

ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
48th Legislative Day
Monday, June 5, 2017

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

Prayer by Reverend Jason Cross, Crosspoint Church, Bangor.

National Anthem by Jason Cross, Bangor.

Pledge of Allegiance.

The Journal of Thursday, June 1, 2017 was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Support Healthy Workplaces and Healthy Families by Providing Paid Sick Leave to Certain Employees" (S.P. 380) (L.D. 1159)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-126)** in the House on May 31, 2017.

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

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Protect the Safety of Emergency Medical Services Personnel and Patients"

(H.P. 733) (L.D. 1050)

Report "B" (4) **OUGHT TO PASS AS AMENDED** of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-337)** in the House on May 31, 2017.

Came from the Senate with Report "A" (6) **OUGHT NOT TO PASS** of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Prohibit a Person from Providing False Testimony to a Committee of the Legislature"

(H.P. 599) (L.D. 850)

Report "A" (6) **OUGHT NOT TO PASS** of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** in the House on May 17, 2017.

Came from the Senate with Report "C" (2) **OUGHT TO PASS AS AMENDED** of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-182)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

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)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-200)** in the House on May 31, 2017.

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

The House voted to **INSIST**.

Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting

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

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-268)** in the House on May 31, 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

Bill "An Act To Promote Testing of Drinking Water for Maine Families"

(H.P. 702) (L.D. 1001)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-162)** in the House on May 17, 2017.

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

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 200)

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

June 5, 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 31, 2017

Lani M. Smith-McNabb of East Machias for appointment to the Washington County Development Authority.

Pursuant to Title 5, MRSA §13083-C, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Ann R. Robinson, Esq. of Portland for appointment to the Maine Turnpike Authority Board of Directors.

Pursuant to Title 23, MRSA §1964-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Transportation.

Sincerely,

S/Sara Gideon

Speaker of the House

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

The Following Communication: (H.C. 201)

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

June 5, 2017

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

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

Judiciary

L.D. 80 An Act To Increase the Penalty for Multiple Violations of Protection from Abuse Orders

L.D. 1281 An Act Regarding the Compensation of Assistant Attorneys General and District Attorneys and the Approval of Financial Orders by the Attorney General and Secretary of State

L.D. 1356 An Act To Amend the Grandparents Visitation Act

Taxation

L.D. 936 An Act To Modernize and Simplify the Tax Code

L.D. 1581 An Act To Simplify Maine Income Tax by Repealing or Terminating Certain Tax Credits and the Charitable Contribution Checkoff

L.D. 1589 An Act To Simplify the Taxation of Leasing Tangible Personal Property and To Clarify the Incidence of Use Tax

Transportation

L.D. 1009 Resolve, To Require the Maine Turnpike Authority To Study the Feasibility of Constructing a Gorham Connector

L.D. 1617 An Act To Initiate the Process of Terminating the Maine Turnpike Authority

Veterans and Legal Affairs

L.D. 1560 An Act Regarding Veteran Homelessness

Sincerely,

S/Robert B. Hunt

Clerk of House

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

The Following Communication: (S.C. 478)

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

June 1, 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,

- James R. Erwin, Esq. of Yarmouth and Mark R. Gardner of Kittery for reappointment to the University of Maine System, Board of Trustees;

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development,

- John P. Butera of Waterville for appointment as the Commissioner of the Department of Labor;
- Wade E. Merritt of South Portland for appointment as the Director, International Trade Center.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 479)

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

June 1, 2017

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Veterans and Legal Affairs on 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), in non-concurrence.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Protect the Elderly from Tax Lien Foreclosures"

(H.P. 1124) (L.D. 1629)

Sponsored by Representative ESPLING of New Gloucester. (GOVERNOR'S BILL)

Committee on **TAXATION** suggested and ordered printed. **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent for concurrence.

Bill "An Act To Increase the Penalty for Failing To Carry Proof of Motor Vehicle Financial Responsibility"

(H.P. 1123) (L.D. 1628)

Sponsored by Representative THERIAULT of China. (GOVERNOR'S BILL)

Committee on **TRANSPORTATION** suggested and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** and ordered printed.

Sent for concurrence.

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

ORDERS

On motion of Representative TUELL of East Machias, the following Joint Order: (H.P. 1125)

ORDERED, the Senate concurring, that Bill, "An Act To Increase the Penalties for Hunting Deer over Bait," H.P. 761, L.D. 1083, and all its accompanying papers, be recalled from the Governor's desk to the House.

READ and **PASSED**.

Sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Audrey Jordan, of Whitefield, a senior at Erskine Academy, who is a recipient of a 2017 Principal's Award for outstanding academic achievement and citizenship, sponsored by the Maine Principals' Association. We extend our congratulations to Audrey on her receiving this award;

(SLS 369)

On **OBJECTION** of Representative VACHON of Scarborough, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Assist Veterans in Their Applications for Service-related Benefits"

(S.P. 160) (L.D. 465)

Signed:

Senators:

MASON of Androscoggin

COLLINS of York

Representatives:

LUCHINI of Ellsworth

DILLINGHAM of Oxford

FARRIN of Norridgewock

HANINGTON of Lincoln

WHITE of Washburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-168)** on same Bill.

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

CASÁS of Rockport

HICKMAN of Winthrop

LONGSTAFF of Waterville

MONAGHAN of Cape Elizabeth

SCHNECK of Bangor

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-168)** 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-168)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Expand Educational Opportunities for Students in the Unorganized Territories"

(H.P. 589) (L.D. 840)

Signed:

Senators:

LANGLEY of Hancock

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor

DAUGHTRY of Brunswick

FARNSWORTH of Portland

FULLER of Lewiston

GINZLER of Bridgton
McCREA of Fort Fairfield
PIERCE of Falmouth
SAMPSON of Alfred
STEWART of Presque Isle
TURNER of Burlington

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-393)** on same Bill.

Signed:
Senator:

MAKER of Washington

READ.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-394)** on Bill "An Act Regarding College Affordability"

(H.P. 792) (L.D. 1129)

Signed:
Senator:

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
McCREA of Fort Fairfield
PIERCE of Falmouth

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

Signed:
Senators:

LANGLEY of Hancock
MAKER of Washington

Representatives:

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

READ.

Representative KORNFIELD of Bangor moved that the House **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**: 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. 216

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, 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, Pierce T, Pouliot, 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, Ceбра, Chace, Corey, Craig, Dillingham, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Farrin, Grignon, Lockman, Perry.

Yes, 80; No, 66; Absent, 4; Excused, 1.

80 having voted in the affirmative and 66 voted in the negative, with 4 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-394)** 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-394)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Create Education Savings Accounts for Maine Students"

(H.P. 794) (L.D. 1131)

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-395)** on same Bill.

Signed:

Representative:

TURNER of Burlington

READ.

Representative KORNFIELD of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On motion of Representative ESPLING of New Gloucester, **TABLED** pending the motion of Representative KORNFIELD of Bangor to **ACCEPT** the Majority **Ought Not to Pass** 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-382)** on Bill "An Act Regarding Reimbursement for Speech and Language Pathology Services"

(H.P. 478) (L.D. 687)

Signed:

Senators:

BRAKEY of Androscoggin
CHIPMAN of Cumberland

Representatives:

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

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

Signed:

Senator:

HAMPER of Oxford

Representative:

SANDERSON of Chelsea

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-382)** 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-382)** 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-398)** on Bill "An Act To Confer Categorical Eligibility for Supplemental Nutrition Assistance Program Benefit Applications"

(H.P. 480) (L.D. 689)

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.

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

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

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

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

Representative **HAMANN**: Thank you, Madam Speaker, Men and Women of the House. During the Christmas holiday season in 2015, the Maine DHHS, despite a rulemaking process that saw overwhelming public opposition, made our state 1 of just 5 states in the country to begin denying low-income seniors and people with disabilities access to food stamp benefits if they have assets. Since families with children were already protected in statute from the SNAP asset test, the Department was only able to apply it to seniors, people with disabilities, and able-bodied adults without dependents or ABAWDs. The amended version of this bill, the motion before us now, is to exempt Maine senior citizens and disabled Mainers from an asset test under the Federal Nutrition Assistance Program. Seniors, people with disabilities, that's who we are deciding to help or harm with the pending motion. The asset test will stay in place for able-bodied adults without dependents. I mention Maine is 1 of only 5 states in America that imposes an asset test for SNAP applicants. Why do most states, even the most conservative, waive the SNAP asset test? Because it is counterproductive. Personal savings and assets are precisely the kinds of resources that allow people to move off public benefit programs. Yet, asset limits can discourage anyone considering or receiving public benefits from saving for the future. In other words, it does more harm

than good. However, back to the question at hand. Remember that we are considering with the pending motion, specifically, whether to continue punishing senior citizens and disabled Mainers by denying them supplemental nutrition benefits, groceries. If they've managed to save up a little bit of money to insulate themselves from catastrophe if they experience an emergency, cash for hospital and doctor copays, some money to be sure they can heat their home in the winter, a tiny nest egg for their golden years, one that we shouldn't punish them for earning, because when it comes to folks that are no longer working, perhaps the vast majority of seniors and people with disabilities, any nest egg should be considered finite. When they use it up, that's it. Other than Social Security benefits and the like, but do we really want to be in a place of paying one government program with another government program? I couldn't imagine anything more counterproductive. With the pending motion, for the two populations we're discussing, we can consider any nest egg to be finite and if they're not working, I don't anticipate any government policy is going to compel a disabled Mainer, who may be unable to work, or an 85-year-old senior back into the workforce to rebuild that nest egg after the government forced them to spend it down just so they could get a little help with their groceries. SNAP asset tests are counterproductive. They do more harm than good. In this case, we are voting whether to reverse this harm for seniors and people with disabilities. And for folks who don't want to look soft on welfare, but in this case, recognize that we are focusing exclusively on two populations within the nutrition assistance program that represent the highest and best use of the safety net, and who are therefore, maybe leaning towards voting in favor of the pending motion, perhaps, genuinely considering their first-ever vote in favor of reversing a food stamp restriction, rest easy. The counterproductive asset test will stay in place for able-bodied adults without dependents, ABAWDs. A green vote in favor of the pending motion will support the nutrition of elderly Mainers and Mainers with disabilities exclusively. Thank you, Madam Speaker.

