

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
46th Legislative Day
Wednesday, May 31, 2017

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

Prayer by Reverend Leo R. Locke, Jr., East Wilton Union Church.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Require the Secretary of State To Automatically Register Nonregistered Persons Who Are Qualified To Vote through Records of the Bureau of Motor Vehicles"

(H.P. 854) (L.D. 1232)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-267)** in the House on May 25, 2017.

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

The House voted to **INSIST**.

Non-Concurrent Matter

An Act To Allow for the Regulation of Transportation Network Companies at Airports (EMERGENCY)

(H.P. 711) (L.D. 1010)

(C. "A" H-123)

FAILED of **PASSAGE TO BE ENACTED** in the House on May 23, 2017.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-123) AS AMENDED BY SENATE AMENDMENT "A" (S-145)** thereto in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (H.C. 192)

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

May 26, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 488, "An Act to Provide for Municipalities to Allow Grocery Stores up to 10,000 Square Feet to Open on Thanksgiving, Easter and Christmas."

Either Maine is open for business or it's not. If members of the Legislature were sincerely interested in removing unnecessary red tape and delivering real, meaningful reform to Maine's

business community, they would stop granting piecemeal carve-outs to Maine's antiquated blue laws. Instead of passing LD 488 as amended, lawmakers should instead support allowing all Maine businesses the opportunity to decide whether to be open when and how they see fit based on market demand.

This bill perpetuates the picking of winners and losers in our economy. We need to pass real reform and stop nibbling around the edges of what most of us view as unnecessary obstacles to a free market system. LD 488 passes the buck to municipalities to allow grocery stores with no more than 10,000 square feet of selling space to open on Easter, Thanksgiving and Christmas. While I absolutely support the ability of these businesses to be open on these three days, I also support the ability of other non-exempt businesses to be open when they deem it appropriate as well.

For this reason, I return LD 488 unsigned and vetoed. I strongly urge the Legislature to sustain it and allow all businesses an equal opportunity on these three days.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Provide for Municipalities To Allow Grocery Stores up to 10,000 Square Feet To Open on Thanksgiving, Easter and Christmas

(H.P. 351) (L.D. 488)

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

Representative **ESPLING**: Thank you, Madam Speaker. Just a point of order, I'd like to question whether we have a quorum present.

Representative **ESPLING** of New Gloucester inquired if a Quorum was present.

The Chair ordered a quorum call.

More than half of the members responding, the Chair declared a Quorum present.

The **SPEAKER**: The Chair recognizes the Representative from Searsport, Representative Gillway.

Representative **GILLWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'll be brief. I have a bit of a cold so, I'll be very brief. I urge everyone to read the letter from the Chief Executive and realize that we're not, this shouldn't be a partisan issue. Unfortunately, it has become that. I depicted this as a Tozier bill; it's not a Tozier bill, it's not a Gillway bill. It's more a Waldo County bill and a local control bill. There are several stores in Waldo County that fit this bill, three surround Belfast. The local county paper picked up this story and quoted me without even talking to me, I don't know if that qualifies as fake news or not, but they were good quotes. They were about what this is intending to do. This bill simply wants to change the dynamic out here in Augusta. I'm termed out. You won't see me bringing this bill back but you will see the Maine Grocers Association and the Retail Association of Maine bringing this bill back exactly like it is. The Governor talks, excuse me, the Chief Executive talks of nibbling away at the Blue Laws in Maine. We've been nibbling for years, there's 33 exemptions. What I am attempting to do with this bill, and why I want you to override the veto, is nobody knows better what's good for Main Street in your community than the people that live there and are affected by this. I want to stress, this is more about local control. When I'm out of here, I can turn and say, "You people don't know what you're doing," but today I say, "We don't know what we're doing." We need to give local control and let local people decide the destiny of their brick and

mortar businesses on Main Street and I urge you to support overriding the veto. Thank you.

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

Representative **FECTEAU**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I had the opportunity to read the Chief Executive's veto letter. I found it quite insightful and I urge you to follow my light.

The SPEAKER: The House will be in order. The Chair recognizes the Representative from Eddington, Representative Lyford.

Representative **LYFORD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This certainly is a jobs bill also. As most of you know, 85 percent of the businesses in this state are made up of small business. This is a small business bill. I urge you to follow my light. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker. Good morning Madam Speaker, Ladies and Gentlemen of the House. The good Representative from Searsport, Representative Gillway, has presented a bill which I believe does in fact address an ongoing issue in rural Maine, where I think local municipalities do have an opportunity to work with the people that live in those communities and decide what best to do in those communities. And so, I think this is a bill that provides a pathway to local communities, particularly in rural Maine, to be able to have a greater say in being able to have economic development in their areas. If you are thinking about a small business in Waldo County and if you've never been to Waldo County, if you're talking about a municipality being able to help a rural business by being able to say to that business, you can now be open an extra four days a month. When you are looking at your profit and loss statement, those extra four days a month can be a big deal, and it might be the difference between surviving and not surviving in rural Maine. And so, I actually am not in agreement with the Chief Executive's veto message here and also will be voting to override his veto. Thank you, Madam Speaker, and I ask that you follow my light.

The SPEAKER: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Madam Speaker, Men and Women of the House. I'll also be voting to override this veto. You know, living in rural Maine, it's not uncommon for folks to have to drive 15, 20, sometimes 30 miles to get to a grocery store to get items that they need. We hear, it seems we hear every day, we want our own towns to have the ability, you know, to run our own lives, to do what we think is best for us, and in this particular case that's exactly what this bill does. You know, in other parts of the state if, you know, if one particular store isn't open, there's several others to choose from and that's fine, but that's not the case in rural Maine, and I would hope that, you know, at some point in time, instead of us just talking about supporting rural Maine, instead of talking about supporting, you know, each individual municipality, we would actually act on that, and I hope you join with me and override this veto. Thank you.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I agree with the Chief Executive about the fact that we have antiquated Blue Laws, and this is a step to fix the issue. I live in and represent Waldo County. This is a good bill. Going forward we should look at helping all businesses in Maine, and so please follow my light

and help the great people in rural Waldo County and the great State of Maine.

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

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

ROLL CALL NO. 182V

YEA - Alley, Austin S, Bailey, Beebe-Center, Black, Blume, Bradstreet, Campbell, Casas, Cebra, Chace, Chapman, Cooper, Corey, Craig, DeChant, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hamann, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herbig, Higgins, Hilliard, Hogan, Kinney J, Kinney M, Lockman, Lyford, Madigan J, Malaby, Marean, Martin R, Mason, Mastraccio, McCrea, McElwee, McLean, Nadeau, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Sampson, Sanderson, Seavey, Sherman, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Terry, Theriault, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

NAY - Ackley, Austin B, Babbidge, Berry, Bryant, Cardone, Collings, Daughtry, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Guerin, Handy, Harlow, Hickman, Hubbell, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Martin J, McCreight, Melaragno, Monaghan, Moonen, O'Neil, Parker, Riley, Rykerson, Sanborn, Schneck, Sheats, Sylvester, Talbot Ross, Tepler, Tipping, Warren, Zeigler, Madam Speaker.

ABSENT - Bates, Battle, Bickford, Brooks, Dillingham, Grohman, Herrick, Hymanson, Johansen, Perry, Simmons, Timberlake.

Yes, 87; No, 51; Absent, 12; Excused, 1.

87 having voted in the affirmative and 51 voted in the negative, with 12 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

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

The Following Communication: (H.C. 193)
STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001

May 26, 2017

The 128th Legislature of the State of Maine
 State House
 Augusta, Maine

Dear Honorable Members of the 128th Legislature:
 Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1023, "An Act To Provide a Sales Tax Exemption for Baling Twine."

Generally speaking, a good tax code is based on a broad base and low rates. Maine already has one of the lowest sales tax rates in the country and has one of the narrowest tax bases. Introducing new exemptions, however well intentioned, has the effect of reducing our existing base and shifting the sales tax burden to other taxpayers. For years now, I have been arguing

that the State should move from a reliance on income taxes to consumption taxes. New exemptions in sales tax do not support this necessary shift, and therefore I cannot support it. As you know, the Legislature is currently considering a comprehensive budget proposal that addresses the sales tax. With budget negotiations currently underway, I do not believe it would be appropriate for the state to enact a new, targeted sales tax exemption. I hope and expect that when the next biennial budget arrives on my desk, the Legislature will have acted comprehensively to address the future of the sales tax and reduce the oppressive burden that Maine's income tax places on families and businesses in Maine. For these reasons, I return LD 1023 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Provide a Sales Tax Exemption for Baling Twine

(H.P. 725) (L.D. 1023)

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

Representative FREDETTE: Thank you, Madam Speaker. I have read the Chief Executive's veto letter and I find it very compelling and I will be voting to sustain the veto.

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

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

ROLL CALL NO. 183V

YEA - Ackley, Alley, Austin B, Bailey, Beebe-Center, Black, Blume, Bryant, Cardone, Cebra, Chapman, Collings, Cooper, Daughtry, Denno, Duchesne, Dunphy, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Golden, Grant, Hamann, Harlow, Harrington, Herbig, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, McCrea, McCreight, McLean, Monaghan, Moonen, Nadeau, O'Neil, Parker, Pierce T, Pouliot, Reckitt, Rykerson, Sampson, Sanborn, Schneck, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Wadsworth, Warren, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Babbidge, Berry, Bickford, Bradstreet, Campbell, Casas, Chace, Corey, Craig, DeChant, Espling, Farnsworth, Farrin, Fredette, Gillway, Ginzler, Grignon, Guerin, Haggan, Handy, Hanington, Hanley, Harvell, Hawke, Head, Hickman, Higgins, Hilliard, Kinney J, Lockman, Lyford, Malaby, Mason, Mastraccio, McElwee, Melaragno, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Riley, Sanderson, Seavey, Sheats, Sherman, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Tucker, Tuell, Turner, Vachon, Wallace, Ward, White, Winsor.

ABSENT - Bates, Battle, Brooks, Dillingham, Doore, Grohman, Herrick, Johansen, Perry, Simmons, Timberlake.

Yes, 73; No, 66; Absent, 11; Excused, 1.

73 having voted in the affirmative and 66 voted in the negative, with 11 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 194)

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

May 31, 2017
Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Gideon:
Pursuant to Joint Rule 310, the Committee on Labor, Commerce, Research and Economic Development has approved the request by the sponsor, Senator Jackson of Aroostook, to report the following "Leave to Withdraw":

L.D. 1621 An Act To Retain Jobs in Maine

Sincerely,
S/Robert B. Hunt
Clerk of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 196)

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

May 31, 2017
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

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

On May 30, 2017

Eric P. Ward of Greenville Jct. for appointment to the Maine Outdoor Heritage Fund Board.

Pursuant to Title 12, MRSA §10308, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

Matthew A. Anderson of Hampden

Thomas E. Bolen of Albion

John B. Herweh of Presque Isle for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,
S/Sara Gideon
Speaker of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (S.C. 460)

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

May 30, 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 nominations:

Upon the recommendation of the Committee on Education and Cultural Affairs,

- Anna M. Perna of Holden for appointment to the School Board of the Governor Baxter School for the Deaf;
- Alvin K. Ahlers of North Yarmouth for reappointment to the Board of Environmental Protection;
- the Honorable James W. Parker of Veazie for reappointment to the Board of Environmental Protection.

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.**

Doctor of the day, Alan Bean, M.D., Harrison.

ORDERS

On motion of Representative KUMIEGA of Deer Isle, the following Joint Resolution: (H.P. 1120) (Cosponsored by Senator MAKER of Washington and Representatives: ALLEY of Boothbay Harbor, SIMMONS of Waldoboro, SUTTON of Warren, TUELL of East Machias, Senator: VITELLI of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

**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**

WE, your Memorialists, the Members of the One Hundred and Twenty-eighth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

WHEREAS, the value of marine resources commercially harvested in Maine exceeded \$700 million in 2016, and the value of lobster harvested in Maine accounts for over \$533 million of that amount; and

WHEREAS, total exports from Maine to the European Union exceeded \$503 million in 2016; and

WHEREAS, exports from Maine of lobster to the European Union totaled approximately \$158 million, or approximately 80% of all lobster exported from the United States to the European Union, in 2016; and

WHEREAS, the European Union is the largest global fish and seafood market in the world; and

WHEREAS, Maine and Canada share the same lobster species and compete for market share in the European Union and around the world; and

WHEREAS, the European Union imposes tariffs on fish and seafood products that range from 2% on certain types of salmon to 20% on processed lobster imported from both the United States and Canada; and

WHEREAS, the Comprehensive Economic and Trade Agreement, or CETA, is a free trade agreement between Canada and the European Union that will reduce tariffs on fish and seafood products exported from Canada to the European Union; and

WHEREAS, CETA will go into effect on the first day of the month following the date the European Union and Canada notify each other that each has completed all necessary procedures for implementation; and

WHEREAS, when CETA takes effect, the 8% tariff on live lobster exports from Canada to the European Union will be immediately eliminated, the 6% to 16% tariff on frozen lobster exports from Canada to the European Union will be eliminated over 3 years and the 20% tariff on processed lobster exports from Canada to the European Union will be eliminated over 5 years; and

WHEREAS, while tariffs on lobster and seafood products exported from Canada to the European Union are being eliminated, tariffs on Maine and other domestic lobster and seafood products exported to the European Union will remain; and

WHEREAS, the elimination of tariffs on Canadian lobster and seafood products will increase trade between Canada and the European Union, resulting in economic injury to Maine and other domestic lobster and seafood harvesters and processors; and

WHEREAS, the impact of CETA on Maine lobster harvesters, who landed over 130 million pounds of lobster in 2016, should be minimized; and

WHEREAS, the impact of CETA on Maine lobster dealers, who support 675 jobs and paid \$28.4 million in wages in 2016, should be minimized; and

WHEREAS, under the United States Constitution, Article I, the Congress of the United States has the power to regulate commerce with foreign nations; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the United States Congress, under the provisions of Article I of the United States Constitution, negotiate trade agreements with the European Union that will reduce tariffs on Maine and domestic lobster and seafood products, or otherwise mitigate the effects of CETA, to ensure that historical, lucrative industries are not damaged by the economic disadvantage that will result from CETA unless these negotiations are undertaken; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

READ.

