio show five days before his death. "The gifts of God should be enjoyed by all citizens in Mississippi. You can kill a man, but you cannot kill an idea. Our only hope is to control the vote. Now, it may sound funny, but I love the South. I don't choose to live anywhere else. There's land here where a man can raise cattle, and I am going to do it someday. I love my children, and I love my wife with all my heart, and I would die, die gladly if that would make a better life for them. The Negro has been here in America since 1619, a total of 344 years, and he is not going anywhere else. This country is his home. He wants to do his part to help make his city, his state, and his nation a better place for everyone, regardless of color and race. Freedom has never been free."

On motion of Representative TURNER of Burlington, the House adjourned at 5:46 p.m., until 12:00 p.m., Tuesday, June 13, 2017.