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

Representative SANDERSON: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition to the pending motion. Yes, this does get rid of the asset test for personal savings and assets for the elderly and disabled, but there is no limit, no limit assigned to what these assets can be done, any assets. And it also provides for a broad-based categorical eligibility assumption for SNAP, which means there's no test whatsoever, none at all, and you are deemed to be eligible for these even before you even apply for them and get a determination from the Department. While I understand what Representative Hamann wants to do to make sure that our seniors and our disabled have SNAP benefits that are available for them and so they have the resources that they need to provide the food and get the nutrition they also need, at the same time, I think we need to make sure that those who are receiving it are the ones who can least afford to take care of themselves. That's why an asset test is important. We may have many folks within these two, well, especially one, the elderly, that does have assets, that can take care of themselves, that don't need the Supplemental Nutritional Assistance Program in order to fund their groceries. And I think once you start eroding into what an asset test is, what it means, then you start that decline down into removing the asset test completely. For that, I would ask you to please vote no on the pending motion. Thank you.

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

Representative HAMANN: Thank you, I apologize, Madam Speaker, for rising a second time. I just wanted to point out, to correct something that Representative Sanderson mentions. She said that there is no test, actually the test continues to be for people who are under 185 percent of the federal poverty line. So, that is the mechanism that would establish whether or not they are eligible for SNAP. It just doesn't consider assets, just like 45 of 50 other states in the country do for all populations.

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. 217

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

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

ABSENT - Farrin, Grignon, Lockman, Perry.

Yes, 80; No, 66; Absent, 4; Excused, 1.

80 having voted in the affirmative and 66 voted in the negative, with 4 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-398)** 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-398)** 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-383)** on Bill "An Act To Protect Substance-exposed Infants"

(H.P. 746) (L.D. 1063)

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 **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-399)** on Bill "An Act To Provide Supplemental Nutrition Assistance to Veterans and Rental Assistance to Long-term Homeless Persons"

(H.P. 1059) (L.D. 1538)

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.

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

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

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

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

Representative **HAMANN**: Thank you, Madam Speaker, Men and Women of the House. I will be voting in favor of the pending motion and would like to explain why I brought this bill forward and describe exactly what it does, to be sure we're clear what we're voting on. This bill allows veterans greater flexibility with SNAP eligibility criteria. Under current law, people applying for food assistance through the Supplemental Nutrition Assistance Program must meet a number of criteria: and one such criteria is the work requirement. Now, I don't disagree with the notion that a person receiving SNAP benefits ought to work or volunteer if they are able to, and if there are jobs available where they live. However, the path toward economic security is rarely a straight line, and everyone's circumstances and struggles are unique. Layoffs happen, shift changes happen, life happens, and God knows sometimes there are circumstances beyond our control. And then I look at our veterans. Hunger among veterans, in my mind, is an American tragedy, as is veteran homelessness. In our country, in our state, we have men and women who answered the call of duty and today find themselves in a tough spot. They don't have enough money to buy enough food to maintain an active and healthy life. That's the definition of food insecurity. Yet, before we allow veterans to access the social safety net, we require them to jump through hoops to demonstrate their commitment to self-sufficiency by meeting the arbitrary criteria of working a certain number of hours within a certain time frame. Do these veterans ask us how many hours we worked before they went on a second tour of duty? Ostensibly, the purpose of the requirement is to encourage personal responsibility. "Maine needs policies that create an expectation of self-sufficiency," said Commissioner Mayhew. Men and Women of the House, what could be more responsible and civic-minded than enlisting in the United States Armed Forces? Do we need to teach veterans some sort of lesson about self-sufficiency? Because my guess is that Maine veterans could teach a master class on that subject. Who are we to tell veterans that they haven't contributed enough to our country to earn access to the safety net when they're enduring a bout with hunger? They wove that safety net through their service to our country. For that reason, I will be voting in favor of the pending motion. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Eddington, Representative Lyford.

Representative **LYFORD**: Thank you, Madam Speaker. I would like to pose a question through the Chair.

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

Representative **LYFORD**: Could I ask what this fiscal note might be on this particular bill please?

The **SPEAKER**: Would the member please repeat his question? I couldn't hear it. I'm sorry.

Representative **LYFORD**: I request what the fiscal note on this bill might be from somebody please.

The SPEAKER: The member from Eddington, Representative Lyford, has posed a question to anyone in the room who may answer. The Chair recognizes the Representative from South Portland, Representative Hamann.

Representative **HAMANN**: Thank you, Madam Speaker and I appreciate the important question. The fiscal note is \$45,501 as a onetime cost for required technology changes.

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

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition again to the pending motion. This does remove the time limits on SNAP for veterans. Let's face it, most of the veterans I know do not want to be treated special. They don't want to be treated as different. They want to be honored for the service that they gave to our country, but they want to know, they want us to know that their sacrifice for us means, was one

that they freely gave, and they don't want a handout of welfare just because they served for us. The work requirements that the good Representative from Portland spoke about are the same as anybody else's, work 20 hours a week, get your educational training, or volunteer 24 hours a month. Now most of the veterans I know, are doing well above and beyond that already, well above and beyond that already. And if they're not, it's because there's other specific needs that are already being addressed. I have never spoken to a veteran who has come to me and said, "I need you to make a special carveout for me in welfare benefits," not ever, and I think we do them a disservice to think that they would actually approve of this. Thank you.

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

Representative **JOHANSEN**: Thank you, Madam Speaker. I rise in strong opposition to this motion, to this bill. As a veteran, I don't want to be placed in a new welfare program or have any part of it. I'd like to be treated just like everybody else, and I resent this. 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. 218

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, 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, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault,

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

ABSENT - Farrin, Grignon, Lockman, Perry.

Yes, 78; No, 68; Absent, 4; Excused, 1.

78 having voted in the affirmative and 68 voted in the negative, with 4 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-399)** 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-399)** and sent for concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents"

(H.P. 904) (L.D. 1307)

Signed:

Senator:

BELLOWS of Kennebec

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-400)** on same Bill.

Signed:

Senator:

VOLK of Cumberland

Representatives:

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

READ.

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

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

Representative **FECTEAU**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. There is no allegation or evidence that Maine employers are not complying with the federal law requiring them to verify the U.S. work eligibility of new hires using the USCIS I-9 form. Nor is there evidence of more than isolated instances of individuals working with fraudulent documents in Maine. Enrollment in E-Verify is free but it is costly to use. In addition to going through the usual I-9 process, employers must accurately input every new hire's name, email address, date of birth, Social Security number, and the type and number of any presented document into the

E-Verify Web Interface. In many cases, employers must also compare the photo on the new hire's ID document to the photo that USCIS has in its database, which may be up to 10 years out of date. Maine employers who have signed up for E-Verify have reported that it significantly increases the man hours involved in the HR process and that is if all goes well, if the system reports a tentative nonconfirmation of work authorization, the employer must ensure that he has not made a data entry error. If data entry was not the issue, the employer must notify the employee of the TNC. The employee must then go to the nearest Social Security or Department of Homeland Security Office. For employees throughout Maine, the only DHS Office is in Portland, the Department of Homeland Security Office, to try to clear up the error. Sometimes repeated trips are needed before the error is resolved, resulting in lost hours of work and productivity. The Congressional Budget Office found that nearly half of all workers with TNCs lost a partial or full day of work and 14 percent lost more than two days of work correcting the TNC. The CBO estimated in 2013 that mandated use of E-Verify nationwide would cost private-sector employers alone over \$600 million in three years. Bloomberg found that small business owners who used E-Verify in 2010, spent \$81 million on it. Public employers also would see increased administrative cost at taxpayer expense. While E-Verify was originally proposed in 1996, Congress intended to mandate it for all U.S. employers. After the Social Security Administration, upon whose data E-Verify relies, testified in Congress about errors in its database, E-Verify was launched instead as a pilot project. During its roll out, the predicted problems with E-Verify surfaced including erroneous nonconfirmations of U.S. citizens and others legally authorized to work. Over time, E-Verify errors have decreased but they have not been eliminated. As a result, as recently as Congress's 2015 session, bills to mandate E-Verify for all employers nationally has failed. I urge you to support the pending motion.

Representative HERBIG of Belfast **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 Bridgton, Representative Ginzler.

Representative **GINZLER**: Thank you, Madam Speaker. Madam Speaker, in 1994 President Clinton and Congress empaneled a commission to study immigration reform and make recommendations. The commission was chaired by the Civil Rights leader and the late, great Congresswoman from Texas, Barbara Jordan. An important item before this commission was the impact of illegal workers on the wages of citizens and legal residents in the United States. Here are a few quotes from Congresswoman Jordan. "Immigration policy must protect U.S. workers against unfair competition from foreign workers, with an appropriately higher level of protection to the most vulnerable in our society." Another quote: "The Commission is particularly concerned about the impact of immigration on the most disadvantaged within our already resident society -- inner city youth, racial and ethnic minorities, and recent immigrants who have not yet adjusted to life in the United States." Another quote: "Employment continues to be the principle magnet attracting illegal aliens to this country. As long as U.S. businesses benefit from the hiring of unauthorized workers, control of unlawful immigration will be impossible." And lastly, she said in September 29, 1994, "Simply put, if we cannot demagnetize our economy for illegal aliens who come

here to seek jobs, we cannot control illegal immigration. If we cannot control illegal immigration, we cannot sustain our national interest in legal immigration. Those who come here illegally, and those who hire them, will destroy the credibility of our immigration policies and their implementation. In the course of that, I fear, they will destroy our commitment to immigration itself." The solution that came from that commission came to be known as E-Verify. LD 1307 is my bill, and I carefully constructed its title to make sure that the Committee members, and this body, understood that its passage would help protect the jobs and wages of our state's citizens and legal residents. It is a simple bill. It requires that employers doing business with the state register and receive an E-Verify registration number. It requires the...