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

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 Amend the Laws Governing the Practice of Pharmacy" (S.P. 187) (L.D. 572)

Signed:

Senator:

BELLOWS of Kennebec

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-124)** on same Bill.

Signed:

Senators:

VOLK of Cumberland
LANGLEY of Hancock

Representatives:

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

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-124)**.

READ.

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

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Help Maine Manufacturing"

(S.P. 297) (L.D. 895)

Signed:

Senators:

DAVIS of Piscataquis
DESCHAMBAULT of York
KEIM of Oxford

Representatives:

MARTIN of Sinclair
BEEBE-CENTER of Rockland
HARRINGTON of Sanford
HOGAN of Old Orchard Beach
MADIGAN of Rumford
ORDWAY of Standish
PICKETT of Dixfield
SPEAR of South Thomaston

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-143)** on same Bill.

Signed:

Representative:

BRYANT of Windham

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

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Enhance the Rights of Families of Missing Persons and Homicide Victims"

(H.P. 964) (L.D. 1390)

Signed:

Senators:

ROSEN of Hancock
CYRWAY of Kennebec
DIAMOND of Cumberland

Representatives:

WARREN of Hallowell
COREY of Windham
GERRISH of Lebanon
HERRICK of Paris
LONGSTAFF of Waterville
MAREAN of Hollis
NADEAU of Winslow
RECKITT of South Portland
TALBOT ROSS of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-340)** on same Bill.

Signed:

Representative:

GROHMAN of Biddeford

READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-326)** on Bill "An Act To Promote Workforce Participation" (EMERGENCY)

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

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 "B" (H-327)** 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 **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-328)** on Bill "An Act To Prohibit the Exclusion of a Patient from Eligibility for an Organ Transplant Based on Medical Marijuana Use" (H.P. 544) (L.D. 764)

Signed:
Senators:

BRAKEY of Androscoggin
CHIPMAN of Cumberland
HAMPER of Oxford

Representatives:

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

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

Signed:
Representatives:

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-328)** 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-328)** 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 MaineCare-Funded Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes" (H.P. 825) (L.D. 1188)

Signed:
Senators:

BRAKEY of Androscoggin
CHIPMAN of Cumberland
HAMPER of Oxford

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-330)** on same Bill.

Signed:
Representatives:

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

READ.

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

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

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

The **SPEAKER**: The Chair recognizes the Representative from Hancock, Representative Malaby.

Representative **MALABY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion, not just because this is my bill but, I am opposed because our PNMI's are heavily dependent on Medicaid funding; indeed, close to 80 percent of their revenues come from the state. And our PNMI's are a very successful model, they often have six-month to one-year wait lists and just about all of their costs, a good 80 percent of their costs, are payroll. They suffer today from an inability to attract and retain qualified staff, many of whom are at the lower end of the economic spectrum. And I'm further opposed because the minimum wage when I submitted this bill was \$7.50 an hour, and in 2019 the minimum wage will be \$11.00 an hour, which is a 47 percent increase. I think elections indeed do have consequences, and the Minority Report, which I will just briefly speak to, suggests a 2.1 percent increase in reimbursement in the year 2019. And I think that's likely inadequate to fund a 47 percent increase in the wage rate. And I hope you follow my light.

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. 184

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

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

ABSENT - Bates, Battle, Brooks, Dillingham, Grohman, Harvell, Herrick, Johansen, Simmons, Timberlake.

Yes, 66; No, 74; Absent, 10; Excused, 1.

66 having voted in the affirmative and 74 voted in the negative, with 10 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative HYMANSON of York, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-330)** 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-330)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-329)** on Bill "An Act To Increase Workforce Participation in the Temporary Assistance for Needy Families Program and Other Assistance Programs" (H.P. 899) (L.D. 1302)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

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

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

Signed:

Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

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

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-331)** on Bill "An Act To Establish a Veterans Treatment Court in Androscoggin County" (H.P. 79) (L.D. 111)

Signed:

Senator:

HILL of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-332)** on same Bill.

Signed:

Senators:

KEIM of Oxford
WHITTEMORE of Somerset

Representatives:

GUERIN of Glenburn
JOHANSEN of Monticello

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-331)** 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-331)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Provide Immunity to Medical Professionals Who Provide Free Health Care Services to Uninsured and Underserved Populations of the State" (H.P. 863) (L.D. 1240)

Signed:
Senators:

KEIM of Oxford
HILL of York
WHITTEMORE of Somerset

Representatives:

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

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

Signed:
Representative:

JOHANSEN of Monticello

READ.

On motion of Representative MOONEN of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-333)** on Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Existing Public Records Exceptions" (H.P. 1021) (L.D. 1482)

Signed:
Senators:

KEIM of Oxford
HILL of York
WHITTEMORE of Somerset

Representatives:

MOONEN of Portland
BAILEY of Saco
BRADSTREET of Vassalboro
CARDONE of Bangor
GUERIN of Glenburn
JOHANSEN of Monticello
McCREIGHT of Harpswell
RECKITT of South Portland
SHERMAN of Hodgdon

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

Signed:
Representative:

BABBIDGE of Kennebunk

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-333)** 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-333)** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-318)** on Resolve, To Establish the Road Usage Charge Task Force (H.P. 813) (L.D. 1150)

Signed:
Senators:

COLLINS of York
MIRAMANT of Knox
ROSEN of Hancock

Representatives:

McLEAN of Gorham
AUSTIN of Skowhegan
BRYANT of Windham
GILLWAY of Searsport
GRANT of Gardiner
SCHNECK of Bangor
SHEATS of Auburn

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

Signed:
Representatives:

CEBRA of Naples
PARRY of Arundel
PERKINS of Oakland

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-318)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-318)** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Exempt Motor Vehicles Less than 12 Years Old from Inspection" (H.P. 1047) (L.D. 1523)

Signed:
Senators:

COLLINS of York
ROSEN of Hancock

Representatives:

McLEAN of Gorham
AUSTIN of Skowhegan
BRYANT of Windham
GILLWAY of Searsport
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" (H-319)** on same Bill.

Signed:
Senator:

MIRAMANT of Knox

Representative:

CEBRA of Naples

READ.

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

Six Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought Not to Pass** on Bill "An Act To Protect the Safety of Emergency Medical Services Personnel and Patients" (H.P. 733) (L.D. 1050)

Signed:
Senators:

ROSEN of Hancock
DIAMOND of Cumberland

Representatives:

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

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-337)** on same Bill.

Signed:

Representatives:

WARREN of Hallowell
LONGSTAFF of Waterville
RECKITT of South Portland
TALBOT ROSS of Portland

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-338)** on same Bill.

Signed:
Senator:

CYRWAY of Kennebec

READ.

On motion of Representative WARREN of Hallowell, Report "B" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-337)** 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-337)** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(S.P. 240) (L.D. 723) RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce Volatility in State Pension Funding Requirements Caused by the Financial Markets Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-148)**

(S.P. 323) (L.D. 984) Bill "An Act To Separate the Authorities under the Licenses for Property and Casualty Insurance Adjusters and Workers' Compensation Insurance Adjusters" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-149)**

(H.P. 55) (L.D. 68) Bill "An Act To Implement an Owner-Operator Requirement in the Scallop and Sea Urchin Fisheries" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-323)**

(H.P. 246) (L.D. 332) Bill "An Act Regarding Service of Criminal Process on Electronic Communication Service Providers and Remote Computing Service Providers" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-339)**

(H.P. 461) (L.D. 647) Bill "An Act Regarding Certain Shellfish Certificates and Permits Issued by the Department of Marine Resources" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-334)**

(H.P. 742) (L.D. 1059) Bill "An Act Concerning Bridges on Discontinued Town Ways" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-317)**

(H.P. 745) (L.D. 1062) Bill "An Act To Expand the Availability of Electric Vehicle Charging Stations in Maine" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-320)**

(H.P. 841) (L.D. 1205) Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, 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-325)**

(H.P. 926) (L.D. 1332) Bill "An Act To Prohibit Possession of Black Powder and Muzzle-loading Firearms by Certain Persons" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-336)**

(H.P. 956) (L.D. 1377) Bill "An Act To Prohibit Posing as a Governmental Entity in Commerce" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-324)**

(H.P. 1030) (L.D. 1497) Bill "An Act To Correct and Clarify Maine's Fish and Wildlife Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-322)**

(H.P. 1048) (L.D. 1524) Bill "An Act To Amend Maine Motor Vehicle Laws" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-316)**

(H.P. 1084) (L.D. 1577) Bill "An Act To Amend the Motor Vehicle Laws" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-315)**

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.

(H.P. 965) (L.D. 1391) Bill "An Act To Ensure the Continuation of the Landowner Relations Program" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-321)**

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

The Unanimous Committee Report was **READ**.

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

**ENACTORS
Emergency Measure**

An Act To Amend the Laws Governing Nursing Facilities To Permit Nurse Practitioners, Clinical Nurse Specialists and Physician Assistants To Perform Certain Physician Tasks

(H.P. 797) (L.D. 1134)
(S. "A" S-144 to C. "A" H-258)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 131 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Allow and Recognize a Legal Name Change upon Marriage
(H.P. 126) (L.D. 170)
(C. "A" H-274)

An Act To Protect Retirement Accounts from Creditor Collection
(H.P. 149) (L.D. 193)
(C. "A" H-275)

An Act To Limit Questions Regarding Criminal History on State Employment Applications
(H.P. 221) (L.D. 288)
(C. "A" H-242)

An Act To Clarify the Law Allowing Certificate of Approval Holders and Manufacturers or Suppliers of Spirits To Offer Mail-in Rebates
(H.P. 714) (L.D. 1013)
(C. "A" H-265)

An Act To Clarify Certain Right-of-way Limitations
(H.P. 802) (L.D. 1139)
(C. "A" H-276)

An Act To Repeal the Laws Establishing the Cumberland County Recreation Center and To Transfer Authority to Cumberland County

(H.P. 805) (L.D. 1142)
(C. "A" H-256)

An Act To Amend and Remove the Need for Periodic Update of the Laws Governing the Validation of Title Defects
(H.P. 888) (L.D. 1275)

An Act To Create a Small Communities Tourism Grant Program
(H.P. 903) (L.D. 1306)
(C. "A" H-227)

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.

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

SENATE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (S-133)** - Minority (1) **Ought Not to Pass** - Committee on **TRANSPORTATION** on Bill "An Act To Allow Municipalities To Adopt Bus Traffic Ordinances"

(S.P. 206) (L.D. 591)
- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-133)**.
TABLED - May 25, 2017 (Till Later Today) by Representative GRANT of Gardiner.

PENDING - Motion of same Representative 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" (S-133)** 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-133)** in concurrence.

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-37)** - Committee on **TRANSPORTATION** on Bill "An Act To Require Biennial State Motor Vehicle Inspections"

(H.P. 439) (L.D. 623)

TABLED - April 19, 2017 (Till Later Today) by Representative GRANT of Gardiner.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, on motion of Representative McLEAN of Gorham, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Bill "An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes of Regional School Unit No. 5" (EMERGENCY)

(S.P. 534) (L.D. 1528)

- In Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

TABLED - May 2, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **REFERENCE IN CONCURRENCE**.

On motion of Representative HERBIG of Belfast, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-121)** - Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Reduce Food Insecurity"

(H.P. 129) (L.D. 173)

TABLED - May 9, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT**.

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

Representative **HERBIG**: Thank you, Madam Speaker, Women and Men of the House. I rise in support of the pending motion. I come from five generations of poultry farmers in Waldo County. Some of my best childhood memories are long days with my family haying, and running through as the sea would part of a sea of chickens when I would run through the middle of the chicken house. My childhood experiences have made me truly understand the deep tradition of this Maine heritage industry that we should all be proud of. It also taught me the importance of supporting local farms. Farms utilize our natural resources to create good jobs and strengthen our economy. Maine farms are also a solution to an unnecessary problem in our state -- hunger. More than one in five Maine kids are hungry; they don't know where their next meal is coming from, and it just shouldn't be that way. In Waldo County, where I'm from, that's true for about 2,000 kids.

Fourteen percent of our seniors are also food insecure. The fact that kids and seniors right here in Maine are hungry is a problem. Maine farms are the solution. By strengthening existing networks between food banks like Good Shepherd, schools, farms, and community organizations, we can both protect farms as a heritage industry and feed more families. LD 173 is a smart solution to fight hunger now and support a community-driven infrastructure to prevent it in the future. I would urge you to support the pending motion. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House and I agree with the good Representative from Belfast, Representative Herbig, in regards to the needs of poor people in Waldo County, and it's exactly why I supported an override of the Chief Executive's veto in regards to jobs and being open on Sunday. I will be requesting a roll call on this matter, and will not be supporting the pending motion. Thank you, Madam Speaker.

The same Representative **REQUESTED** a roll call on **ACCEPTANCE** of the Unanimous Committee Report.

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

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

ROLL CALL NO. 185

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

NAY - Bickford, Bradstreet, Campbell, Cebra, Chace, Craig, Dillingham, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harvell, Hawke, Head, Hilliard, Kinney J, Lockman, Lyford, Malaby, Marean, Mason, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Turner, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Bates, Battle, Brooks, Hamann, Herrick, Johansen, Simmons, Timberlake.

Yes, 89; No, 53; Absent, 8; Excused, 1.

89 having voted in the affirmative and 53 voted in the negative, with 8 being absent and 1 excused, and accordingly the Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-121)** 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-121)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-169)** - Minority (6) **Ought Not to Pass** - Committee on **TAXATION** on Bill "An Act To Prevent Tax Haven Abuse"

(H.P. 564) (L.D. 784)

TABLED - May 17, 2017 (Till Later Today) by Representative TIPPING of Orono.