The **SPEAKER**: The member will defer. The Chair recognizes the Representative from Biddeford, Representative Fecteau, and inquires as to what his Point of Order is?

Representative **PECTEAU**: Thank you, Madam Speaker. I believe the good Representative is speaking about the amended version of the bill which is not before the body.

On **POINT OF ORDER**, Representative **PECTEAU** of Biddeford asked the Chair if the remarks of Representative **GINZLER** of Bridgton were germane to the pending question.

The **SPEAKER**: The Chair will advise the member to please try to keep your remarks directed at the motion in front of us, but the member may proceed.

The Chair reminded Representative **GINZLER** of Bridgton to stay as close as possible to the pending question.

Representative **GINZLER**: If I may comment on the previous discussion as part of my, if I can do that. I think and if...

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

Representative **GINZLER**: If I veer off that you'll stop me, I'm sure. And then I'd like to pose a question afterwards to the Chair. So, I will go forward and say that, and this is in response to some of the things we've heard about it. An employer offers, this is the way E-Verify works. An employer offers a job to an applicant. The applicant's I-9 form, which is filled out by law, is matched with the Social Security database and the appropriate Homeland Security database to verify that the information on the I-9 form is true. That's it. E-Verify is free, it is quick, and it is highly accurate. Less than half of one percent of reports are inaccurate, and the main reason is human error. Often the applicant has inverted a number. The applicant then has eight days to correct it. So, E-Verify is just a tool for employers to follow the law and its use, by the way, offers an affirmative defense in any case where an unauthorized person has obtained a job fraudulently. I urge you to follow my light and oppose this motion. Thank you. And Madam Speaker?

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

Representative **GINZLER**: If I may ask a question to the Chair. I'm confused about what, there is only one bill, so I don't know what the member was referring to.

The **SPEAKER**: So, I'll answer that question. The Representative from Biddeford's question was whether you could be arguing the Ought to Pass Report when the Ought Not to Pass Report was moved, and on that note the Chair will just offer some immediate guidance and then I think we will revisit this subject with a little more thought from me, because this has come up a couple of times recently about whether somebody, when making remarks, is addressing the report in front of them. It has been my practice, and it is at the discretion of the Chair, it's been my practice to allow people to

debate when an Ought Not to Pass Report is in front of us, to debate the merits of an Ought to Pass Report. My reasons for doing so have everything to do with allowing debate to happen. These are tough calls to make and what I'm trying to do is to be fair to everyone and have everyone play by the same rules in terms of this. So, I understand it can feel concerning to people at certain junctures on both sides of the aisle. That is why I have ruled as I have on different Points of Order on the same subject a couple of times in the recent past and today as well. I'm going to think about this a little further as we head into more and more bills coming in front of us and more lengthy debate. But, please, be assured that I am trying to make sure that everybody has the same opportunities to do things. If I decide that I'm going to make a change to that practice, I will let everybody know beforehand.

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. 219

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

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

ABSENT - Farrin, Grignon, Lockman, Perry.

Yes, 77; No, 69; Absent, 4; Excused, 1.

77 having voted in the affirmative and 69 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-385)** on Bill "An Act Regarding the Commercial Forestry Excise Tax"

(H.P. 385) (L.D. 541)

Signed:
Senator:

CHENETTE of York

Representatives:

TIPPING of Orono
COOPER of Yarmouth
GRANT of Gardiner

McCREIGHT of Harpswell
POULIOT of Augusta
STANLEY of Medway
TERRY of Gorham

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

Signed:

Senators:

DOW of Lincoln
CUSHING of Penobscot

Representatives:

BICKFORD of Auburn
HILLIARD of Belgrade
WARD of Dedham

READ.

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

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

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

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

ROLL CALL NO. 220

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Pierce T, Pouliot, 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, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Farrin, Grignon, Lockman, Perry.

Yes, 79; No, 67; Absent, 4; Excused, 1.

79 having voted in the affirmative and 67 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-385)** 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 "B" (H-385)** and sent for concurrence.

COOPER of Yarmouth
GRANT of Gardiner
McCREIGHT of Harpswell
STANLEY of Medway
TERRY of Gorham

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Provide an Income Tax Credit for Students Returning to College" (H.P. 674) (L.D. 946)

Signed:
Senators:
DOW of Lincoln
CUSHING of Penobscot

Representatives:
TIPPING of Orono
BICKFORD of Auburn
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
McCREIGHT of Harpswell
STANLEY of Medway
TERRY of Gorham
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-386)** on same Bill.

Signed:
Senator:
CHENETTE of York

Representative:
POULIOT of Augusta

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-387)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate All Sales Taxes from All Vehicle Sales and Any Vehicle-related Sales to the Highway Fund for Roads and Bridge Capital Improvements (H.P. 780) (L.D. 1106)

Signed:
Senators:
DOW of Lincoln
CHENETTE of York
CUSHING of Penobscot

Representatives:
BICKFORD of Auburn
HILLIARD of Belgrade
POULIOT of Augusta
WARD of Dedham

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

Signed:
Representatives:
TIPPING of Orono

READ.
Representative TIPPING of Orono 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. I rise in opposition to the pending motion. This is a bill that I put in as somebody that's on my fourth term on the Transportation Committee. I know very well the issues with funding and transportation, as my fellow committee members also know, and many of us here in the chamber. I believe that we need to fix our funding problem and that's what this bill currently does. I would hope that currently we're about \$160 million short every year in the Highway Fund Budget. Approximately 100 million we do we try to cover in bonds. And an additional 60 million that we are short every year and the more we're short, the further behind we go. So I believe that moving the sales tax from vehicles and vehicle-related parts from the General Fund into the Highway Fund will fix the problem. And I realize that in the first budget year it would put a hole in the General Fund budget, but once we come together and fix that year's problem, your future funding issues with the Highway Fund and DOT would be fixed, and we'd also not have to continue to bond every single year anywhere from 100 or more million for Highway Fund bonding through the General Fund. So, what that's basically doing is eating up any possible other bonding that needs to be done in the state; so I think we should try to fix this problem and I believe this is the solution. Thank you very much.

Representative FREDETTE of Newport **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: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the pending motion, with all due respect to my highly esteemed colleague from Arundel, Representative Parry. I thank him for bringing this bill. I actually signed on to this bill because I think it's important that we have a discussion and that we raise awareness about what he described as the structural gap between where we should be with our funding of our roads and bridges, and where we currently are. I didn't have this level of awareness before I served on the Transportation Committee, and I think it's important that we continue this conversation and I believe we will continue this conversation. And we need to look at all avenues of funding. With that being said, I also serve on the Taxation Committee and frankly this is just not good tax policy. It's an important discussion point, but it's not good tax policy. I'm also a former member of the Appropriations Committee and I was not surprised when that Committee unanimously moved Ought Not to Pass on the Chief Executive's proposal in the budget to move all of the expenses for the State Police into the General Fund budget, freeing up \$20 million a year for the Transportation budget. Though I supported this, I also understood that they have to

make the tough choices in a General Fund budget between things like funding medication and food for our elderly and vulnerable and funding our roads and bridges. And so, I really believe that this discussion must continue. We have a bill in Transportation, we're asking for some opportunity to study this issue, to put all of these issues on the table, including one that's proposed here by the good Representative from Arundel, and so, we can come back to this body with some better ideas about how to meet that structural gap. But again, I thank him for bringing this bill, for asking me to cosponsor it, and I respectfully ask you to support the Ought Not to Pass.

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

Representative **TIPPING**: Thank you, Madam Speaker. I too wanted to rise and thank the work from the Representative from Arundel, Representative Parry, for his work on this. I think he did bring to the Taxation Committee a problem that is not normally taken up by the Taxation Committee, and I think it is an interesting solution to try and make sure we're paying for what we spend rather than bonding. The reason I ended up voting against this in Committee, if you look online, the fiscal note, if passed by the people of Maine in the referendum, would be around a \$230 million a year hole in the General Fund. I don't think we're at a place right now where we can fill that. So, I'll be supporting the pending motion. Thank you, Madam Speaker.

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

ROLL CALL NO. 221

YEA - Ackley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Herrick, 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, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Turner, Warren, Zeigler, Madam Speaker.

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

ABSENT - Farrin, Grignon, Lockman, Perry.

Yes, 79; No, 67; Absent, 4; Excused, 1.

79 having voted in the affirmative and 67 voted in the negative, with 4 being absent and 1 excused, and accordingly the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Establish an Opioid Addiction Prevention and Rehabilitation Treatment Program Funded by a Tax Imposed upon the Sale of Opioids" (H.P. 1103) (L.D. 1600)

Signed:
Senators:
DOW of Lincoln
CUSHING of Penobscot

Representatives:
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
STANLEY of Medway
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-388)** on same Bill.

Signed:
Senator:
CHENETTE of York

Representatives:
TIPPING of Orono
McCREIGHT of Harpswell
POULIOT of Augusta
TERRY of Gorham

READ.

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

Seven Members of the Committee on **HEALTH AND HUMAN SERVICES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-401)** on Bill "An Act To Reduce Child Poverty by Leveraging Investments in Families Today"

(H.P. 1014) (L.D. 1475)

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

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

Signed:
Senators:
BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:
CHACE of Durham
HEAD of Bethel
SANDERSON of Chelsea

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-402)** on same Bill.

Signed:

Representative:

MALABY of Hancock

READ.