PENDING - Motion of same Representative to **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. Madam Speaker, Ladies and Gentlemen of the House, tax havens are a problem. A report from the U.S. Treasury under President Regan's Administration in 1981 first outlined how big of a problem it is, when multinational companies use creative accounting practices to offshore profits and hide tax liabilities. Since then, more than 35 years later, the problem has grown. NCSL currently estimates the use of tax havens to cost up to \$100 billion per year to states and the Federal Government. That's \$100 billion that is instead paid by small businesses and individuals, who have to make up the difference to pay for our roads and our schools and the other things we need as a society. Our Federal Government is not stepping up to address this problem, but states are. This bill attempts to join states like Montana, West Virginia, Alaska and a handful of others by passing a law that would allow Maine Revenue Services to collect the millions of dollars currently going uncollected due to our outdated laws. Please join me in voting for this bill that supports our local small businesses by making sure large out-of-state companies are not given a tax break simply because they can afford an army of accountants and attorneys. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I appreciate the comments of the good Representative from Orono, Representative Tipping, however I have a different opinion on this particular bill and will be voting in opposition to it, and I request 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. 186

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

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

ABSENT - Bates, Battle, Brooks, Herrick, Hubbell, Johansen, Luchini, Simmons, Timberlake.

Yes, 74; No, 67; Absent, 9; Excused, 1.

74 having voted in the affirmative and 67 voted in the negative, with 9 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-169)** 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-169)** and sent for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Explicitly Protect against Sex Discrimination

(H.P. 153) (L.D. 197)

(C. "A" H-133)

TABLED - May 18, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **FINAL PASSAGE**.

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

Representative **RECKITT**: Madam Speaker, Ladies and Gentlemen of the House, 100 years ago, in 1917, voters of Maine, all men, rejected the vote for women, but women persisted, and three years later women had the vote. In 2017, it seems certain Maine women and men will lose again as this 128th Legislature rejects sending the Equal Rights Amendment for the Maine Constitution to the voters. But I will persist, and with the continued strong support of my constituents, my stubborn self will be back in the 129th, and those of you who vote no today will have another chance to be on the right side of history. I will see you then, but for now, I request a roll call.

The same Representative **REQUESTED** a roll call on **FINAL PASSAGE**.

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

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

Representative **BABBIDGE**: Thank you, Madam Speaker. I can't allow the good Representative from South Portland, Representative Reckitt, to stand alone here in support of this bill. I won't repeat the debate that we had earlier, but the two considerations that I think many have regarding the passage of this bill is that the 14th Amendment, a long-standing amendment that provides for equality under the law, already covers this protection. But, the fact of the matter is that the 14th Amendment was enacted in 1868 and it took 52 years for women to get the right to vote, just the right to vote, and that was done only with constitutional protection. I think that many

of us might say we've evolved as a society, and many women might say, "I have not experienced sexual discrimination myself." But, I'm not sure that should be the ultimate question. The question is, should sexual discrimination be tolerated? Do I want my daughter to have her gender be a disadvantage in an important economic decision being made by somebody that will affect her ability to contribute financially to her family and the well-being of those that she loves? So, I ask us all to take this moment to make a historical decision. I think Antonin Scalia has said that judges shouldn't interpret whether or not there is equality. There are legislators to specify whether those protections are there for us, and I think we have an opportunity today to pass this in order to express that people, men and women, should not be judged by their sex, but by their talent and the content of their character. Thank you, Madam Speaker.

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

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

ROLL CALL NO. 187

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Blume, 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 R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

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

ABSENT - Battle, Brooks, Hanley, Hawke, Herrick, Johansen, Malaby, Martin J, Simmons, Sirocki, Timberlake.

Yes, 77; No, 62; Absent, 11; Excused, 1.

77 having voted in the affirmative and 62 voted in the negative, with 11 being absent and 1 excused, and accordingly the Resolution **FAILED FINAL PASSAGE** and was sent to the Senate.

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

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-200)** - Minority (6) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Require Maine Governmental Departments That Affect Citizen Health and Safety To Staff at Least 75 Percent of Available Positions" (H.P. 829) (L.D. 1192)

TABLED - May 24, 2017 (Till Later Today) by Representative FREDETTE of Newport.

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

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

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

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

ROLL CALL NO. 188

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

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

ABSENT - Battle, Brooks, Hawke, Herrick, Johansen, Malaby, Simmons, Sirocki, Timberlake, Tuell, Winsor.

Yes, 77; No, 62; Absent, 11; Excused, 1.

77 having voted in the affirmative and 62 voted in the negative, with 11 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-200)** 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-200)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-239)** - Committee on **TAXATION** on Bill "An Act To Tax the Extraction of Water for Certain Commercial Purposes and Fund Water Quality Programs"

(H.P. 356) (L.D. 493)

TABLED - May 24, 2017 (Till Later Today) by Representative TIPPING of Orono.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, on motion of Representative TIPPING of Orono, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

SENATE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (S-126)** - Minority (6) **Ought Not to Pass** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Support Healthy Workplaces and Healthy Families by Providing Paid Sick Leave to Certain Employees"

(S.P. 380) (L.D. 1159)

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

TABLED - May 25, 2017 (Till Later Today) by Representative FECTEAU of Biddeford.

PENDING - Motion of same Representative to **ACCEPT** the Majority **UGHT TO PASS AS AMENDED** Report.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-126)** 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-126)** in **NON-CONCURRENCE** and sent for concurrence.

SENATE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (S-74)** - Minority (4) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Recognize Local Control Regarding Food and Water Systems"

(S.P. 242) (L.D. 725)

- In Senate, Majority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-74) AND SENATE AMENDMENT "A" (S-136)**.

TABLED - May 25, 2017 (Till Later Today) by Representative BRYANT of Windham.

PENDING - Motion of same Representative to **ACCEPT** the Majority **UGHT TO PASS AS AMENDED** Report.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I had an opportunity to speak to Representative Jeff Timberlake this morning, who wanted me to sort of pass on his thoughts in regards to this particular bill, that he thought that this particular bill did not provide for safety and security of the food supply and would ask that the folks not support the pending motion, and I request a roll call. Thank you, Madam Speaker.

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

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

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Black.

Representative **BLACK**: Thank you, Madam Speaker, Men and Women of the House. This bill would allow towns to opt out of state and federal inspections of products sold on the farm within that town. That's fine until someone gets sick or dies. All the commodity groups in the State of Maine, Ag groups, Farm Bureau, the Maine Cheese Guild, the Maine Dairy Producers, have all come out against this bill. Remember what happened with raw cider a few years ago. We had a situation where some kids got e. coli and salmonella from raw cider, and then the feds came in and shut us down, and threw a lot of regulations here and we have to abide by them now. Also, you need to keep in mind that there are thousands of farmers out there already who have spent much time and much money being inspected, and to allow somebody to come in beside them and sell without inspection would hurt them. So, please follow my light and vote against this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Men and Women of the House. I stand in opposition to the pending motion. I work with many small farmers around the State of Maine. One particular farm, in Winthrop, is a small dairy that produces delicious craft cheeses. The owner has testified before Ag, Conservation and Forestry Committee on multiple occasions on issues regarding the sale of raw milk. Her small farm is licensed by the State of Maine and has explained in her testimony about how easy it is to have a safe, licensed environment in our state to protect Maine consumers. This bill will hurt her farm. My insurance policy for my farm specifically excludes raw milk, stating "the insurance does not apply to production, handling, processing, packaging or bottling, distribution, exchange, sale, intent or offer for sale, or transport or delivery of raw milk, organic raw milk, certified raw milk for direct consumption as raw milk, or foods made from raw milk when left in an unpasteurized state. However, this exclusion does not apply to hard cheese made from raw milk aged over 60 days, or if it is consumed on your premises and not sold, offered for sale, or provided as a product sample." I don't even have a dairy farm anymore, yet this is in my policy, my insurance policy for my farm. If this bill did not allow for raw milk sales without oversight for proper handling, I would most likely support it for on-farm sales only. So, I urge you to follow my light and vote in opposition to this bill. Thank you.

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

Representative **CHAPMAN**: Thank you, Madam Speaker. Friends and Colleagues of the House, this is actually not a food safety bill. This is a local control bill on the matter of food safety and the matter of unpasteurized dairy products. Know that two people in the United States died over a 14-year period. The risk of death from unpasteurized dairy is 200 times less than the risk of being hit by lightning. So, on the local control issue, you should know that there are 19 towns in the state that have passed local ordinances. This bill simply allows those to be recognized by this state, and that's an important step, especially for a local control issue. If a local town believes that it's in a position to be able to allow its farmers to sell directly to its consumers, then this is the bill to do that. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker and Ladies and Gentlemen. I speak in support of this measure. This bill supports the small farmer, allowing them to

sell their products directly to local customers. This is local control at its best. These very small farmers have a unique opportunity to get to know every one of their customers, unlike large operations. Customers are able to get to know their farmer and operating practices. Likewise, the farmers are able to educate their customers. Should these farmers decide to expand their operation, at that time, they can be held to the same standards as the larger commercial operations. I ask that you support this measure. Thank you.

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

Representative **HICKMAN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, LD 725 is a reiteration of a bill I put in four years ago, and it took four years for us to get it right. I am a small farmer in Winthrop. I have never been more committed to anything in my life, I've never been happier. There is simply nothing like living off the land and nothing simpler -- knowing exactly where your food comes from because you produce it yourself -- I am truly blessed. My customers appreciate every bag of spinach, jar of granola, or crown of broccoli they get from my farm, and I appreciate them, their concerns and requests, their own gardening triumphs and failures, our exchange of ideas and recipes and tricks. I never would have imagined, Madam Speaker, that I would become such an integral part of a local food chain. Never would have imagined I could sell thousands of dollars of organic produce and homemade foods in a single season directly to patrons without vending at a farmer's market or supplying a restaurant. Never would have imagined that folks would stop by simply to thank me for doing what I do, even though they buy their produce at another local farm. I think now of Michael Pollan's words from his must-read book, *In Defense of Food*, "in a short food chain, food proclaims its story and some of its nobility when the person who grew it hands it to you." The Maine Municipal Association understands this. They testified in favor of this bill, and some of the reasons that they gave are very straightforward. I will read an excerpt of testimony presented. "LD 725 solves an emerging problem by removing confusion in the law, thereby reducing the need of local legislative bodies to consult attorneys and perhaps defend themselves in litigation. Undergirding this preliminary interest is acceptance and support for what is coming to be viewed as a contemporary renaissance of New England's community-based agricultural tradition. While federal and state food licensing requirements were put in place to protect the public health, as well as the profits of large, multinational corporations, state and municipal officials perceive a growing concern among their residents that federal and state regulations are not currently in the best interest of nutrition and disease prevention or the sustenance of small family farms, homesteaders, and food producers, and, by extension, the economic viability of rural communities. Whether or not these concerns are justified, it is undeniable in 2017 that residents are increasingly turning their taste buds, along with their trust, toward neighboring farmers, homesteaders, butchers, cheese makers, cooks, and bakers. Municipal officials have a duty to safeguard the public health within their communities. They do not take this responsibility lightly, nor do those who produce food for their local food systems. It is never a good idea to make your neighbors sick. Today, food producers have greatly improved access to educational materials regarding safe food-handling practices, thanks to tradition, the internet, as well as UMaine or community college programming, state publications, and local workshops. Maine's municipalities have a consistently positive

track record when it comes to developing and administering public policy. The state has memorialized its faith in municipal government through the constitutional adoption of home rule authority." The time has come, Madam Speaker, to clarify that this faith extends to community-based food producers and their local overseers. I urge this body to pass LD 725 with a strong majority vote. Thank you, Madam Speaker, Women and Men of the House.

The SPEAKER: The Chair recognizes the Representative from Hollis, Representative Marean.

Representative **MAREAN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the pending motion. What could be greater than face-to-face transactions and local control? Thank you.

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

ROLL CALL NO. 189

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Blume, Bryant, Campbell, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Golden, Grant, Grignon, Grohman, Guerin, Hamann, Handy, Hanington, Hanley, Harlow, Harvell, Herbig, Hickman, Hogan, Hubbell, Hymanson, Kinney J, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Perry, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Sheats, Sherman, Spear, Stanley, Stearns, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Ward, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Bradstreet, Chace, Craig, Dillingham, Espling, Farrin, Fredette, Gillway, Ginzler, Haggan, Harrington, Hawke, Head, Higgins, Hilliard, Kinney M, Lockman, Lyford, Malaby, Parry, Perkins, Picchiotti, Reed, Seavey, Sirocki, Skolfield, Stetkis, Stewart, Strom, Wallace, White, Winsor, Wood.

ABSENT - Battle, Brooks, Herrick, Johansen, Jorgensen, Simmons, Timberlake.

Yes, 108; No, 35; Absent, 7; Excused, 1.

108 having voted in the affirmative and 35 voted in the negative, with 7 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-74)** was **READ** by the Clerk and **ADOPTED**.

Senate Amendment "A" (S-136) 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-74)** and **Senate Amendment "A" (S-136)** in concurrence.

SENATE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (4) **Ought to Pass as Amended by Committee Amendment "A" (S-134)** - Committee on **TRANSPORTATION** on Bill "An Act Regarding the Motor Vehicle Inspection Program Requirements for New Rental Vehicles First Registered in Maine"

(S.P. 416) (L.D. 1225)

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

TABLED - May 25, 2017 (Till Later Today) by Representative GRANT of Gardiner.

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

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-268)** - Minority (6) **Ought Not to Pass** - Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting

(H.P. 962) (L.D. 1383)

TABLED - May 25, 2017 (Till Later Today) by Representative LUCHINI of Ellsworth.

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

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

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

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

Representative **DENNO**: Thank you, Madam Speaker. I wish to speak in support of the Majority Ought to Pass Report, and I want my fellow legislators to understand what this bill does and what it does not do. There is nothing partisan in the bill, there's nothing to advantage either party over the other. Early voting is a fact in Maine. In some municipalities, over 50 percent of the voters choose to vote early at their personal convenience. I proposed this resolve at the request of my town clerk and with the participation of the Town Clerks' Association. There are two issues that this bill addresses. Number one, the Maine Constitution, strictly read, does not allow for early voting unless a voter can establish that they are incapacitated or absent on the regular voting date. This bill remedies that constitutional problem. Second, and more important, early voting via the currently available absentee process is administratively burdensome to our town clerks. Not only is this a hardship to them but it also requires the hiring of extra staff to help with the time-consuming process of opening the envelopes and processing the paper. This bill would change the Constitution to allow early regular voting, that is with ballots fed into machines, during the two weeks before Election Day, if the municipality chooses to do so. This bill has been blessed by the Secretary of State's Office, the Town Clerks' Association, the Maine Municipal Association. There was no testimony against the bill; no arguments were put forth at the work session to explain why the vote split by party line. And so, I would hope that my colleagues would give this proposal their support. It reduces the risk of voter fraud, it eliminates paper, it eliminates a step in the chain of custody, it reduces the administrative burden for our town clerks, it saves

money by eliminating the need to hire extra workers to do the last-minute vote count. Madam Speaker, I hope that my colleagues will allow the voters to adopt this practical fix to our Constitution to help our overworked town clerks. Thank you.

Representative FREDETTE of Newport **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 Falmouth, Representative Pierce.

Representative **PIERCE**: Thank you, Madam Speaker. I rise in support of my fellow colleague, Representative Denno, regarding this, and hope you will vote with both of us on this matter. Both of our town clerks brought this matter to us based on a pilot project of early voting that the Secretary of State ran a number of years ago with wild success. All this would do would be allow local municipalities to decide if they would like to move from the laborious activity of absentee balloting, where there's numerous paper steps and opening and closing of envelopes to where if, 15 days before, well this would just give the opportunity for a bill to go forward, which was my bill, that would allow 15 days before election, if you showed up at your town hall instead of filling out all that paperwork and signing an envelope that's then stored in a tub and opened later by a series of people that we hire, you could just feed it straight into the ballot box. So, the chain of custody is actually tighter and stronger with this avenue. But our Constitution, which I have great respect for, was written a very long time ago, and I think this just addresses the need to update our wording to allow for this to happen. I hope you will follow my light. Thank you.

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

Representative **RECKITT**: Madam Speaker, thank you. Madam Speaker, Ladies and Gentlemen of the House, as some of you know, I spent probably 30 years working at the polls, not as a clerk, but as a warden and an election clerk and all those things that opened envelopes until Lord knows when in the morning. I can remember a time when it took us until 4:00 a.m. to count the ballots. And a lot of that was opening envelopes, doing all the tedious processing of absentee votes. Really, although I've stopped working at the polls since I ran for the House, prior to that I've done 30, 35 years of it, and trust me, it is tedious, it is wasteful, it is difficult to find people to do it, and it's expensive for the towns and real pain for the clerks. So, I really would appreciate it if you put this concept out to the voters so that they can do this much more easily and we can do it less expensively. Thank you very much.

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.

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

ROLL CALL NO. 190

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Blume, 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, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear,

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

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

ABSENT - Battle, Brooks, Herrick, Johansen, Simmons, Timberlake.

Yes, 79; No, 65; Absent, 6; Excused, 1.

79 having voted in the affirmative and 65 voted in the negative, with 6 being absent and 1 excused, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Resolution was **READ ONCE**. **Committee Amendment "A" (H-268)** 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-268)** and sent for concurrence.

An Act To Allow Corrections Officers To Administer Naloxone (EMERGENCY)

(H.P. 238) (L.D. 324)

(C. "A" H-191)

TABLED - May 25, 2017 (Till Later Today) by Representative GOLDEN of Lewiston.

PENDING - **PASSAGE TO BE ENACTED**.

Representative HERBIG of Belfast **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 191

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Bryant, Campbell, Cardone, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grignon, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson,

Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Ward, Warren, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Wallace, White.

ABSENT - Battle, Brooks, Casas, Herrick, Johansen, Simmons, Timberlake.

Yes, 141; No, 2; Absent, 7; Excused, 1.

141 having voted in the affirmative and 2 voted in the negative, with 7 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Bill "An Act To Provide Emergency Repair Funding for the Restoration of the Official State Vessel, the Schooner Bowdoin" (EMERGENCY)

(S.P. 37) (L.D. 89)

- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-101)**.

TABLED - May 25, 2017 (Till Later Today) by Representative BATTLE of South Portland.

PENDING - **ADOPTION OF HOUSE AMENDMENT "A" (H-286) to COMMITTEE AMENDMENT "A" (S-101)**. (Roll Call Ordered)

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just want to make the body aware that the Chief Executive in his change package did in fact put \$50,000 proposed towards the Schooner Bowdoin. Again, with the...

The SPEAKER: One cannot refer to actions of the Chief Executive to influence a vote. The Member may proceed.

The Chair reminded Representative **FREDETTE** of Newport that it is inappropriate to refer to the potential action of the office of the executive in order to influence the vote of the House.

Representative **FREDETTE**: Thank you, Madam Speaker. And, given the request for priority spending within the budget, I cannot support the pending motion. Thank you, Madam Speaker.

The SPEAKER: A roll call having been previously ordered, the pending question before the House is Adoption of House Amendment "A" (H-286) to Committee Amendment "A" (S-101). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 192

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

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Chace, Corey, Dillingham, Espling, Farrin, Foley, Fredette,

Gerrish, Ginzler, Grignon, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Hilliard, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sirocki, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Turner, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Battle, Brooks, Herrick, Johansen, Simmons, Timberlake.

Yes, 86; No, 58; Absent, 6; Excused, 1.

86 having voted in the affirmative and 58 voted in the negative, with 6 being absent and 1 excused, and accordingly **House Amendment "A" (H-286) to Committee Amendment "A" (S-101) was ADOPTED.**

Committee Amendment "A" (S-101) as Amended by House Amendment "A" (H-286) thereto was ADOPTED.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-101) as Amended by House Amendment "A" (H-286) thereto in NON-CONCURRENCE** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (9) Ought Not to Pass - Minority (4) Ought to Pass as Amended by Committee Amendment "A" (H-284) - Committee on EDUCATION AND CULTURAL AFFAIRS on Bill "An Act To Create Education Savings Accounts for Students with Special Needs"

(H.P. 795) (L.D. 1132)

TABLED - May 30, 2017 (Till Later Today) by Representative FREDETTE of Newport.

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

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

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

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

ROLL CALL NO. 193

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

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Gillway, Ginzler, Grignon, Grohman, Guerin, Haggan, Hanley, Harrington, Harvell, Hawke, Head, Hilliard, Kinney J, Kinney M,

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

ABSENT - Battle, Brooks, Hanington, Herrick, Johansen, Simmons, Timberlake.

Yes, 80; No, 63; Absent, 7; Excused, 1.

80 having voted in the affirmative and 63 voted in the negative, with 7 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

On motion of Representative FREDETTE of Newport, the House **RECONSIDERED** its action whereby the House voted to **ACCEPT** the Majority **Ought Not to Pass** Report on Bill "An Act To Create Education Savings Accounts for Students with Special Needs"

(H.P. 795) (L.D. 1132)

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

Representative **GERRISH**: Thank you, Madam Speaker, Men and Women of the House. I'm sorry for all of that confusion. This bill is my bill. I submitted it after attending a conference last summer with three other Maine Senators in Virginia. Like so many other legislators in attendance, I initially thought Education Savings Accounts, ESAs as they are often called, was some sort of post-secondary college education fund. Quickly, I learned that this amazingly helpful educational tool is for special needs students and their families. Education Savings Accounts are an innovative way to bring customization to K-12 education. Parents have the ability to direct their child's school funding to the school, courses, programs, and therapies of their choice; what is best for their child's special needs. Parents also are able to save unexpended funds for future K-12 and higher education expenses, creating an incentive for parents to judge service expenses not only on quality, but cost. By allowing parents to plan for their child's special unique needs, ESAs create a personal approach to education, where the goal is maximizing each child's natural learning abilities. In deciding on submitting this bill last fall, I had conversations first with special educators I have worked with through the years. Whereas, I knew and believed public schools in general do a really great job meeting the needs of special need students, that is certainly not always the way, especially in those cases of very specialized needs. I had any doubts about moving forward with this bill dispelled and my feelings reaffirmed when one special educator said to me, "Come on, Karen, you know the kids we're talking about here. We do a great job with these kids but I can count a handful who simply shouldn't be here. We are not what they need." Some in government feel that we know better than the parents in these cases. I feel and believe just the opposite when it comes to most special needs students. Most of these parents are engaged, do attend IEP meetings, and do know what's best for their child and their learning. Five other states offer ESAs to their students; they are Arizona, Florida, Mississippi, Tennessee and Nevada. I will close with a short personal story of a real Maine student of mine who had recently been diagnosed with autism. She was suffering from extremely high anxiety and felt invisible in her classroom of 23 students. Long story short, after many absences from my technology class over a period of months, I learned her parents removed her

from the school and went on to attend a nearby Christian academy, where she flourished in a class of seven. I've always supported the idea school funding should follow the student. In speaking with this student's parents, I learned if an ESA had been available to them here in Maine, they absolutely would have taken advantage of that opportunity for their daughter. I ask you to support Maine's special education students and their families. Thank you.

The SPEAKER: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm speaking against the pending motion. With the ever-increasing cost for special education, the option for educational savings accounts could very well be a cost-saving alternative. Interestingly enough, in the states where ESAs are being used, there have been indications and many examples of financial savings while, at the same time, meeting students' needs. Especially with special education students, parents who have chosen to become engaged in their student's education learn to be very resourceful in effectively educating their high-needs students, in many cases, for much less money than projected. We continually hear about the uncontrollable costs for special education. Educational Savings Accounts may be the right idea for the right time. Let's allow our neediest of students to have an opportunity to expand their options that may well meet their needs more effectively. I ask that you would vote against the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Kornfield.

Representative **KORNFIELD**: Thank you, Madam Speaker. I would say this is an irresponsible bill. I know it's a strong word, and I would say that because it puts the services of children with special needs and their legal rights in jeopardy. I don't think parents, particularly who are new parents, just starting in public school, have any idea of the cost of speech therapy, physical therapy, occupational therapy. Schools can offer these services because of economy of scale. If parents were paying for them individually, the bill would be very, very high. When a child is in school, the child has a right to an IEP, which is an Individual Education Program. That is a legal document. Whatever the group decides, which has teachers and parents and administrators on it, that becomes the legal rights for that child for the services they're going to receive. And the parents are allowed to go to court if the child does not receive those services. If you accept this money, then you do not have these legal rights anymore. Make no mistake, this is a voucher bill.

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

Representative **GINZLER**: Thank you, Madam Speaker. I would just like to address some of the comments from my colleague and my good friend, the Representative from Bangor. This is an innovative bill for sure. It would address a small, I think a very small, minority of students. It is structured to make sure that the parent or guardian involved is well aware of the ramifications of this choice. I see this bill as allowing the opportunity of an engaged parent, one who has been apprised of everything to do with this choice, it allows that parent to make that choice, to engage methods and strategies for educating their child that go beyond the ability of the state. Certainly, we've done a very good job in the state to try to address almost all of special needs, but indeed, and I would say especially for those students who fall along the spectrum of autism, I have found that there are methods and strategies

that go beyond the capability of our public school system today. And, I would say that this bill also to me represents parental choice, yes, but also parental respect. Occasionally, we have parents who disagree with the plan put forth by the school for their child. And I believe that even though we have wonderful specialists involved, the best specialist is the parent and so, I see this as parental choice and parental respect for a small minority of students. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Daughtry.

Representative **DAUGHTRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the pending motion. I don't want to debate the merits of the bill, I just simply want to let all of my good colleagues know that one of my major concerns with this bill was the capacity of the Department of Education to be able to issue these types of savings accounts. The fiscal note has not been fully determined on this, but this would be an overwhelmingly huge program and a massive burden on our Department of Education. At this time, it's something that I don't think, hearing their concerns and the concerns about the capacity within the Department, is something that we could potentially achieve. I urge you to follow my light.

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

Representative **FARNSWORTH**: Thank you, Madam Speaker. I just want to address a couple of, I think, very critical issues. Certainly, not discounting the value of the parent involvement, but with the IEP process we certainly have that opportunity, plus the opportunity for appeals if things are not going well, and it's really important to remember that the more complex the disability, the more diverse the number of services that are going to be required; and likewise, the more sophisticated it becomes, the higher the cost. The ability for this particular account to cover those costs I think is certainly overestimated, because, having been in the field for the number of years that I was in the field, it can become astronomical. So, I would urge people to please consider the fact that we need to use the system that we have because it does preserve the rights of the family. Thank you.

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

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

SENATE PAPERS

Bill "An Act To Make a Needed Clarification to the Term 'Heroin' as Used in the Maine Criminal Code"

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

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

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

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

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting (S.P. 577) (L.D. 1624)
 Bill "An Act To Repeal the Ranked-choice Voting Law" (S.P. 578) (L.D. 1625)

Came from the Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

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

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

SENATE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (S-124)** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Laws Governing the Practice of Pharmacy"

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

Which was **TABLED** by Representative FECTEAU of Biddeford pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **VACHON**: Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition of the pending motion. There, in the heart of the community, or conveniently located in your grocery store, is your pharmacy. They are there, front and center, to address and respond to your health care questions, medications regimen, and more. Today, across our country, 38 states have made policy changes to modernize the role of pharmacists, designating them as health care providers. Pharmacists are highly trained professionals who have graduated with a Doctor of Pharmacy degree. For patients with complex medical needs, they collaborate on health care teams to improve patient care. They provide counseling to patients about medication. In Maine, we talk about the coordination of health care. The pharmacist can play a pivotal role. They need to be reimbursed for the services they provide. When discussing new insurance policies with my health insurance clients, one of the first questions they ask is, "Can I continue to fill my prescriptions at a particular pharmacy?" While health plans have caused people to change their doctors, the routine and relationship of their life is important to them. The pharmacist is a friendly, familiar face in touch and in tune with the health care situations and needs. Integrated into their daily lives, people are naturally in contact with their pharmacists on a far more regular basis than their doctors. Now, don't get me wrong, in no way does this bill replace or diminish the role of your doctor. The pharmacist will be the first to tell you, you need to go to your doctor, you need to have a regular primary care doctor. Just the same, there are still people, elderly, single parents, and low-income, who

don't have a primary care doctor or choose not to seek primary care. The pharmacist is the conduit to providing care for this population and encouraging them to have a primary care doctor. It is time for Maine to join 38 other states by modernizing the role and function of the pharmacists in Maine. More people will have access to better coordinated health care and I urge you to follow my light. Thank you.