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

CONSENT CALENDAR

First Day

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

(S.P. 539) (L.D. 1544) Bill "An Act To Update the Maine Insurance Code To Maintain Conformance with Uniform National Standards" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(S.P. 182) (L.D. 547) Bill "An Act To Update Maine's Fishing Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-167)**

(S.P. 471) (L.D. 1384) Bill "An Act To Amend the Election Laws" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-169)**

(S.P. 535) (L.D. 1529) Bill "An Act To Protect Consumers during Residential Construction" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-166)**

(H.P. 541) (L.D. 761) Bill "An Act To Increase Access to Hearing Aids" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-403)**

(H.P. 957) (L.D. 1378) Bill "An Act To Create the Maine Family First Employer Award" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-390)**

(H.P. 1017) (L.D. 1478) Bill "An Act To Provide Support for Sustainable Economic Development in Rural Maine" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-391)**

(H.P. 1027) (L.D. 1494) Bill "An Act To Increase the Availability of Foster Homes" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-396)**

(H.P. 1081) (L.D. 1570) Bill "An Act To Make Technical Changes to Maine's Tax Laws" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-384)**

(H.P. 1086) (L.D. 1579) Bill "An Act To Amend and Add Consistency to the Maine Weights and Measures Law" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-392)**

(H.P. 1118) (L.D. 1619) Bill "An Act To Report Limited Information to the Controlled Substances Prescription Monitoring Program Concerning Methadone" Committee on

HEALTH AND HUMAN SERVICES reporting **Ought to Pass as Amended by Committee Amendment "A" (H-397)**

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.

(H.P. 705) (L.D. 1004) Bill "An Act To Increase Fines for Certain Wage and Benefits Violations" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-389)**

On motion of Representative GOLDEN of Lewiston, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ**.

The same Representative **REQUESTED** a roll call on **ACCEPTANCE** of the **Unanimous Ought to Pass as Amended Report**.

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

On motion of Representative FREDETTE of Newport, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned. (Roll Call Ordered)

ENACTORS

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce Volatility in State Pension Funding Requirements Caused by the Financial Markets

(S.P. 240) (L.D. 723)

(C. "A" S-148)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being a Constitutional Amendment, a two-thirds vote of the House being necessary, a total was taken. 122 voted in favor of the same and 4 against, and accordingly the Resolution was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding Service of Criminal Process on Electronic Communication Service Providers and Remote Computing Service Providers

(H.P. 246) (L.D. 332)

(C. "A" H-339)

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

Emergency Measure

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

(S.P. 503) (L.D. 1457)
(C. "A" S-158)

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. 123 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Amend the Law Relating to the Crime of Hindering Apprehension or Prosecution

(S.P. 504) (L.D. 1458)
(C. "A" S-157)

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. 132 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 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

(H.P. 841) (L.D. 1205)
(C. "A" H-325)

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

Acts

An Act To Implement an Owner-Operator Requirement in the Scallop and Sea Urchin Fisheries

(H.P. 55) (L.D. 68)
(C. "A" H-323)

An Act To Provide Emergency Repair Funding for the Restoration of the Official State Vessel, the Schooner Bowdoin

(S.P. 37) (L.D. 89)
(H. "A" H-286 to C. "A" S-101)

An Act To Phase Out the Insurance Premium Tax on Annuities

(H.P. 223) (L.D. 290)
(C. "A" H-282)

An Act To Ensure Safe Drinking Water for Families in Maine

(H.P. 321) (L.D. 454)
(C. "A" H-270)

An Act To Amend Certain Laws Affecting the Judicial Branch

(H.P. 427) (L.D. 611)
(C. "A" H-292)

An Act Regarding Certain Shellfish Certificates and Permits Issued by the Department of Marine Resources

(H.P. 461) (L.D. 647)
(C. "A" H-334)

An Act To Recognize Local Control Regarding Food Systems

(S.P. 242) (L.D. 725)
(C. "A" S-74; S. "A" S-136)

An Act To Prohibit Feeding or Baiting Deer During Certain Parts of the Year

(H.P. 547) (L.D. 767)
(C. "A" H-308)

An Act To Promote Academic Achievement through Hunger Relief for Maine Children

(S.P. 261) (L.D. 816)
(C. "A" S-150)

An Act To Amend the Laws Governing Tagging of Harvested Animals

(H.P. 618) (L.D. 869)
(C. "A" H-309)

An Act Regarding the State Retirement System

(H.P. 657) (L.D. 929)
(C. "A" H-277)

An Act To Separate the Authorities under the Licenses for Property and Casualty Insurance Adjusters and Workers' Compensation Insurance Adjusters

(S.P. 323) (L.D. 984)
(C. "A" S-149)

An Act To Adequately Pay for Emergency Medical Services

(H.P. 699) (L.D. 998)
(C. "A" H-296)

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

(H.P. 711) (L.D. 1010)
(S. "A" S-145 to C. "A" H-123)

An Act Concerning Bridges on Discontinued Town Ways

(H.P. 742) (L.D. 1059)
(C. "A" H-317)

An Act To Exempt School Resource Officers from Department of Education Background Check and Fingerprinting Requirements

(H.P. 778) (L.D. 1104)
(C. "A" H-283)

An Act To Increase State Funding to Maine Public Charter Schools and Noncharter Public Schools

(H.P. 842) (L.D. 1206)
(C. "A" H-304)

An Act To Amend the Laws Governing Forensic Examination Kits

(S.P. 410) (L.D. 1219)
(C. "A" S-161)

An Act To Reduce Morbidity and Mortality Related to Opioid Misuse

(H.P. 920) (L.D. 1326)
(C. "A" H-293)

An Act To Prohibit Possession of Black Powder and Muzzle-loading Firearms by Certain Persons

(H.P. 926) (L.D. 1332)
(C. "A" H-336)

An Act To Promote Downtown Revitalization by Creating the Locating Businesses Downtown Loan Program
(S.P. 457) (L.D. 1343)
(C. "A" S-152)

An Act To Prohibit Posing as a Governmental Entity in Commerce
(H.P. 956) (L.D. 1377)
(C. "A" H-324)

An Act Regarding the Threatened Use of Force in the Crime of Robbery
(S.P. 474) (L.D. 1387)
(C. "A" S-160)

An Act To Prohibit the Falsification of Medical Records
(S.P. 475) (L.D. 1388)
(C. "A" S-162)

An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Advance Payment of Costs for Public Records Requests
(H.P. 986) (L.D. 1432)

An Act To Improve the Aquaculture Leasing and Licensing Laws
(H.P. 993) (L.D. 1438)
(C. "A" H-287)

An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Existing Public Records Exceptions
(H.P. 1021) (L.D. 1482)
(C. "A" H-333)

An Act To Correct and Clarify Maine's Fish and Wildlife Laws
(H.P. 1030) (L.D. 1497)
(C. "A" H-322)

An Act To Create an Aquaculture License
(H.P. 1044) (L.D. 1520)
(C. "A" H-288)

An Act To Amend Maine Motor Vehicle Laws
(H.P. 1048) (L.D. 1524)
(C. "A" H-316)

An Act To Enable Earlier Introduction of Career and Technical Education in Maine Schools
(S.P. 554) (L.D. 1576)

An Act To Amend the Motor Vehicle Laws
(H.P. 1084) (L.D. 1577)
(C. "A" H-315)

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

Resolves

Resolve, To Increase Access to Brain Injury Waiver Services
(H.P. 701) (L.D. 1000)
(C. "A" H-295)

Resolve, To Expand the Availability of Light-duty Zero Emission Vehicle Supply Equipment
(H.P. 745) (L.D. 1062)
(C. "A" H-320)

Resolve, To Establish the Commission To Study Transportation Funding Reform
(H.P. 813) (L.D. 1150)
(C. "A" H-318)

Resolve, To Establish a Pilot Project To Facilitate the Acquisition of Basic Emergency Medical Training in Rural Communities in the State

(S.P. 508) (L.D. 1462)
(C. "A" S-159)

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

An Act To Reduce Food Insecurity
(H.P. 129) (L.D. 173)
(C. "A" H-121)

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

On motion of Representative HERBIG of Belfast, was **SET ASIDE**.

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

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

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

Representative **FREDETTE**: Thank you, Madam Speaker. Let me ask a question through the Chair.

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

Representative **FREDETTE**: Just to ask a point of clarification on this particular bill, is this bill similar to a measure that we did last session in regards to funding some money through Good Shepard Food Bank?

The **SPEAKER**: The Representative from Newport, Representative Fredette, has posed a question to anybody who can answer. The Chair recognizes the Representative from Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Madam Speaker. No, this bill is not similar. This is a new effort to tie food banks with local farms.

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

Representative **STETKIS**: Thank you, Madam Speaker. I'd like to ask a question through the Chair if I may.

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

Representative **STETKIS**: Is there a fiscal note on this bill?

The **SPEAKER**: The Representative from Canaan, Representative Stetkis, has posed a question through the Chair, is there anybody who can answer this question? The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Yes, the fiscal note on this \$2.5 million.

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

ROLL CALL NO. 222

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

NAY - Battle, Bradstreet, Campbell, Casas, Cebra, Chace, Craig, Dillingham, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Head, Herrick, Hilliard, Johansen, Kinney J, Lyford, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bickford, Farrin, Grignon, Hamann, Hawke, Lockman, Malaby, Perry.

Yes, 84; No, 58; Absent, 8; Excused, 1.

84 having voted in the affirmative and 58 voted in the negative, with 8 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Require Motorists To Yield to Transit Buses

(S.P. 206) (L.D. 591)

(C. "A" S-133)

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

On motion of Representative HERBIG of Belfast, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 223

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Golden, Grant, Grohman, Haggan, Hamann, Handy, Hanington, Harlow, Harrington, Harvell, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Sheats, Sherman, Simmons, Sirocki, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Wadsworth, Ward, Warren, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Espling, Fredette, Ginzler, Guerin, Hanley, Hawke, Johansen, Kinney J, Lyford, Mason, O'Connor, Ordway, Parry, Perkins, Prescott, Reed, Sanderson, Seavey, Skoldfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Wallace, White, Winsor.