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

Representative **CHACE**: Thank you, Madam Speaker, Women and Men of the House. Thank you for your time and I appreciate a few moments. The pharmacist health care practitioner is not a scope of practice bill, it is not about pharmacists opening up offices and starting to do physical examinations. It is a necessity these days where in the billing world that we all live in, in the medical world, you have to have a listing, for example under Medicaid, as a health care practitioner or certain things can't be billed. And so, for example, in the immunization world, if you are giving an immunization, that immunization administration is not a drug. It's separate from the drug, and pharmacists are unable to bill for that except under the health care ID of the pharmacy itself. The individual pharmacist is not listed as a health care practitioner. So, in another example, a dietician. A dietician is considered in Maine as a health care practitioner. Why? Because they provide meals for folks in nursing homes, and in order for them to be reimbursed by Medicaid for doing that, they are listed as a health care practitioner. So, we are not going into the practice acts that have anything to do with, like, the practice of medicine, like physicians and nurse practitioners. This will add us to the roster so that Medicaid can start to pay us in a fee-for-service type basis for things that we will be administering. It doesn't have a fiscal note, because we are not going to be performing a function that wasn't already covered by the Medicaid system. So, therefore, I'm asking you to stop this motion. I want to reverse this motion and give us a chance, as pharmacists, to start to do what everybody in the health care continuum is doing. We're trying to make a health care model where, as it is currently, pharmacists go upstairs at Maine Medical Center and they go from room to room doing patient medication counseling. They didn't dispense a drug. They're going room to room dispensing counseling. So, in order to be reimbursed for a practice like that, separate from the dispensing downstairs, that's part of what we need to do. I respect the time of the House and I really appreciate that folks think about this. When I'm wearing a white coat, I'm not a Republican. When I'm wearing a white coat, I care for every person that comes to me. When I wear a white coat, the only thing on my mind is the health care of the person in front of me. Whether that's a bee sting, whether that's poison ivy, whether that is how they're taking their diabetic medication, whether it is a food interaction, I do this all day. So, please, follow my light.

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

Representative **SYLVESTER**: Thank you, Madam Speaker and folks of the House. I am rising today just to point out that the Commissioner Head, and the Pharmacy Board, will be reviewing the entire Pharmacy Act over the summer and into next year. And those of us who are on this report felt that, if there were concerns that were raised by that board, then that is the proper venue for those to be concerned and to bring a bill back to us. And so I would urge you to vote in favor of the current motion and to allow Commissioner Head and the Pharmacy Board to do their work and to find those avenues

that they feel needs to be brought forward in order to improve the Pharmacy Act. Thank you.

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

Representative **GINZLER**: Thank you, Madam Speaker. In a conversation that I had with the good Representative from Scarborough, she told me about this bill, and in that conversation I told her about my girlhood experience, and she said, "Would you share that with you and the body?" and I said, "Okay." So, I just wanted to let you know that in my girlhood growing up in Brooklyn, New York, living on 49th Street and Sixth Avenue, on the corner, was a pharmacy. We didn't call it a pharmacy; we called it a drug store. I still call them drug stores, and I still remember Mr. Laspia, the pharmacist there. Mr. Laspia was not just our pharmacist; he was in effect our de facto primary care physician, because he told us when we really needed to see the physician. He did all those things about poison ivy, although there wasn't a lot of poison ivy in the streets of Brooklyn, New York. But, certainly all kinds of rashes and sometimes he even stitched us up when we had that cut on a knee or cut on an elbow. So, I just wanted to share that experience with you. To this day I still consult with my pharmacist when there's any kind of question that I have with regard to drug interaction, or indeed, anything that can help some of the common ills that we have today. Thank you.

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

Representative **CHACE**: Thank you, Madam Speaker, I apologize for rising a second time. To my good friend Representative Sylvester from Portland, I do have to correct that the Board of Pharmacy, they do not make rules, they don't make laws, they make rules. So, I was a board member for 10 years, 12 years. The board is not going to do anything in rule-making over the next eight months, except clarify that the rules that are on hand right now, and they are going to try to do some housekeeping with things that are very old and antiquated. This is not something that they will bring forward as a bill, I assure the House. They will not, they will not put suggestions for what a pharmacist's practice should be. It will come back to the LCRED Committee. Thank you, Madam Speaker.

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

Representative **GROHMAN**: Thank you, Madam Speaker, Women and Men of the House. I just want to urge the members of this body to take a look at the testimony accompanying this bill. Thirty-three individuals and entities testified in favor, including University of New England College of Pharmacy, Eastern Maine Health care Systems. Nobody testified against, this is the addition of eight words, in what I view as the form of a clarification, and are particularly interested in smoking cessation work and have been frustrated that that work hasn't been able to take place at the pharmacy level, and I'm really enthusiastic about the possibilities that enactment here would present. So, I'll be opposing the pending motion and I hope you will join me.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Men and Women of the House. When I was studying pharmacy, and working at LaVerdiere's Pharmacy and eventually Rite Aid, I saw how people with multiple doctors would fill their prescriptions at the same pharmacy. They trusted their pharmacist. The pharmacist was able to catch drug interactions that had potentially dangerous outcomes.

They trust them with their lives by going to the same pharmacy, as well they should. Our pharmacists...

The SPEAKER: The member will defer. There are a lot of conversations going on in the room and it's actually really difficult to hear the speaker at the moment. If everybody would please take their conversations outside or remain quiet. The member may proceed.

Representative **KINNEY**: Thank you. So, people trust their pharmacist, as well they should. Our pharmacists are important health care partners and I urge you to defeat the current motion. Thank you.

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

Representative **HYMANSON**: Thank you, Madam Speaker, Men and Women of the House. As a physician working for 30 years in a team way with everyone involved, physical therapists, occupational therapists, speech therapists, and pharmacists, I'm well aware that as we did hospital rounds the pharmacist was a part of the team as we talked about each patient, their direction with the nurses, nurse practitioners, everyone else on the team. So, medicine has become a team sport, if you will, where everybody puts their information together and we are collaborative. This has always been the work of the pharmacists, and what the pharmacists want to do now is have a way to bill for the information that they give to patients. This is simply a way to have a pharmacist bill for their interaction that they've always done. So, I ask you to consider, what is the role of a pharmacist? It has always been to counsel patients, and that is in the practice of pharmacy. As I'm reading it, the performance of collaborative drug therapy management, the responsibility for advising, when necessary or regulated, of therapeutic values, content hazards, use of drugs and devices. This is language that is already there. What we are adding is the provision of health care services that includes the following. This is purely to get compensated for the work that I would say is the work of pharmacists, always has been, and it's already allowed. So, I would ask you to support the Majority Ought Not to Pass Report. Thank you.

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

ROLL CALL NO. 194

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Blume, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fecteau, Frey, Gattine, Golden, Grant, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, 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, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Dillingham, Espling, Fay, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Grohman, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Higgins, Hilliard, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault,

Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Battle, Brooks, Craig, Farrin, Fuller, Herrick, Johansen, Perry, Timberlake.

Yes, 71; No, 69; Absent, 10; Excused, 1.

71 having voted in the affirmative and 69 voted in the negative, with 10 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (H-208)** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Increase Access to Vaccinations"

(H.P. 323) (L.D. 456)

TABLED - May 24, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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: The Chair recognizes the Representative from Scarborough, Representative Vachon.

Representative **VACHON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, in the State of Maine the pharmacist is the most accessible healthcare professional. Over 1,000 pharmacies in Maine have trained and registered immunizers already. Maine is a large, rural state, passage of this -- I stand in opposition to the pending motion. So, passage of my motion would optimize access to healthcare services across the state. For our underserved rural communities, pharmacies offer vaccination services on a walk-in basis during the day, evening, and weekend. Since 2009, pharmacies have provided access to adults age 18 and older. Compared to New Hampshire and Massachusetts, Maine children are not getting the same protection against vaccine-preventable diseases. Passage of this bill will increase access to youth age 11 through 18 to be able to receive booster immunizations with a prescription. Pharmacies must report back to their primary care doctor ensuring that all health care is coordinated. Maine's primary care doctors carry a tremendous patient load these days. As Maine deals with the opioid crisis, finding primary care doctors is especially challenging. An opioid patient requires a lot of time for primary care doctors. When pharmacists have the authority to assume some of the more routine roles of primary care doctors, time is freed up for our primary care doctors. It is for all of these reasons, and most especially for the health of our children, that I urge you to follow my light. Thank you, Madam Speaker.

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

Representative **CHACE**: Thank you, Madam Speaker. Long time no speak, thank you for your time. I appreciate the time of the members of the House. I'm asking you, I'm asking on behalf of pharmacists and patients in Maine, that we move against this Majority Ought Not to Pass. I would ask that we oppose that motion. And you know, the pharmacists are not

just out there. You know, I went through 20 hours of immunization training, which doesn't seem like a lot, but when it's eight hours on how to give a shot and twelve hours on memorizing the CDC charts of immunizations, not to mention the probably 400 hours in pharmacy school, three semesters of pharmacology, two semesters of pharmacognosy, 11 semesters of chemistry, two semesters of pharmacotherapeutics, 185 credit hours, 185 credit hours of everything to do with physiology, anatomy, two semesters of microbiology. These folks are, you know, when you go to your physician's office to get your immunization, your physician and your nurse practitioner are not giving you your shot, a medical technician is, with ten months of training. Our folks have got the emergency kits right there. They know how to prevent everything that goes wrong within an immunization and they don't often go wrong. Statistically speaking, extremely low. Maine, we already give flu shots down to seven years of age. We have 50 percent of our children not immunized for HPV. HPV is the Human Papilloma Virus that caused cancers in people like Michael Douglas, the actor, as well as Farrah Fawcett Majors. We have to get to our children for HPV before they become sexually active. That has to be done in the 11 to 15 years of age range, generally. We made protections so that they have to get the first shot at their primary care practitioner and then they can get the second shot at the pharmacy. So, that even further negates any worries about whether there's going to be any shot infractions. The other piece to this is, again, pharmacists across the country in at least 22 states are doing all ages. There are some form and fashion of immunizations taking place in all 50 states. Maine is a rural state. This is a very important service. We need to be able to get to our children. You know, when you're living in a place like, you know, Greenville and you've got to drive to, you know, Skowhegan or somewhere else to see your practitioner, you know, having a pharmacy right there is really important. It's really helpful. In 2009, pharmacists were very responsible for helping the H1N1 virus replication. That should have been a flu that could have been as devastating as the flu of 1919. That was the first year pharmacists were administering flu shots. I gave 60 shots in one week to patients. I beg to not make a partisan issue out of these bills. I really do. This is something that is for the benefit of our patients' safety. This is not lining anybody's pockets, we are not going to make any money out of this. Please, please move to Ought Not to Pass on this light, so that we can move forward. Thank you.

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

Representative **HYMANSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Pediatricians do a wraparound service when they give vaccines to kids. What happens, and you may have had this experience, I know with my three kids I had this experience, when you go for a vaccine, it's not only the vaccine that they are given but they are given a discussion. My kids were at vulnerable times during their lives when maybe the pediatrician didn't want to be in the same room with me, my child. They had a heart to heart kind of talk, and it was a time when the pediatrician could then enter, had the medical record there, could see how the child was doing, compare their weights, their measurements, how they're doing in school. This is all very important and it's all triggered because a person came in to get a vaccine. So, I think it's very important to maintain this clinical connection to kids around vaccines and that does happen. I'll also tell you these statistics about school vaccine rates, which in Maine are very high. So, Varicella was 96.3, Tdap 97.2, MMR 96.5, and

Polio 96.9. Those are really good statistics. We beat many states. So, our current system is working. It works well and it engages kids at a time when they need to speak about other things besides the vaccine. So, I urge you to vote Ought Not to Pass. Thank you.

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

Representative **PERRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I am in opposition to this Ought Not to Pass. I'm a family nurse practitioner and I also see families, and I see children in this age range. They have come in and gotten their first shot. And I tell them they need to come back after a certain time for their second and I never see them. And, if they come back for the second shot, it's not necessarily an appointment but a nurse's appointment. I would like to be able to write that script and talk with the parent and the child and say, "Take this to your pharmacist at a time when you can, in this time range, and get that shot." It is more likely to happen because they are going to be there to do that, and it doesn't have to be an appointment that has to be scheduled, and do that. You know, the fact that we only have 50 percent of HPV, we've got Hepatitis A, we've got Meningitis that are in those age groups. It is very, very important that those series get followed up with, and it's the follow-up I have the biggest concern about. We could be better if we had that option. So, I'm asking that you vote no on this.

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

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. I'd like to take a look at this from an economic point of view as well. The good Representative from, in front of me, the pharmacist in our chamber here, he said this doesn't line anybody's pockets, but it does. It lines the consumer's pockets, for those who may not be able to get into in a timely manner or afford multiple doctors' visits. This makes it much easier for them to access the vaccines that they want for their children. Now, I'm not a huge proponent of over vaccinating, but for those who are, I think the more we make it accessible for them, the better off we are. Thank you.

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

Representative **FECTEAU**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I wanted to share with the chamber an email that was received from a pediatrician from Winthrop and I want to just read the last paragraph in this email, and I think it's really important as we speak about access for children and making sure that children have the care that they deserve and need. He states, "Children in low-income households get care at Winthrop Pediatrics, Kennebunk Pediatrics, Waterville Pediatrics, at family physician offices throughout our region, and at federally-qualified health centers in Richmond, Coopers Mills, and around the state. The pediatric practices have always had extended hours, coverage on weekends and holidays and throughout the night. Medical homes for children are available 24/7. Children in poverty certainly won't be going to Rite Aid, where they will have to pay out-of-pocket for immunizations. This bill does not improve access to care for children and teens, it undermines it." And I want to speak to the fact that this is not a time to have a work session here in the House chamber. There was a work session in committee, there were several weeks given to both physicians and the pharmacists to work on an agreement. There was not consensus, and thus I don't feel it is appropriate for us to move forward with the bill

and not have consensus amongst both the medical community in terms of physicians and pharmacists. And, until that agreement is not in existence, I think it inappropriate for us to move forward with the bill. Thank you, Madam Speaker.