ABSENT - Farrin, Grignon, Lockman, Perry.

Yes, 115; No, 31; Absent, 4; Excused, 1.

115 having voted in the affirmative and 31 voted in the negative, with 4 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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)

(C. "A" H-328)

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

On motion of Representative HERBIG of Belfast, was **SET ASIDE**.

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

An Act To Remove Barriers to Professional Licensing for Veterans

(H.P. 1096) (L.D. 1592)

(C. "A" H-307)

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

On motion of Representative HERBIG of Belfast, was **SET ASIDE**.

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

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, June 1, 2017, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-72)** - Minority (6) **Ought Not to Pass** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Earned Pay"

(H.P. 405) (L.D. 563)

TABLED - April 27, 2017 (Till Later Today) by Representative FECTEAU of Biddeford.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

Representative FREDETTE of Newport **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 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. 224

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey,

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

ABSENT - Farrin, Grignon, Lockman, Perry.

Yes, 76; No, 70; Absent, 4; Excused, 1.

76 having voted in the affirmative and 70 voted in the negative, with 4 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-72)** 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-72)** and sent for concurrence.

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

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

HOUSE DIVIDED REPORT - Majority (10) **Ought to Pass as Amended by Committee Amendment "A" (H-189)** - Minority (2) **Ought to Pass as Amended by Committee Amendment "B" (H-190)** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Ensure Continued Availability of High-speed Broadband Internet at Maine's Schools and Libraries"

(H.P. 189) (L.D. 256)

TABLED - May 23, 2017 (Till Later Today) by Representative **BERRY** of Bowdoinham.

PENDING - **ACCEPTANCE** of the Majority **OUGHT TO PASS AS AMENDED** Report.

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

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I rise in favor of the pending motion and to tell you, very briefly, a story. At 10:00 p.m. on an evening, a cold October evening last fall, I noticed a young lady, 14 years old, who I know well in town, sitting out on the steps of the Bowdoinham Public Library and asked her why she was there on such a cold evening at such a late hour. And the answer was so that she could do her homework because she did not have sufficient Internet access at home and because the public library had sufficient high-

speed access. She was taking advantage of the Maine School and Library Network which is one of the few bright spots in Maine's broadband world. We are 49th in the nation with respect to rural high-speed Internet, but the Maine School and Library Network allows our schools and our public libraries to defy that otherwise true statement. And it is only there by virtue of funding that has existed for some time on two-way voice communications here in Maine. Unfortunately, because of the way the technology is evolving, that funding has been gradually declining. And so, the Maine School and Library Network and the high speeds that it offers are declining as well. The compromise that was worked out through this legislation is a remarkable win-win solution. It maintains the funding at an even level and is more equitable because it simply applies a flat fee per line per month. The supporters of the original bill were joined by the opponents of the bill in supporting it. The original supporters include the Maine Library Association, the AARP, the Maine Farm Bureau, and the Office of the Public Advocate, who did Herculean work in bringing the stakeholders together. All of the telecommunication companies that serve Maine customers are now supportive of the bill as amended. And I want to commend also the sponsor, the good Representative from Biddeford, for bringing us this bill and for working so hard on it, as well as all of the members of the Majority Report for their work. Madam Speaker, the great bard, William Shakespeare, once said something a little bit like this. He said something like, "Hell hath no fury like an angry librarian." Along those lines, and I ask you to think of our librarians and our school teachers and of their request that we maintain the strong connections for learning, for the public, for our seniors who use the public libraries that our Maine School and Library Network offers. Madam Speaker, Men and Women of the House, please join me in voting in favor of the pending motion. And, Madam Speaker, 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**: The Chair recognizes the Representative from Pittston, Representative **Hanley**.

Representative **HANLEY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition to this, not because I'm against funding the Internet service to the schools and libraries, because even if this motion fails, the funding would stay the same. The reason I rise against it is because it's again another hidden tax and fee on the citizens of this state. And my phone bill which I normally, I forgot to bring with me today but I remembered it, it's burned in my mind. I have total on average about \$14.12 a month in taxes and fees and this, even though the amendment to the original bill lowers it by eight cents, it still spreads it out to every other device including my cell phone. So, the proposition that I have is that we should fund this at the current level. But, if you are going to fund it above that, it should go to the table. We should put money on top of the table for these things and I hope you follow my light and vote against this motion. Thank you.

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

Representative **McCREA**: Thank you, Madam Speaker. As many of you know, I'm from Aroostook County, I live in Fort Fairfield. Yesterday afternoon on my way to the Fort Fairfield High School graduation, I passed our public library. There were four cars parked there on a Sunday afternoon. You can

guess why, they were all on the Internet. In rural areas, we don't have choices like you might in a real metropolitan area. This is the only link that people that come visiting, for the graduations and what have you, it's the only link that they have to the Internet. A lot of homes in rural areas like mine have very unreliable Internet. Anything that pushes this envelope a little farther down the line is a great idea as far as I'm concerned, I'm in full support of this bill. Thank you.

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

Representative **WADSWORTH**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the compromise made in Committee and I want to thank the cellular industry for stepping to the plate. The bill decreases fees on landlines and caps them on cell phones at 21 cents. I'm happy to support stabilizing the funding for the consortium of over 1,000 schools and libraries that make up the MSLN. Thank you.

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

Representative **GROHMAN**: Thank you, Madam Speaker, Women and Men of the House. I'd like to echo the comments of the good Representative from Hiram. Those of you who have been around the Energy Committee know that to get landline and wireless providers to agree on anything is remarkable, and I really thank the Committee for their hard work on this. You know, it's an existing program. It's been around since 1996, and really, what we're doing is updating the statute. When it was drafted in '96, we didn't conceive of the transition to mobile and effectively, what we've got here is a wonderful program, but its funding source has shifted really unfortunately onto landline users and I think, as many of us know, those landline users tend to be veterans and grandmothers, frankly. And I think that is something we really need to take on. So, in the compromise, I'm really pleased with the way that it came out. It's funded the same way that the 911 Service is, for what it's worth. I can't represent that this is that critical but certainly the provision of broadband is very critical, and we added further reporting requirements back to the Energy Committee as well that I think will be beneficial for this program. So, in closing, I would like to again thank the stakeholders that put this compromise together. It will cap the fees on landlines and I think we'll see the fees on landlines go down as, we will definitely see the fees on landlines go down immediately and then continue to go down, I think, if we enact this. And, in closing, if I may ask the Clerk to read the Committee Report?

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

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

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

Representative **O'CONNOR**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I do agree that this is a very important program that we have and like the good Representative from Biddeford said, this has been in service, this program has been around since 1996, and if a program is this important I believe it's important for us to fund it on a regular basis without putting hidden taxes and fees. If you have a landline, if you are paying for your children's landlines or other family members, you're going to get whacked with each one of those lines, which is actually an increase in cost. So, I am asking you to please follow my light and make sure this goes to the table and is funded, so it is fully transparent and not another hidden fee. Thank you.

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

Representative **TUELL**: Thank you, Madam Speaker. I too will be supporting the pending motion and I know we've spoken before in this session about the need for rural broadband on a host of different fronts. I just want to say again how critical it is for rural areas that we try to move things forward in that regard, because it truly is, in some parts of this state, a desperate situation. Now granted, where I live in Washington County, we've made some huge strides forward, but I think we still have, like the Representative from Fort Fairfield mentioned, we still do have folks hanging around the library picking up Internet service. And I know that is going to be a piece of the puzzle until we really get into some of the most isolated rural areas. So I believe that we should be supporting this legislation and moving it forward for the future, the economic future, the educational future of our rural communities, whether they be in Washington County, one of the rim counties, or where have you. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Cebra.

Representative **CEBRA**: Thank you, Madam Speaker. I'd like to pose a question through the Chair.

The SPEAKER: The Representative may proceed.

Representative **CEBRA**: I'm relaying this question for a constituent. If a library has high-speed access to the Internet in a town, how is it that the rest of the town doesn't have high-speed access? Thank you, Madam Speaker.

The SPEAKER: The Representative from Naples has posed a question to anyone who can answer. The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Madam Speaker, thank you and I appreciate the question. I think it's actually useful to think of our transportation system as a metaphor for the highway of information that is our Internet. Right now, in Maine, we have a pretty wonderful interstate system, you know a highway system if you will. The three-ringed binder and the Maine School and Library Network are examples of that, where there is a lot of data that can flow through fairly large pipes, high-speed pipes to certain locations; but we need more exit ramps and right now we don't have those. The last mile is really the problem and getting the wires out to each home or business is the challenge that we have before us. Fortunately, the Maine School and Library Network does deliver a very strong connection to those limited locations that are our schools and libraries.

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. 225

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

McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perkins, Picchiotti, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Wadsworth, Ward, Warren, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Black, Cebra, Craig, Espling, Gillway, Guerin, Hanington, Hanley, Hilliard, Johansen, Mason, O'Connor, Ordway, Parry, Pickett, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stetkis, Strom, Sutton, Timberlake, Turner, Wallace, White, Winsor.

ABSENT - Farrin, Grignon, Lockman, Perry.

Yes, 115; No, 31; Absent, 4; Excused, 1.

115 having voted in the affirmative and 31 voted in the negative, with 4 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-189)** 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-189)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-220)** - Minority (4) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Increase the Penalty for Aggravated Sex Trafficking"

(H.P. 183) (L.D. 250)

TABLED - May 24, 2017 (Till Later Today) by Representative WARREN of Hallowell.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Subsequently, Representative WARREN of Hallowell moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

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

Representative **GERRISH**: Thank you, Madam Speaker, Men and Women of the House. I rise today in opposition of the pending motion. I'd like to speak to that. What this bill does is it increases the penalty for the crime of sex trafficking, if the person who is trafficked is less than 18 years of age, to a Class C crime. The amended version increases the penalty for a crime of aggravated sex trafficking, if the person who is trafficked is less than 18 years of age, from a Class B to a Class A crime, if the actor compels the minor to engage in or remain in prostitution. The bill struck the mandatory minimum. We had testimony in Committee in favor from the Maine Right to Life, and we also heard from the Maine Coalition Against Sexual Assault, which informed the Committee that 14,000 females will experience sexual assault in Maine each year. But in 2015, only 373 rapes were reported to law enforcement. I urge members to follow my light and oppose the pending motion, in support of Maine's children. Thank you.

Representative FREDETTE of Newport **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: The Chair recognizes the Representative from Presque Isle, Representative Stewart.

Representative **STEWART**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Just real simply, this bill was amended with a bipartisan compromise and I would like to speak. I hope that we can reject this motion and move on to the motion to Ought to Pass as Amended, which would essentially just give the ability to charge with up to 25 years of imprisonment as opposed to the current 10 years right now. As we are dealing with many vices in Maine, including opioid addiction on the rise, it is important that we grapple with these other side effects of those social problems, including sex trafficking. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Warren.

Representative **WARREN**: Thank you, Madam Speaker. Madam Speaker, my good friend from Lebanon referenced the fact that the Maine Coalition Against Sexual Assault testified, and the Mane Coalition Against Sexual Assault testified against the bill. Against the bill because they know that increasing this to the highest level, to the Class A, just leads to more cases being plead out and less people being prosecuted for this crime. That's the reason why the Maine Coalition Against Sexual Assault is against this bill. So, I ask you to vote with me with the Ought Not to Pass Report. Thank you.

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

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition to the pending motion. In a bill unrelated to this in front of our Health and Human Services Committee, we had a young girl testify about how someone gave her a card, telling her she was pretty, telling her how she could, he would get her into modeling, and she called the number on that card, and the next thing she knew, she woke up down in an Atlantic City hotel as a sex slave. This happens all too often, unfortunately; and as a mother of a very impressionable 14-year-old girl, in this day and age they are not like when we were younger. They're different. There seems to be a naiveté beyond what we even had to the dangers out there in the world when we were growing up. There seems to be this sense of, I'm not quite sure how to put it, but a sense of knowing it all, even more so then when we were young, out there right now. And I think anybody who is going to prey on the innocence and the ignorance of our young children should be held to the highest standard and prosecuted to the fullest extent of the law. For our kids out there, for our kids out there, I urge you to vote no on this motion and move the other report. Thank you.

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

Representative **STEWART**: Thank you very much, Madam Speaker. Again, I apologize for rising a second time, though I do want to make one very clear distinction, that MECASA, Maine Coalition Against Sexual Assault, actually testified against the original bill, which again, has been amended at this point with bipartisan support to only affect children, minors, those under 18, that this would apply to. Thank you very much.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As someone who serves sometimes as a prosecutor in the military, as a JAG, and

someone who also worked with the Penobscot Indians as a prosecutor, bills such as this provide tools for prosecutors to decide how to charge someone, based upon a certain fact pattern, and then from there, there may or may not be conversations about a plea or not a plea. But what this bill does is it provides a tool in the tool box for the prosecutor. It doesn't say that someone shall be charged, it provides a tool; and what this bill is really saying is, is that a Class A crime, for those who don't know, is the highest class of crime in the State of Maine, and it's reserved for those crimes that are the most heinous and the most terrible of crimes. When someone is either found guilty or someone pleads guilty, the charging for someone to be at that level means that they face the most possible highest time in jail that a judge can punish somebody for. So what this tool does is allow a prosecutor to look at the crime and in this case, my understanding is the trafficking of young people, under the age of 18, would seem to fall in that category. And again, it allows the prosecutor to simply charge that. There are other items that the prosecutor could chose to charge someone with. So, this is not sort of the only thing that someone could be charged with. But, it does give them a tool, and I think a very significant tool; and I think an item where we as the Legislature can send a message to the public that we are taking this serious, because it's a big deal. Because it is a big deal. I will be opposing the motion and I ask you to follow my light.

On motion of Representative HERBIG of Belfast, **TABLED** pending the motion of Representative WARREN of Hallowell to **ACCEPT** the Minority **Ought Not to Pass** Report and later today assigned. (Roll Call Ordered)

HOUSE DIVIDED REPORT - Majority (10) **Ought to Pass as Amended by Committee Amendment "A" (H-235)** - Minority (3) **Ought Not to Pass** - Committee on **TAXATION** on Bill "An Act To Support Maine Families by Increasing the Dependent Care Credit"

(H.P. 807) (L.D. 1144)

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

PENDING - ACCEPTANCE OF EITHER REPORT.

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

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

Representative **HERBIG**: Thank you, Madam Speaker, Women and Men of the House. I was really lucky that when I had my son Charles, which was about a year and a half ago, and I had to go back to work, I was really lucky that generations of my family members live in Waldo County who were able to help me out with that child care. But not every Maine family has that luxury. As most of you are parents or grandparents in this chamber, I know I don't have to tell you that child care costs can be an incredibly significant burden for Maine families. In fact, the typical cost for infant care at a child care center is almost \$9,700 annually. That is more than in-state tuition at the University of Maine. Oftentimes, second only to their mortgage, child care is the most expensive bill families have. The strength of Maine's economy depends on parents being able to work and provide for their families, and right now we are not doing enough to make that possible. LD 1144 increases the income tax credit for child care expenses from 25 percent to 50 percent of the federal tax credit allowable for child and dependent care expenses and increases the amount that is refundable from 500 to 750

beginning in 2017. More than 27,000 Mainers qualify for the dependent care credit and that would be helped by this bill. It's no secret that Maine is facing a worsening workforce shortage. We absolutely need all hands-on deck, and now more than ever, families need every tool we can give them to get to work and stay at work. This is a significant way we can help to lessen the significant costs of child care in this state and support working families, the businesses who employ them, and Maine's economy. Thank you.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-235)** 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-235)** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (H-234)** - Minority (1) **Ought Not to Pass** - Committee on **TAXATION** on Bill "An Act To Encourage Family-friendly Businesses through a Tax Credit for Child Care"

(H.P. 914) (L.D. 1317)

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

PENDING - ACCEPTANCE OF EITHER REPORT.

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

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

Representative **HERBIG**: Thank you, Madam Speaker, Women and Men of the House. LD 1317 reinstates a tax credit for businesses that provide on-site child care for their employees to make things easier and recruit and retain a better workforce. This affected one of the largest employers in Belfast. Athenahealth had an extremely popular on-site day care that had been previously run by MBNA before they left the area. As you might imagine, the closure of this program negatively impacted many Waldo County families. LD 1317 helps address barriers to work for Maine families by supporting businesses that care about more than just their bottom line. In my opinion, it's a win-win. LD 1317 revises the tax credit allowed for employer-assisted day care and changes the amount of the credit provided to an employer who provides day care service for the children of its employees, either directly or through payments to a day care. It's my hope that LD 1317 will help prevent the lack of affordable child care which keeps many Maine women and men from the workforce. It will also reward employers who understand the benefits of an on-site day care they would provide to their employees. Strengthening Maine's workforce to improve our economy is a constant refrain in Augusta and state government, and it should be. LD 1317 is an opportunity to do just that, while supporting the Maine businesses and families that work for them. Thank you.

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

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I rise to speak in support of the pending motion. The largest employer in my district, the CEO of FHC, Inc. journeyed to Augusta to testify in favor of this LD, and said that it would help more businesses to do what he has done, which is to offer an on-site child care. It's something that the business that I work for has been exploring as well. It would allow smaller businesses to pool their resources and offer day care. And the Maine State Chamber of Commerce testified in favor of this legislation, saying, "Anything that encourages employers to assist their employees with day care expenses helps all involved. It helps the employer by providing the tax credit and encourages the employer to offer day care as an added benefit. It also helps employees return to the workforce earlier when they otherwise may not have been able to because of the cost of day care. And, we also feel that the bill improves the hiring and retention of employees as well because the day care benefits would be an attractive benefit offered by the employer." Thank you, Madam Speaker. I urge a yes vote and I ask that a roll call be taken.

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.

Representative **BICKFORD** of Auburn **REQUESTED** that the Clerk **READ** the Committee Report.

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

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. 226

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Fredette, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pierce T, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Sheats, Sherman, Spear, Stanley, Stearns, Stewart, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Wadsworth, Ward, Warren, Wood, Zeigler, Madam Speaker.

NAY - Espling, Hanley, Johansen, O'Connor, Ordway, Pouliot, Prescott, Simmons, Sirocki, Stetkis, Sutton, Timberlake, Turner, Wallace, White, Winsor.

ABSENT - Black, Campbell, Farrin, Frey, Grignon, Higgins, Lockman, Malaby, McCreight, Perry, Seavey, Skolfield.

Yes, 122; No, 16; Absent, 12; Excused, 1.

122 having voted in the affirmative and 16 voted in the negative, with 12 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-234)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-234)** and sent for concurrence.

SENATE DIVIDED REPORT - Majority (11) **Ought to Pass as Amended by Committee Amendment "A" (S-113)** - Minority (2) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Laws Governing Certain Sexual Offenses"

(S.P. 216) (L.D. 654)

- 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-113)**.

TABLED - May 25, 2017 (Till Later Today) by Representative **FREDETTE** of Newport.

PENDING - Motion of Representative **WARREN** of Hallowell to **ACCEPT** the Majority **OUGHT 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. It's my understanding there's two major aspects of this particular bill: one in regards to a defense; and another in regards to the definition of consent and acquiesce. Having practiced law for some time, I understand the different parts to this and, however, to the extent that one part to me makes some sense, and another part I'm a little bit concerned about, I cannot support the current motion and ask you to follow my light. And, Madam Speaker, 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.

Representative **NADEAU** of Winslow **REQUESTED** that the Clerk **READ** the Committee Report.