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

Representative **SIROCKI**: Thank you, Madam Speaker. I rise in opposition to the pending motion, and I would just like to simply say that with our large and growing doctor and provider shortage, access to care is important. I spoke to someone who thought that Skowhegan, Maine was rural Maine. And someone from northern Maine just laughed at that. Sometimes, us in the southern part of the state have a hard time imagining what it's like to live in rural Maine. They're not asking for free care, they are asking for access to care. Thank you.

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

Representative **CHACE**: Thank you, Madam Speaker. I apologize for rising a second time. I just want to point out that, once again, the pharmacies, when they are immunizing these folks, all of these folks currently today, they are faxing back to the primary care provider. So, all of these records are going back and I wasn't very clear on the fact that, in our training, obviously, I have EpiPens sitting next to me and diphenhydramine, and I'm treating, and I'm ready to treat anything that I have to right off the bat. We give out vaccine information statements to every patient that receives a shot, and I don't mean to be rude but, think about the last time you got a shot in your doctor's office, and did you get all the paperwork that went with it, to how to treat the side effects and all those different parameters. We have to give those out by law, everybody does. And, we're doing that in the pharmacy. So, we are very well-prepared. I apologize if this feels like a work session. It certainly is not, this is something that we've been doing a long time and I really hope you will help me reverse this light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion, and to point out that when you go into a pharmacy, I have gone in and gotten flu shots for my children in the pharmacy, because it just hasn't worked out between school and my work schedule to be able to get them to the doctor's office, and I've never had to pay for it out-of-pocket. My insurance company is billed. Thank you.

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

ROLL CALL NO. 195

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

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Casas, Cebra, Chace, Chapman, Corey, Craig, Denno,

Dillingham, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Grohman, Guerin, Haggan, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Higgins, Hilliard, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Perry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Battle, Brooks, Farrin, Fuller, Herrick, Johansen, Timberlake.

Yes, 68; No, 74; Absent, 8; Excused, 1.

68 having voted in the affirmative and 74 voted in the negative, with 8 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-208)** was **READ** by the Clerk and **ADOPTED**.

On motion of Representative HERBIG of Belfast, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-208)** was **ADOPTED**.

Representative CHACE of Durham **PRESENTED House Amendment "A" (H-335) to Committee Amendment "A" (H-208)** which was **READ** by the Clerk.

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

Representative **CHACE**: Thank you, Madam Speaker. Thank you, Women and Men of the House. I promise this is the last time I stand today, I hope. We listened very clearly to the committee when we were debating this motion and when we were debating this item, and one of the things that became very loud and clear was the CDC's impact system in Maine where pediatricians report immunizations. So, we have amended this bill so that pharmacies will report to the impact system, so that pediatricians and pediatric nurse practitioners will be able to see the current and up records of these individuals as they receive these shots. Of course, they're going to know about them anyway, because within the bill they were required to write the prescription in the first place. So, I think we have our bases really covered here. I think this is a good thing for our citizens of Maine and I really hope for your support. Thank you.

Subsequently, **House Amendment "A" (H-335) to Committee Amendment "A" (H-208)** was **ADOPTED**.

Committee Amendment "A" (H-208) as Amended by House Amendment "A" (H-335) 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-208) as Amended by House Amendment "A" (H-335)** thereto and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-254)** - Minority (5) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations"

(H.P. 709) (L.D. 1008)

TABLED - May 25, 2017 (Till Later Today) by Representative BRYANT of Windham.

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

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

Representative **MARTIN**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, this bill, LD 1008, creates a permanent Commission on the Status of Racial and Ethnic Populations to promote, carry out, and coordinate programs designed to improve opportunities for racial and ethnic populations. As amended, the size of the commission would be 15, 15 members appointed by our Chief Executive, the Speaker of the House, and the President of the Senate. Also, as amended, it would add an initial report by the commission to the Second Regular Session of this Legislature focusing on the commission's research on income levels and considerational policy proposals. There was no opposition in the public hearing on this piece of legislation, although it was supported by our very own Secretary of State, the Maine AFL-CIO, the Maine Equal Justice Partners, and the Maine Center for Economic Policy. I would urge all members of this body to vote for the pending motion and follow my light. Thank you, Madam Speaker.

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

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

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

ROLL CALL NO. 196

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

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

ABSENT - Bates, Battle, Brooks, Farrin, Fuller, Handy, Herrick, Higgins, Johansen, Theriault, Timberlake.

Yes, 74; No, 65; Absent, 11; Excused, 1.

74 having voted in the affirmative and 65 voted in the negative, with 11 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-254)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-254)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-266)** - Minority (5) **Ought Not to Pass** - 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)

TABLED - May 25, 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 Not to Pass** Report.

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

Representative **PARRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is a bill that I brought forward for some local businesspeople down my way. They came to me, and talking about issues that a lot of the tourists that come to Maine have with them. And, one of the biggest issues was the time we close, because most of the states that they come from are open much later. New Hampshire is open until 2:00, Massachusetts is open until 2:30, and I believe they are moving to 3:00. Connecticut, I believe, is also 3:00. I believe New York is 4:00. So, I brought this bill forward. I know, I think it was three years ago, I think, that a similar bill was brought forward. But, that was a mandate on all towns would have to move their allowable serving time to 2:00. So, I'm hoping that my fellow members of this chamber would vote down the current Ought Not to Pass motion and go with the Majority Report. It's funny, when you're out getting signatures on co-sponsors for the bills, on who happens to support. I was talking to the good Senator from Portland, who as we all know spent 30 years in law enforcement and was Cumberland County Sheriff, and I was talking to him about a different bill and I said, "I don't know if you'll be interested in this one," and he said, "What was it?" And, his response was surprising to me. He mentioned that it was, if he had his choice he would move it to 4:00, and he explained to me how the...

The SPEAKER: The member will defer. The Chair will just ask the member to consider the mentions of members from the other body that would influence a vote in this body. Thank you. The member may proceed.

The Chair advised Representative PARRY of Arundel that it is inappropriate to refer to the potential action of the other body in order to influence the vote of the House.

Representative **PARRY**: Thank you. I guess I would end with other interesting things, I don't know if I can say this or not but you'll let me know if I can, other interesting things that happened in committee. The lobbyist from Portland was there, and I was a little bit nervous when they asked if they should check with the people in Portland. And, when, I wasn't sure if I should say yes or no, but when they checked with the people in Portland, Portland didn't know if they would be interested in doing it but they would like the option. And the key thing with this bill, it is only an option for any community to increase the

time of serving until 2:00. It will be mostly, I would imagine, areas that deal with tourists. I would think that with the new hotel being built up to Oxford, they might be interested, Bangor might be interested with all the work they are doing in Bangor, Portland, as you've heard, might be interested. I know that some of the communities on the southwest coast would be interested, because they're literally competing with Hampton Beach and Salisbury Beach in Massachusetts and New Hampshire. So, hopefully we can help our tourist business and vote down this Minority Ought Not to Pass motion and support the Majority Ought to Pass. Could I ask the Clerk to read the Committee Report and could I ask for a roll call?

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

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

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought Not to Pass** Report.

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

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

ROLL CALL NO. 197

YEA - Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Black, Blume, Bradstreet, Chapman, Collings, Cooper, Denno, Duchesne, Farnsworth, Fay, Gattine, Golden, Grant, Grohman, Guerin, Handy, Hickman, Hilliard, Hogan, Hubbell, Hymanson, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCreight, Melaragno, Monaghan, Nadeau, Parker, Perry, Pierce T, Reckitt, Riley, Sanborn, Schneck, Sheats, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Winsor, Zeigler, Madam Speaker.

NAY - Ackley, Austin S, Bickford, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Corey, Craig, Daughtry, DeChant, Dillingham, Doore, Dunphy, Espling, Fecteau, Foley, Fredette, Frey, Gerrish, Gillway, Ginzler, Grignon, Haggan, Hamann, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Jorgensen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McCrea, McElwee, McLean, Moonen, O'Connor, O'Neil, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Rykerson, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Spear, Stearns, Stetkis, Stewart, Strom, Sutton, Tipping, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Wood.

ABSENT - Bates, Battle, Brooks, Farrin, Fuller, Herrick, Higgins, Johansen, Theriault, Timberlake.

Yes, 58; No, 82; Absent, 10; Excused, 1.

58 having voted in the affirmative and 82 voted in the negative, with 10 being absent and 1 excused, and accordingly the Minority **Ought Not to Pass** Report was **NOT ACCEPTED**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-266)** 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-266)** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-278)** - Minority (6) **Ought Not to Pass** - Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Protect Consumers' Freedom of Choice in Auto Collision Repairs"

(H.P. 1061) (L.D. 1540)

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

PENDING - **ACCEPTANCE OF EITHER REPORT.**

Subsequently, Representative LAWRENCE of South Berwick 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 PRO TEM: The Chair recognizes the Representative from South Portland, Representative Hamann.

Representative **HAMANN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I rise in support of the pending motion. If you get into an accident and have a claim for collision damage, you have the right to go to whatever auto body shop you want. That's current law. You can go wherever you want to get your car repaired. The problem is most people don't know that, and insurance companies have preferred vendor relationships with specific auto body shops where there is a contractual relationship to repair the vehicle, often at the least cost possible. In those cases, the consumer gets the short end of the stick. This bill was brought to me by a constituent who owns a smaller auto body shop in South Portland. She's a member of the Maine Auto Body Association and they have seen evidence of a practice called "steering," and that is what I just described. Steering is when you call with your claim and the insurance company steers you toward one of their preferred vendors, one of the larger auto body shops where they have an arrangement to fix the claimant's vehicle, often as inexpensively as possible. Since they cannot require you to use their preferred vendor under current law, they find ways to give claimants the impression that they have to use one. They might suggest your car will be repaired faster, or a preferred vendor is more reliable, or any number of explicit or implicit assertions to steer a customer toward one of their preferred vendors. This bill simply reads claimants their rights. It's a consumer protection bill. If the insurance company is going to refer a customer to a particular repair service, they have to read the following two sentences. "You have the legal right to choose a motor vehicle collision repair shop to fix your vehicle. Your policy will cover the reasonable cost of repairing your vehicle to its pre-accident condition no matter where you have repairs made." Pretty simple. At the point of making the decision about where to have their car repaired, the insurance company will remind the claimant of their rights during that often frustrating, stressful, and chaotic time. I think of it like this: people know the Fifth Amendment gives them the right to remain silent, but when someone's arrested, they're reminded of their rights. That's all this bill does. Insurance companies can still have preferred vendor relationships. Insurance companies can still recommend a claimant use one of their preferred vendors.

However, if they recommend a particular auto body shop, then they have to read a two sentence script that explains your rights. And that's all. It doesn't cost any money, doesn't limit what an insurance company can say to a customer, doesn't even prevent an insurance company from offering incentives to use one of their preferred vendors. This bill simply requires insurance companies to read a short two sentence script, informing claimants of their rights. Thank you. Madam Speaker, I request a roll call.

The SPEAKER PRO TEM: A roll call is already in order. The Chair recognizes the Representative from Wells, Representative Foley.

Representative **FOLEY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. When we were in committee hearing this bill, the Insurance Bureau was there and they said they had a similar complaint brought to them in 2008. They investigated eight of the larger insurance companies and found no violation of the current law. They also mentioned that they had seven consumer complaints since 2008, investigated those and found that there were also no violations. This bill is really unnecessary. The law already does state what the customer's rights are and it's really unnecessary for us to be dictating what companies have to say to their customers. I urge you to defeat the pending motion. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Limington, Representative Kinney.

Representative **KINNEY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in favor of the pending motion. I have had a body shop in my district that has complained to me about this situation for years. It's a person that I've done business with, and he had mentioned to me that the local body shops in southern Maine had tried to introduce a bill similar to this in the 127th and they just had no luck, and this bill was in and I spoke on behalf of this bill. I have seen his yard, I've seen the lack of business, and I will be voting in favor of this pending motion. Thank you.

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

ROLL CALL NO. 198

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Bickford, Black, Blume, Bryant, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Gattine, Golden, Grant, Grohman, Haggan, Hamann, Handy, Hanington, Harlow, Harrington, Harvell, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mason, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perry, Pickett, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Sutton, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Ward, Warren, Winsor, Zeigler.

NAY - Austin S, Bradstreet, Campbell, Craig, Dillingham, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Grignon, Guerin, Hawke, Head, Hilliard, Kinney M, Lockman, Lyford, Malaby, Marean, McElwee, Perkins, Picchiotti, Pierce J, Reed, Sanderson, Stetkis, Stewart, Strom, Turner, Wadsworth, Wallace, White, Wood.

ABSENT - Bates, Battle, Brooks, Farrin, Fuller, Hanley, Herrick, Higgins, Johansen, Sylvester, Theriault, Timberlake, Madam Speaker.

Yes, 102; No, 35; Absent, 13; Excused, 1.

102 having voted in the affirmative and 35 voted in the negative, with 13 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-278)** 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-278)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (H-289)** - Committee on **JUDICIARY** on Bill "An Act To Ensure Compliance with Federal Immigration Law by State and Local Government Entities"

(H.P. 272) (L.D. 366)

TABLED - May 30, 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 Majority **Ought Not to Pass** Report.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition to the pending motion. I want to give members a heads up that my remarks will be lengthy, probably longer than 10 minutes. And that's because before we conclude this debate, I want to make sure that everybody in this chamber knows what's at stake today and I want the permanent record to reflect that.

Madam Speaker, LD 366 is a bipartisan, commonsense proposal that will tear down the walls that prevent Maine police officers from sharing information with federal immigration officers. It will restore the status quo that existed in Maine prior to 2003. Make no mistake, enactment will save lives. Too many Maine people have already lost their lives because of local policies that handcuff and muzzle Maine Police Officers. Please note that in the text of the bill it says that this chapter may be known and cited as the Public Safety and Protection Act. And that's exactly what enactment of LD 366 will accomplish. And we're not just talking about terrorism, but let's also be very clear about that risk. Madam Speaker, we do know that the FBI has active ISIS investigations underway in all 50 states. So we know that Islamic State terrorists are already here in Maine, and it's reasonable to conclude that they would most likely gravitate to communities where they know the cops are not allowed to ask them about their immigration status, even after they've been arrested. And if the community also offers welfare benefits to illegals, that community will surely be a magnet for the terrorists that the FBI tells us are already here in Maine. So, let's talk about how we got to where we are today with regard to illegal immigration in Maine. In 2004, Governor John Baldacci issued an Executive Order that made the entire State of Maine a

harboring haven for illegal immigrants. State employees were barred from asking anyone applying for welfare benefits about their immigration status. In effect, we told the world that, although we are a poor state, we have very generous welfare benefits, and we don't care if you're an illegal immigrant, come to Maine and sign up. Madam Speaker, the incumbent Chief Executive rescinded that order on his first day in office, putting an end to Maine's open borders policy, and for that the people of Maine owe him a debt of gratitude. The Chief Executive turned off one of the magnets that was drawing illegals to Maine. But there was no way to undo the damage of Baldacci's Executive Order. The doors had been wide open for the better part of a decade. Today, it is estimated that about 5,000 illegal aliens currently live in Maine, at an annual cost to Maine taxpayers of about \$40 million. Rescinding Baldacci's Executive Order did not undo Portland's city ordinance, which forbids police and city employees from inquiring into anyone's immigration status. It also prohibits the sharing or exchanging of information with federal immigration officers. That ordinance was enacted in 2003. And city leaders boasted at the time that they were following the lead of San Francisco, Los Angeles, New York City, Miami, and Denver. Portland city councilors admitted at the time that they had not received any complaints that police or other city workers had ever asked anyone about their immigration status. Talk about a solution in search of a problem. For me, it's hard to understand why politicians in Portland would want to handcuff and muzzle their own police department, especially just two years after the 9/11 terrorist attacks. Portland is the only municipality in the state that I know of with a harboring haven ordinance, although it's possible that other municipalities do have informal, unwritten policies in place. Madam Speaker, these policies and practices have life-and-death consequences, and we're not just talking about potential terrorist attacks. Forty-nine-year-old Freddy Akoa of Portland was beaten to death in his Cumberland Avenue apartment on the evening of August 9, 2015. Court documents reveal that the three assailants beat and kicked him for hours and bashed Akoa in the head with furniture. Akoa had 22 rib fractures from the savage attack, cuts and bruises all over his head and torso, and a lacerated liver when his assailants left him on the living room floor of his apartment. Police found a blood-splattered Bible on the floor next to his head. His body was not discovered until two days later, after his mother contacted building management to let them know she was not able to reach her son. On August 13th, four days after the savage murder, three Portland residents, aged 23, 31 and 36, were arrested and charged with murder. With bail set at \$500,000 for each man, they were jailed awaiting trial or a plea. After the initial news reports of the court appearance and the details of the crime, a media blackout began. It would be ten months before one of the defendants pleaded guilty to manslaughter. And during that time, Maine's fake news media outlets didn't have a single report about the personal backgrounds of the killers. To this day, nearly two years later, we have learned nothing about the killers except their names, how old they are, and the fact that each had prior criminal convictions. Think about that for a minute. We all know how the media generally handles cases like these. Reporters contact family members of the defendants, they talk to neighbors, co-workers, classmates, or whoever else they can find to shed some light on just who the accused killers are. You know, who is this guy? What makes him tick? Those kinds of questions. None of that happened in the case of Freddy Akoa's murderers, and frankly, I'm stunned at the utter lack of journalistic and professional curiosity that

has been on display in this case. Would anyone be shocked to learn that none of the killers is a U.S. citizen? I still don't know exactly what their immigration status is and neither does the Assistant Attorney General who prosecuted the case. Imagine that, to this day the prosecutor doesn't know their legal status. He doesn't know if they're refugees or asylees or dreamers or here on student visas, and he doesn't seem to be in any hurry to find out. Here's another fact that I discovered without too much digging. The 31-year-old killer had 33 prior criminal convictions. In fact, the three killers had 68 arrests between them prior to the murder of Freddy Akoa. I have on my desk, in a file folder, the 82 pages of criminal history, and I was thinking about reading all of that into the record. But I won't, I'll give you some highlights from one of the killers. His criminal history began in 2005: Class D Assault; 2006, probation violation; 2007, violating conditions of release; 2009, criminal threatening; 2009, criminal trespass; 2010, criminal trespass; 2010, theft by unauthorized taking; 2011, domestic violence assault; disorderly conduct; again in 2011, violating condition of release; 2011 again, violating conditions of release; 2012, assault, disorderly conduct; 2013, assault, disorderly conduct; 2013, drinking in public; 2013, drinking in public again; two years later, murder. Here's the bottom line for me: these guys should have been deported long before they had a chance to beat Freddy Akoa to death. If you're not a United States citizen, you're here as our guest and you'd better be on your best behavior. These guys should have been deported after their first brush with the law, and if the city of Portland had been sharing information with federal immigration authorities, there's a good chance these guys would have been deported, or at a minimum in federal detention, and Freddy Akoa would be alive today. Madam Speaker, the Akoa murder is not an isolated case. In March of this year, the man charged with murder in the 2015 death of a teenager in Portland in a Portland recording studio, pleaded guilty to the murder charge. A judge sentenced Gang Deng Majok to 30 years in prison for the death of Scarborough teen Trey Arsenault. Majok, who also goes by the nickname Bang Bang, shot Arsenault multiple times in a crowded recording studio in Portland's Old Port. Investigators say Arsenault was an innocent victim, just listening to a friend sing when he got caught in the middle of a gun fight. Would anyone be surprised to learn that Majok is not a United States citizen? He came to the United States from the Sudan in 2002, and since his arrival he's compiled a record of violent crimes, including felony charges. The victim's mother, Nancy Laxson, says she believes Majok should have been deported after committing other crimes. Here's what she said. "I'm a nurse. I help everybody, and I think when you do something wrong, you don't have the right to be here. It's not fair. If he had been deported a long time ago, Trey would still be here. But we can't take back time. So, hopefully we can make laws that will help other people." Majok is also facing charges in separate cases, including aggravated assault and drug trafficking. Once again, this is a case of a career criminal alien with a long criminal rap sheet, but because the politicians in Portland handcuffed and muzzled their own police department, federal immigration authorities were never notified. Trey Arsenault would likely be alive today were it not for Portland's harboring haven ordinance. Madam Speaker, LD 366 would require all municipalities in Maine to comply with federal immigration law, it would prohibit policies that forbid police officers from initiating an inquiry into anyone's immigration status. Towns and cities that continue to defy federal immigration law by harboring illegal immigrants would be subject to fines of \$500 a day for every day they are out of

compliance. These are commonsense measures, and I'm frankly surprised at the controversy that's been generated. Opponents of this legislation have already played the race card in the public hearing last month. The same thing happened last year when a similar proposal was tabled in the House. A member of legislative leadership called the proposal blatantly racist, and claimed it would allow police officers to pull people over based on the color of their skin. That's the same theme being pushed in the past few months by the ACLU of Maine. What they're really saying is that police officers in Portland are inherently racist, and if they were not restrained by the city ordinance enacted in 2003, they would be targeting racial minorities for immigration enforcement, randomly pulling people over and hassling them based on the color of their skin. How insulting. Madam Speaker, our local police officers in Maine are the last line of defense against violent criminals. I trust our police officers to do the job they were trained to do. They know what the elements of probable cause are, and frankly, I don't understand the ACLU's hostility toward law enforcement officers who put their lives on the line every day to protect Maine people. Frankly, playing the race card is a sure sign that opponents cannot offer a rational basis for opposing LD 366. In any case, the bill explicitly and specifically prohibits racial or ethnic profiling. Madam Speaker, I'm looking forward to a robust debate focused on the content of the bill. Please everyone, let's keep the straw men out of the chamber today. Fellow legislators, it's time to make Maine safe again. I urge a no vote on the pending motion and I do want to refer briefly to a handout that just landed on our desks a little while ago. Says it was distributed at the request of Representative Matthew Moonen. It contains false statements about LD 366. Specifically, the statement that towns and cities would be exposed to lawsuits from private citizens, not true. There's no right of private action in the amended bill. And it also says that towns would face the threat of the loss of state funds depending on an opinion from the Attorney General, not true. Thank you, Madam Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Earlier today on LD 784 we attempted to find tax cheats all over the country, and today, apparently, we're now going to try to run the immigration policy of the United States with a mere 1.3 million people. But I ask you this: how did we become the oldest, whitest state in the United States? We got a history of this. When I was a child growing up, I was led to believe an immigrant was from Massachusetts or some country called "flatland." My father didn't want to build a wall on the Mexican border, but he wanted a one-lane highway into Maine and ten out. Tim Sample, Bob Marley have created an entire humor industry about those from away. And while we laugh, we now find ourselves the oldest, whitest state in the United States. We find ourselves on the cutting edge of demographic collapse in this country, that Europe is facing over there. In the 1840s, Maine had 8 congressmen. Our strength vis-à-vis the rest of the nation was pretty good. The know-nothings of the 1850s did pretty well in the Maine elections. Well, that's not surprising. In 1850, though, this body had a piece of legislation that I suggest you parts read, and juxtapose next to the bill in front of you. And it said, "No sheriff, state deputy, coroner, constable, jailer, officer of the state, in any official capacity shall hereafter arrest or detain or aid arresting or detaining in any prison for reasons of being claimed a fugitive slave." And at the end it said, "Nothing in this shall be construed to hinder

or obstruct the Marshal of the United States." They were basically saying that the Federal Government could run its policy on fugitive slaves, but they were not going to comply. And the reason they were not going to comply, and it might be noted that every single fugitive slave here in the 1850s was here illegally. But, the problem is that illegal status comes in many forms. The good Representative from Amherst is quite right. When citizens come here, some of them are criminals. In the 1980s in Miami, Cubans and Colombians basically engaged in a drug war, and that was part of it. But, there's a lot of other ones that come too. Some of them come escaping persecution, some of them are Christians that have left Muslims' lands. We have an immigration policy in this country that is broken. The Federal Government now has a figure between four and 5.5 million people that have overstayed their visas. They've got a backlog, they haven't enforced this. And it's left, what, to Maine to clean this mess up? It's not that easy, because the people that are here are here for a variety of reasons. On a recent trip I just took to pick my wife up, who by the way is an immigrant, and legal, so we won't get her deported today, coming back from the Netherlands. I left early to go to pick her up in Boston, and on my way down, I stopped at L.L. Bean's early and picked up a fly fishing vest. And it was kind of early, and as I'm standing there I'm looking at the two people serving me. I'm like, these people are old. And then I got in my car and I went through every single toll booth, I kept happening to notice the age of these people. I'm like, man we're getting old. Then I get down, and I'm waiting for my wife to come out and some stewardesses went by. Now, in my adolescent mind, stewardesses appeared to be a lot younger than the ladies walking by me, and it could be just the fact that I'm now just as old as they are. But this creates a problem, this creates a problem in western civilization. In this chamber, routinely we say of money, money comes where it is wanted and it is stayed where it is nourished. But it might be noted, and anybody who has read Adam Smith would recognize this, that human capital is capital as well. I fear that the chilling effect of this bill would be that those that aren't wanted might not come, and that's human capital. And, in a state that's aging, that's very problematic. We live in a globalizing world, and ever since the Second World War, the United States has been a global power. And one of the things that comes historically with global powers is the fact that you are engaged all over the globe. And in particular, when you send young men or you have conflicts around the globe, young American citizens, being in their, at least I was, in their 20s, they might go to a country and they might, I don't know, find a spouse. But, even if they don't find a spouse, we have members, for instance, in Iraq that have helped this country, and we have to get them out for their safety. You can go back into the Vietnam Conflict, and look at the Cambodians and what happened there. So, this problem takes place everywhere. I will agree that a country without borders is not a country. That's a significant issue. That is a significant issue. In the 1980s in this country there was a serious attempt to deal with immigration. But Americans, unlike Europeans, have always hated the question, "Your papers please?" Some form of national ID, some form of border security, and some form of dealing with what we already have here in terms of 11 million people, probably can make this system work. But in a highly polarized, political environment it's not likely, and it's very sure that you're not going to solve this problem in a state that is 97 percent white, with 1.3 million people in it. You have children that are the byproducts of being here. Their parents were here illegal, so they're here illegal. Because the word "illegal"

doesn't just apply to the criminal that's committed the crime. The figures are that about \$12 billion in social security is being paid by illegal immigrants who never will be able to collect a dime of it. Every single time you go to your grocery store, your groceries are cheaper because, it's all in our benefit, we are all complicit in this. They're cheaper because we refuse to deal with this. Three of the Supreme Court nominees since the 90s have had nanny issues. And I probably think you couldn't get your lawn mowed in the southern part of the country. Or if you could, you wouldn't want to ask for papers. Recently, I was on a trip to Texas, hunting in southwest Texas, at a place called Sanderson. It's out in the middle of nowhere, about 20 miles north of the Rio Grande. And while we were there, the Game Wardens came by and checked our status out, and while they were there they shared a story that they had just found, there's a lot of, like, watering tubs that they put in these areas for the cattle and the grazing, and they see a lot of illegal immigration coming through there. And, there were two illegal immigrants that had died, and they had been left by, they assume who was ever with them, next to a water tank, and they had put their names on them so they could get news back to their family that they had died. Many of these people are seeking to come here for a better way of life, and while we need to control the flow of that, we should not be stopping or entirely trying to crush the need for them to come, for them to come to what Lincoln called the last great hope of man on earth. You know, we have our correctional facilities here in Maine, that they try to do the best job they can do. We have citizens and noncitizens in this country of all stripes that are good and that are bad, and to blanketly place all illegal immigrants in that status is to me somewhat unfair. And, I think it's going to have a chilling effect. I mean, just the other day, we are going to close a correctional facility and give amnesty to people, and one of the rationales I've heard is, because we have a labor shortage. At the same time, we're asking for expedited visas. Two measures the state is putting forth to attract people, while one bill seeks to deport them. We should be trying to facilitate the citizenship of those that are productive in this country. Securing our borders, which is not something we are going to be able to do, and by the way when I was in, we are the whitest state in the United States, we're the oldest state in the United States. We're 97 percent white. The projections are that at best that maybe, it's 5,000 illegal immigrants. When I was down in Mexico, and what I've seen along the Mexican border, I've never actually experienced an illegal immigrant crossing the Rio Grande with a snowshoe strapped to his back and a map of Maine. But the Federal Government has created this mess, and it's going to require the Federal Government to clean it up. It's not going to be done with this bill, and this bill will have a chilling effect on keeping us the oldest and the whitest state in the United States. I'm going to go home tonight and tell my dad, you know what, be careful what you wished for, because we are on the precipice of it now.