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

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. 227

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

NAY - Austin S, Black, Bradstreet, Cebra, Chace, Craig, Dillingham, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Higgins, Hilliard, Johansen, Kinney M, Lyford,

Malaby, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Vachon, Wadsworth, White, Winsor, Wood.

ABSENT - Campbell, Farrin, Frey, Grignon, Herrick, Lockman, McCreight, Perry.

Yes, 83; No, 59; Absent, 8; Excused, 1.

83 having voted in the affirmative and 59 voted in the negative, with 8 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-113)** 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-113)** in concurrence.

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-297)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide MaineCare Coverage for Music Therapy"

(H.P. 479) (L.D. 688)

TABLED - May 30, 2017 (Till Later Today) by Representative HYMANSON of York.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

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

Representative **HAMANN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I rise in opposition to the pending motion. This bill allows music therapy services to be reimbursed under the MaineCare program. So, I'd like to explain what music therapy is, what it is not, how it's applied in a health care setting, and what the credentials are for nationally-accredited music therapists. Music therapy is a clinical and evidence-based application of music interventions to accomplish individualized goals for clients of all ages and ability levels for the purpose of assessment and treatment. The key phrase is "evidence based." Music therapy is not simply singing songs to make people feel better and...

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

Representative **HAMANN**: And music therapy is not the music and memory program that gives iPods to older folks with dementia. Although that's a wonderful program, it is entirely different. Music therapy takes therapeutic interventions and applies them through music to meet clients where they are and make changes that will transfer into daily living. For example, with developmental disabilities and autism spectrum, research supports connections between speech and singing, rhythm and motor behavior, memory for song and memory for academic material, and overall ability of preferred music to enhance mood, attention, and behavior to optimize the student's ability to learn and interact. Rhythmic movement helps develop gross motor skills, mobility, agility, balance, coordination, as well as respiration patterns and muscular

relaxation. Music therapy can use melodic and rhythmic strategies followed by fading of musical cues to aid in generalization and transfer to other environments. Outcomes specific to developmental disabilities and autism spectrum disorder: decreased cell stimulation, enhanced sensory motor skills, enhanced auditory processing, and improved verbal skills. Some of the outcomes of music therapy more broadly: increased attention span, increased strength and motor skills, decreased anxiety and agitation, improved short-term memory, improved social skills, decreased pain perception, improved mood and coping skills, decreased aggressive behaviors. It works. With children, music therapy provides a unique variety of music experiences in an intentional and developmentally appropriate manner to affect changes in the child's behavior and facilitate development of his or her communication, social, emotional, sensory, motor, and/or cognitive skills. Musical therapy has physical, cognitive, and emotional benefits for people with various diseases and disorders including intellectual disabilities and autism. This is in line with a number of other states where music therapy is a Medicaid-reimbursable intervention already. In fact, music therapy is available in 22 other states. By passing this bill we will not be an outlier. We will not be trying some new or experimental intervention. Music therapy has already been identified as a legitimate reimbursable service for over 20 years. This bill allows families with MaineCare to access music therapy services provided by a qualified music therapist who holds a current and valid certification from a national music therapy certification board.

Who are music therapists? Let's talk about their credentials. A qualified music therapist must have graduated with a Bachelor's Degree or higher from a music therapy degree program approved by the American Music Therapy Association. In fact, the Maine-based music therapist I worked with to develop this bill has her Master's Degree from the Music Psychotherapy Program at NYU. In addition to a minimum of a Bachelor's Degree, the qualified music therapist must also have successfully completed a minimum of 1,200 hours of supervised clinical work, and must sit for the National Board Certification Exam administered by the Certification Board for Music Therapists. A qualified music therapist maintains national board certification giving him or her the credentials of MT-BC, Music Therapist-Board Certified. The MT-BC credential is fully accredited by the National Commission for Certifying Agencies. Nationally, 8 of the 10 top rehab hospitals in the country have a music therapy department. The top 10 pediatric hospitals, the top 10 pediatric hospitals in the country have a program, because it works. And again, 22 states provide for music therapy reimbursement. Yet, here in Maine, when a board-certified music therapist goes into a school to work with children with autism or works with an individual with intellectual disabilities, patients with private insurance or financial means can afford this intervention. A child whose family relies on MaineCare does not have this option, regardless of whether or not it will improve their health outcomes. So when a music therapist visits Barbara Bush Children's Hospital, guess which kids can benefit from this therapeutic intervention? And that doesn't sit right with me, and I hope you find it unacceptable as well, Madam Speaker. I urge you to vote in opposition to the pending motion so we can consider the amended version of this bill. Thank you, Madam Speaker, I request a roll call.

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

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

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

Representative **HYMANSON**: Thank you, Madam Speaker, Men and Women of the House. I hesitate to rise in speaking against my good friend from South Portland but I will tell you that this is, and I'll have the report of the committee read by the Clerk in just a moment; and that the issue is not really about music therapy because as a neurologist, I completely understand how impactful using music therapy is. It was really about how many other specialties use music therapy now and how designating the care might fracture that therapy and take it away. So, we wanted it to be narrowed, and it is narrowed, actually, in the amendment, and I'm speaking about the amendment, but I still don't think it's narrowed enough so that music therapy would not be hindered when physical therapists and occupational therapists, who also employ musical therapy in their modalities. So, I ask you respectfully to vote for the pending motion and I ask the Clerk to read the Report. Thank you.

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

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

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. 228

YEA - Alley, Austin B, Austin S, Babbidge, Battle, Berry, Bickford, Black, Bradstreet, Brooks, Bryant, Campbell, Casas, Cebra, Chace, Cooper, Corey, Craig, DeChant, Denno, Dillingham, Doore, Duchesne, Espling, Fay, Fecteau, Foley, Fredette, Fuller, Gattine, Gerrish, Gillway, Ginzler, Grant, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Higgins, Hilliard, Hogan, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin R, Mason, McCrea, McElwee, McLean, Monaghan, Moonen, O'Connor, Ordway, Parker, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Riley, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Madam Speaker.

NAY - Ackley, Bailey, Bates, Beebe-Center, Blume, Cardone, Chapman, Collings, Daughtry, Dunphy, Farnsworth, Grohman, Hamann, Handy, Harlow, Hickman, Hubbell, Kumiega, Martin J, Mastraccio, Melaragno, Nadeau, O'Neil, Pierce T, Reckitt, Reed, Rykerson, Sylvester, Talbot Ross, Tepler, Zeigler.

ABSENT - Farrin, Frey, Golden, Grignon, Lockman, McCreight, Perry.

Yes, 112; No, 31; Absent, 7; Excused, 1.

112 having voted in the affirmative and 31 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.

Expression of Legislative Sentiment Recognizing James Montel, of Gardiner

(HLS 494)

TABLED - June 1, 2017 (Till Later Today) by Representative GRANT of Gardiner.

PENDING - **PASSAGE**.

On motion of Representative GRANT of Gardiner, this Expression of Legislative Sentiment and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-374)** - Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Limit the Use of Pesticides on School Grounds"

(H.P. 130) (L.D. 174)

TABLED - June 1, 2017 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT**.

Subsequently, the Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-374)** 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-374)** and sent for concurrence.

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

SENATE PAPERS

Bill "An Act To Improve the Effectiveness of Notices Required by State Law"

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

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.

Bill "An Act To Repeal the Law Permitting Advance Deposit Wagering"

(S.P. 581) (L.D. 1631)

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

On motion of Representative HERBIG of Belfast, **TABLED** pending **REFERENCE** in concurrence and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 204)

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

June 2, 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 297, "An Act To Improve the Administration of Election Recounts."

There are several provisions of this bill I believe will disenfranchise voters and candidates if they do not have the financial means to contest elections. I believe the law as it exists today is sufficient and that to change the law in the way this bill proposes would be detrimental to our system of government.

For these reasons, I return LD 297 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE. Sent for concurrence.

The accompanying item An Act To Improve the Administration of Election Recounts

(H.P. 230) (L.D. 297)
(C. "A" H-156)

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. 229V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Fay, Fecteau, Foley, Fredette, Fuller, Gattine, Gerrish, Gillway, Ginzler, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Stewart, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, Wood, Zeigler, Madam Speaker.

NAY - Hanington, Johansen, Kinney J, Lyford, Ordway, Prescott, Reed, Sanderson, Sirocki, Stetkis, Strom, Sutton, Timberlake, Turner, White, Winsor.

ABSENT - Farrin, Frey, Golden, Grignon, Lockman, McCreight, Perry.

Yes, 127; No, 16; Absent, 7; Excused, 1.

127 having voted in the affirmative and 16 voted in the negative, with 7 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 205)

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

June 2, 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 422, "An Act To Create the Water Resources Planning Committee."

This bill requires multiple state agencies to meet at least quarterly with interest groups to evaluate Maine's water resources and applicable policies. However, Maine's Executive Branch agencies already have authority to meet with each other and to engage stakeholders in policy evaluations. In fact, the Department of Agriculture, Conservation and Forestry has convened meetings with other agencies and stakeholders for many of the same purposes listed in this bill.

It is far more appropriate for the agencies to bring stakeholders together for specific purposes when needed—as they do now—than to have arbitrary requirements for meeting frequency and attendance. This legislation is simply unnecessary.