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

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

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Pittsfield, Representative Strom.

Representative **STROM**: Thank you, Madam Speaker. I rise today in opposition to this pending motion, and I rise in opposition not because I agree with all of our federal immigration laws, because I don't. But they are our laws, and I don't think any of us have the ability to just pick and choose

which laws we follow and which ones we don't. If we don't like a law, you know, we do have representation in Washington D.C. that can make changes to it. Not one of us -- the best example I can give, is if you're driving to work, come to the Legislature tomorrow, and you get pulled over by a police officer on 95, try telling the police officer that you just don't agree with the speed limit, so you are not going to do it, and see how that works out for you. If you don't like the law, there's ways to change it but we do not have the right to ignore it. Thank you.

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

Representative HANINGTON: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise today, I have to disagree with the good Representative Lance Harvell. This is a state problem. September 9th, 10th, 14 known terrorists came through Lincoln. This is a state problem. Then, in 2002, I served on the Board of Homeland Security with many customs and immigration agents that lost their loved ones on September 11th. So, don't tell me that this isn't a problem that we can't fix. This is a problem that we have to fix, because if we don't, there will be another Boston bombing, there will be another Manchester bombing, there will be another September 11th, like this state or this country has not seen. So, I rise here a little complex today but, we have to accept the fact, and I've been told many a times that I'm a conformist, no I'm a realist. We have a problem, we have to pull up our big pants and do what's right. Thank you.

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

ROLL CALL NO. 199

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

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

ABSENT - Bates, Battle, Brooks, Cebra, Farrin, Fuller, Herrick, Higgins, Johansen, Madigan J, Stearns, Sylvester, Theriault, Timberlake.

Yes, 77; No, 59; Absent, 14; Excused, 1.

77 having voted in the affirmative and 59 voted in the negative, with 14 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

An Act To Remove the Cap on an Increase in the State Share of the Cost of Health Insurance for Retired Teachers (EMERGENCY)

(H.P. 370) (L.D. 526)
(S. "A" S-41 to C. "B" H-42)

TABLED - May 30, 2017 (Till Later Today) by Representative FREDETTE of Newport.

PENDING - **PASSAGE TO BE ENACTED.**

Representative FREDETTE of Newport **REQUESTED** a roll call on **PASSAGE TO BE ENACTED.**

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

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 200

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

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

ABSENT - Bates, Battle, Brooks, Farrin, Fuller, Herrick, Higgins, Johansen, Madigan J, Stearns, Sylvester, Theriault, Timberlake, Madam Speaker.

Yes, 76; No, 60; Absent, 14; Excused, 1.

76 having voted in the affirmative and 60 voted in the negative, with 14 being absent and 1 excused, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

**CONSENT CALENDAR
First Day**

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

(S.P. 554) (L.D. 1576) Bill "An Act To Enable Earlier Introduction of Career and Technical Education in Maine Schools" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(S.P. 410) (L.D. 1219) Bill "An Act To Amend the Laws Governing Forensic Examination Kits" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-161)**

(S.P. 474) (L.D. 1387) Bill "An Act Regarding the Threatened Use of Force in the Crime of Robbery" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-160)**

(S.P. 503) (L.D. 1457) Bill "An Act To Rename and Repurpose the Mountain View Youth Development Center as the Mountain View Correctional Facility and To Eliminate the Charleston Correctional Facility as a Facility Separate from Mountain View" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-158)**

(S.P. 504) (L.D. 1458) Bill "An Act To Amend the Law Relating to the Crime of Hindering Apprehension or Prosecution" (EMERGENCY) Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-157)**

(S.P. 508) (L.D. 1462) Resolve, To Establish a Pilot Project To Facilitate the Acquisition of Basic Emergency Medical Training in Rural Communities in the State Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-159)**

(H.P. 539) (L.D. 759) Bill "An Act To Clarify the Financial Authority of Sewer and Sanitary Districts" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-343)**

(H.P. 680) (L.D. 967) Bill "An Act To Ensure Access to Community Services for Persons with Intellectual Disabilities or Autism" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-342)**

(H.P. 843) (L.D. 1207) Bill "An Act To Make Technical Changes to Maine's Marine Resources Laws" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-347)**

(H.P. 874) (L.D. 1251) Bill "An Act To Require Timely Notification of Owners of Motor Vehicles That Have Been Towed" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-341)**

(H.P. 960) (L.D. 1381) Bill "An Act To Clarify Appeals of Municipal Land Use Decisions" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-358)**

(H.P. 1004) (L.D. 1454) Bill "An Act To Extend the Time for an Appeal of Limited Entry Fishing License Denial for Members of the Military" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-348)**

(H.P. 1006) (L.D. 1456) Bill "An Act To Return the Duties of the State Compensation Commission To Make Recommendations for the Salaries of the Governor and Judges" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-359)**

(H.P. 1016) (L.D. 1477) Bill "An Act To Coordinate and Enforce Existing Workplace Training Requirements" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-344)**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED** or **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**.

COMMUNICATIONS

The Following Communication: (S.C. 451)
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE

May 26, 2017

The 128th Legislature of the State of Maine
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 349, "An Act To Facilitate the Recycling of Discarded Mattresses."

Mattress-stewardship programs are only operating in three high-population density states: California, Rhode Island and Connecticut. Maine is a predominantly rural state with our population spread over a wide geographic area, where waste-collection strategies designed for cities do not work.

I understand illegal dumping of mattresses is a problem, but let's use our litter-control laws and make the polluter pay, rather than applying another tax on the citizens and businesses of this State. This law would put our border retailers at a further disadvantage to their New Hampshire counterparts. The additional tax would give more incentives to consumers to buy their mattresses over the border. Not only would we not get the mattress tax, but we would lose the sales tax revenue from the sale of the mattresses.

I will not support a bill that takes us in the wrong direction. For these reasons, I return LD 349 unsigned and vetoed. I urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

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

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

The accompanying item An Act To Facilitate the Recycling of Discarded Mattresses

(S.P. 115) (L.D. 349)

(C. "A" S-58)

In Senate, May 31, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

33 voted in favor and 1 against, and 33 being more than 2/3 of the members present and voting, accordingly it was the vote of the Senate that the Bill become law and the veto was overridden.

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

Representative **FREDETTE**: Thank you, Madam Speaker. This particular bill, in regards to the letter from the Chief Executive, and in regards to, also, you can see the title up

here, essentially, charging a fee for the recycling of discarded mattresses. I think you can see the Chief Executive's reasoning in regards to this, and I will be voting to sustain his veto. Thank you, Madam Speaker.

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

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

ROLL CALL NO. 201V

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

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

ABSENT - Bates, Battle, Brooks, Farrin, Fuller, Herrick, Higgins, Johansen, Madigan J, Stearns, Sylvester, Theriault, Timberlake, Madam Speaker.

Yes, 75; No, 61; Absent, 14; Excused, 1.

75 having voted in the affirmative and 61 voted in the negative, with 14 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

obligations to already qualifying municipalities. Although this bill was introduced solely on Old Town's behalf and does not extend program eligibility to other communities, I cannot help but wonder who will be next. Will we be seeing proposals to extend eligibility to even more communities?

The Department is already obligated to reimburse municipalities for nearly \$6 million in closure and remediation costs. Since this program is funded through fees on the disposal of construction and demolition debris, increasing the number of participating municipalities will significantly reduce each municipality's reimbursement and impose additional interest and debt payment costs on both currently participating municipalities and the Department.

I believe that expanding the eligibility for this successful program is poor public policy that will impose real costs on municipalities and the State, and it could ultimately imperil the successful closure and remediation of these sites. For this reason, I return LD 576 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

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

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

The accompanying item An Act To Amend the Laws Governing Funding for Landfill Closure Costs

(S.P. 191) (L.D. 576)
(C. "A" S-47)

In Senate, May 31, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

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

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. In regards to this particular bill, you can remember we actually had conversations in a similar type bill last session that we dealt with in regards to the Chief Executive's letter here. Again, there's concern about adding another community to this fund, will actually decrease funds available for other sites that are currently on list and so, I will be voting to sustain the Chief Executive's veto on this. Thank you, Madam Speaker.

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

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

ROLL CALL NO. 202V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Bickford, Blume, Bryant, Campbell, Cardone, Casas, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Gattine, Golden, Grant, Grohman, Hamann, Handy, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C,

The Following Communication: (S.C. 452)

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

May 26, 2017

The 128th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 576, "An Act To Amend the Laws Governing Funding for Landfill Closure Costs."

This bill amends state law to provide special consideration and extend state financing for the closure of the Old Town landfill, but only at a considerable cost to other municipalities and the state. Under this legislation, eligibility for the Department of Environmental Protection's landfill closure and remediation cost-share program would be extended to the Old Town landfill. While a windfall for Old Town, increasing the number of landfills eligible for the Department's cost-share program will reduce the Department's ability to satisfy our reimbursement

Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler.

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

ABSENT - Bates, Battle, Brooks, Farrin, Fuller, Herrick, Higgins, Johansen, Madigan J, Stearns, Sylvester, Theriault, Timberlake, Madam Speaker.

Yes, 75; No, 61; Absent, 14; Excused, 1.

75 having voted in the affirmative and 61 voted in the negative, with 14 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (S.C. 453)

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

May 26, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 671 "An Act To Allow for Accurate Credit for a License Suspension for Operating under the Influence."

This bill is intended to decrease mandatory driver's license suspensions for those who have been caught drunk driving, but who have pled to lesser charges. Those who choose to drink and drive put our public safety at risk. They deserve to have their licenses suspended, and I am not in favor of decreasing the time of the suspension.

For these reasons, I return LD 671 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

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

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

The accompanying item An Act To Allow for Accurate Credit for a License Suspension for Operating under the Influence

(S.P. 233) (L.D. 671)

In Senate, May 31, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

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

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. In regards to this particular bill, I think the concern here raised by the sponsor of the bill, Senator Katz, is we have essentially two systems of punishment for OUIs in this state: one administrative through the Secretary of State's Office, and the other through the criminal justice system. However, the counting for the period of time for suspension doesn't necessarily sort of talk to each other, and I think what the intent of this particular bill is, is that when there is a suspension in the court system for a certain period of time, that that run concurrent or at the same time with that in the administrative part, the Secretary of State's Office. So, I would agree with the sponsor's intent in this particular bill and I'll be voting to override. Thank you, Madam Speaker.

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

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

ROLL CALL NO. 203V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Espling, Farnsworth, Fay, Fecteau, Foley, Fredette, Frey, Gattine, Gerrish, Ginzler, Golden, Grant, Grignon, Grohman, Haggan, Hamann, Handy, Harlow, Harvell, Hawke, Head, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Madigan C, Malaby, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stetkis, Stewart, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Wallace, Ward, Warren, Winsor, Wood, Zeigler.

NAY - Austin S, Black, Campbell, Cebra, Chace, Dillingham, Gillway, Guerin, Hanington, Hanley, Harrington, Hilliard, Kinney M, Lyford, Mason, McElwee, Pickett, Reed, Sampson, Sanderson, Strom, Sutton, Turner, Wadsworth, White.

ABSENT - Bates, Battle, Brooks, Farrin, Fuller, Herrick, Higgins, Johansen, Madigan J, Marean, Stearns, Sylvester, Theriault, Timberlake, Madam Speaker.

Yes, 110; No, 25; Absent, 15; Excused, 1.

110 having voted in the affirmative and 25 voted in the negative, with 15 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED** in concurrence.

The Following Communication: (S.C. 454)

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

May 26 2017

The 128th Legislature of the State of Maine
State House

Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1045, "An Act To Create More Transparency in the Setting of Normal Teacher Retirement Costs."

While this bill correctly suggests that the cost of normal teacher retirement should be based on actuarial estimates and calls for greater transparency in the establishment of those estimates, I am concerned the analysis required is not possible to do within existing resources; therefore, it constitutes an unfunded mandate for the Maine Public Employees Retirement System and the Maine Department of Education.

In addition, I am concerned this bill seeks to advance an argument made by some this session that the State should bear the full burden of normal teacher retirement costs. This financial burden ought to remain a shared commitment between the state and the local employer. I am not able to support a bill that would seek to further shift this financial obligation entirely to the state.

For these reasons, I return LD 1045 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

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

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

The accompanying item An Act To Create More Transparency in the Setting of Normal Teacher Retirement Costs

(S.P. 347) (L.D. 1045)
(C. "A" S-59)

In Senate, May 31, 2017, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

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

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

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

ROLL CALL NO. 204V

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

Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Spear, Stanley, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler.

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

ABSENT - Bates, Battle, Brooks, Farrin, Fuller, Gattine, Herrick, Higgins, Johansen, Madigan J, Marean, Pierce T, Stearns, Sylvester, Theriault, Timberlake, Madam Speaker.

Yes, 73; No, 60; Absent, 17; Excused, 1.

73 having voted in the affirmative and 60 voted in the negative, with 17 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

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

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

Representative **PICKETT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. The announcement I have to make is, and I hope it's not out of order, if it is then you can call me out of order but, I went to a class here, since we've been back this session, on civility, and I take that serious. And I must admit that it was rather disturbing to me, when a member of the chamber was up debating, that there was a mass movement to remove themselves from the chamber. I would like to think that when we have anybody, regardless of which side of the aisle they are on, is debating and talking and speaking on something that we are going to take a vote on, that it would be serious enough for us to at least have the courtesy to stand and listen to them and then make an informed vote. That being said, I hope that in the future, on especially some of the very important issues we'll be dealing with in the next few weeks, that we can remain in the chamber and hear what has to be said. Thank you very much.

On motion of Representative KORNFIELD of Bangor, the House adjourned at 5:24 p.m., until 9:30 a.m., Thursday, June 1, 2017.