For this reason, I return LD 422 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Create the Water Resources Planning Committee

(H.P. 302) (L.D. 422)
(C. "A" H-94)

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

Representative **SYLVESTER**: Thank you, Madam Speaker and good folks of the House. I've already spoken on what I saw as the benefits of LD 422 and why I still find those pieces compelling, that the chairs of this committee worked with this freshman legislator to put together a good amendment which heard all sides, that no stakeholders that would sit on this committee opposed it and that most actively support it, that the State Hydrologist testified that he would be excited to have this committee back together, and that the DEP agreed to absorb all costs so that there would be no fiscal note and that the bill could pass. The Department also testified during the original public hearing that this committee was dissolved by accident and not by design. However, today I just wanted to bring forward a couple of points that I did not bring forward in my initial statements about this bill. And, it mostly has to do with local water boards, Madam Speaker. Local water boards are one of the reasons that I put this bill in. My first foray into local government was as a member of the Peaks Island Council and I was waylaid, some may say persuaded, to be on this committee with the thought that I would only need to attend a couple of meetings when we looked over the budget, and that there would be cookies at every meeting. I arrived at my first meeting to find that the chair had resigned and that I had been elected chair because I was the only one who had ever heard that Robert's Rules of Order was a thing. Now, none of the people, or most of the people, who run for our local water boards never think that they will have a matter of such gravitas as trying to decide how to deal with their local groundwater and mass extraction; and when I first put in this bill, that's what I was thinking that this bill was about. But the amendment that was crafted with the help of the committee chairs looked at

putting together a committee that looked at our ground water as a whole; and the idea of this committee is to help those folks have data that has reached consensus and that has been vetted by all stakeholders, including such questions as: how much water do we have? What's being done with it? How do we have a strategy for when we have water and the rest of the world does not? How do we market our water in the best possible way to make sure that industry is sustainable and not only sustainable but is providing more jobs than it already does? It provides a place for citizens to be heard at the state level and it eventually, there is a good chance that the rancor that we see that happens every time a permit in a locality is seen in front of these water boards, that they are able to provide water evidence that the community can look and say this is evidence that has been vetted by all sides. This is the purpose of this bill. There is nobody to oppose it and I just want to say that, you know, in all due deference to the Chief Executive's veto letter, he says that we can meet any time we want, and while that is technically true, the question that this bill asks is, should we meet in order to strategize about water? Should we be able to think about one of our most important resources and whether it's through arsenic or whether it's through the amount that we have and put together a good proactive plan. I thank this body for hearing me speak again on this bill and I hope that you will follow my light and support this good strategic bill formed through bipartisan amendment. Thank you.

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

Representative **WADSWORTH**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I cannot personally support the creation of more committees. Many of the stakeholders are meeting without this committee, so please follow my light.

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. 230V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Fuller, Gattine, 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, 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, Battle, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Farrin, Frey, Golden, Grignon, Lockman, McCreight, Perry.

Yes, 74; No, 69; Absent, 7; Excused, 1.

74 having voted in the affirmative and 69 voted in the negative, with 7 being absent and 1 excused, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 206)

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

June 2, 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 457, "An Act to Repeal the Sunset Date on the Children's Guardian Ad Litem Law."

I am of the opinion that the Guardian Ad Litem Law should sunset. I understand there is still a need to have a better guardian ad litem system in our state. There is a tendency in the Legislature to pass a law, then to assume the problem is fixed. I believe that is what happened when the Legislature passed the Guardian Ad Litem Law. Because the system still needs to be fixed, I support the sunset of our current law so a new and serious debate can occur on what other options are available.

For this reason, I return LD 457 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,
S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE. Sent for concurrence.

The accompanying item An Act To Repeal the Sunset Date on the Children's Guardians Ad Litem Law (EMERGENCY)

(H.P. 324) (L.D. 457)
(C. "A" H-152)

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. 231V

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Doore, Duchesne, Dunphy, Espling, Farnsworth, Fay, Fecteau, Foley, Fredette, Fuller, Gattine, Gerrish, Gillway, Ginzler, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mason, Mastraccio, McCrea, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Picchiotti, Pickett,

Pierce J, Pierce T, Pouliot, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Spear, Stanley, Stearns, Stewart, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Hanley, Prescott, Stetkis, Strom, Turner, Winsor.

ABSENT - Farrin, Frey, Golden, Grignon, Lockman, McCreight, Perry.

Yes, 137; No, 6; Absent, 7; Excused, 1.

137 having voted in the affirmative and 6 voted in the negative, with 7 being absent and 1 excused, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 207)

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

June 2, 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 943, "An Act Regarding the Cancellation of Subscription Services."

Four years have passed since the Legislature sustained my veto on this exact same issue. Here we are in the 128th, and I am once again asking you to sustain my veto on this unnecessary, anti-business legislation. Online commerce is widely used and extremely popular here in Maine. As a result, businesses large and small are continuously improving their systems and procedures to keep pace with the demands of the marketplace.

When this bill was introduced for public hearing earlier this session, not one person advocated for this legislation outside the bill's sponsor. Isolated examples and anecdotes aside, implementing this law would make Maine less competitive and lead to unnecessary legal battles and more confusion for consumers.

LD 943 will make Maine an outlier and more expensive to do business in. Many companies are already improving these types of processes because that's what customers are looking for. If customer service remains poor, that company is unlikely to be in business for the long term. We do not need to pass a law and interject new governmental regulations for this type of commercial activity. LD 943 is unnecessary and yet another example of an attempted solution in search of a problem.

For this reason, I return LD 943 unsigned and vetoed. I strongly urge the Legislature to sustain it yet again.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act Regarding the Cancellation of Subscription Services

(H.P. 671) (L.D. 943)

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. 232V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Fuller, Gattine, Gillway, Grant, Grohman, Guerin, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Martin R, Mastraccio, McCrea, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, 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, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Fredette, Gerrish, Ginzler, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, 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, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Farrin, Frey, Golden, Grignon, Lockman, McCreight, Perry.

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 Veto was **SUSTAINED**.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought Not to Pass** on Bill "An Act To Improve Animal Control in Maine"

(S.P. 533) (L.D. 1508)

Signed:

Senators:

DAVIS of Piscataquis
DILL of Penobscot
SAVIELLO of Franklin

Representatives:

DUNPHY of Old Town
BLACK of Wilton
HIGGINS of Dover-Foxcroft
KINNEY of Knox
MARTIN of Sinclair
McELWEE of Caribou
O'NEIL of Saco
SKOLFIELD of Weld

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-175)** on same Bill.

Signed:

Representatives:

ACKLEY of Monmouth
CHAPMAN of Brooksville

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

On motion of Representative DUNPHY of Old Town, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-184)** on Bill "An Act To Improve Antihunger Programs in Maine Schools"
(S.P. 367) (L.D. 1113)

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

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

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

Signed:

Representative:

TURNER of Burlington

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-184)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-184)** 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-184)** in concurrence.

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-187)** on Bill "An Act Regarding Telehealth"
(S.P. 304) (L.D. 949)

Signed:

Senators:

WHITTEMORE of Somerset
CARSON of Cumberland
DOW of Lincoln

Representatives:

LAWRENCE of South Berwick
BROOKS of Lewiston
COLLINGS of Portland
CRAIG of Brewer
FOLEY of Wells
MELARAGNO of Auburn
PICCHIOTTI of Fairfield
SANBORN of Portland
WALLACE of Dexter

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

Signed:

Representative:

PRESCOTT of Waterboro

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-187)**.

READ.

On motion of Representative LAWRENCE of South Berwick, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-187)** 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-187)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-191)** on Bill "An Act To Restore Judicial Discretion"
(S.P. 97) (L.D. 309)

Signed:

Senators:

KEIM of Oxford
HILL of York
WHITTEMORE of Somerset

Representatives:

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

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

Signed:

Representatives:

GUERIN of Glenburn
JOHANSEN of Monticello

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-191).

READ.

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

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

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

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

Representative **GUERIN**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. There are many good ideas being floated in the State House this time of year, and unfortunately, this is another one that has a fiscal note. I think that although at some point they need to study the punishments that we give out with crimes in our courts, that perhaps now is not the time to invest in that. I think a broader group than what was put down that would have included victim's advocates would have been appropriate. The bill does allow for the addition of additional members to the committee but the fact that that oversight was there makes me uncomfortable with the Majority Ought to Pass motion. Thank you.

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

Representative **FREDETTE**: Thank you, Madam Speaker. I want to echo the good words of the good Representative from Glenburn, Representative Guerin, the lead on the committee for the House Republican Caucus, that in regards to work to be done and the particular design of this committee makeup, again, I think she is correct in the fact that this is not something that we need to probably do at this time. I will not support the pending motion and I ask you to follow my light. 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. 233

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

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

ABSENT - Farrin, Frey, Golden, Grignon, Lockman, McCreight, Perry.

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 to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-191)** 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-191)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Allow an Income Tax Deduction for Interest Paid on Student Loans"

(S.P. 372) (L.D. 1123)

Signed:

Senators:

DOW of Lincoln
CUSHING of Penobscot

Representatives:

TIPPING of Orono
BICKFORD of Auburn
GRANT of Gardiner
HILLIARD of Belgrade
McCREIGHT of Harpswell
POULIOT of Augusta
STANLEY of Medway
TERRY of Gorham
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-178)** on same Bill.

Signed:

Senator:

CHENETTE of York

Representative:

COOPER of Yarmouth

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

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Repeal the Maine Personal Property Tax"

(S.P. 393) (L.D. 1172)

Signed:

Senators:

DOW of Lincoln
CHENETTE of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-179)** on same Bill.

Signed:

Senator:

CUSHING of Penobscot

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

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-181)** on Bill "An Act To Require Remote Sellers To Collect and Remit Sales and Use Tax on Sales into Maine and To Provide Retailers a Collection Allowance"

(S.P. 483) (L.D. 1405)

Signed:

Senators:

DOW of Lincoln
CHENETTE of York
CUSHING of Penobscot

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-182)** on same Bill.

Signed:

Representative:

TIPPING of Orono

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-181)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-181)** 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-181)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-183)** on Bill "An Act To Exempt from Sales Tax the Fee Associated with the Paint Stewardship Program"

(S.P. 561) (L.D. 1597)

Signed:

Senators:

CHENETTE of York
CUSHING of Penobscot

Representatives:

TIPPING of Orono
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
McCREIGHT of Harpswell
POULIOT of Augusta
STANLEY of Medway
TERRY of Gorham
WARD of Dedham

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

Signed:

Senator:

DOW of Lincoln

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-183)**.

READ.

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

On motion of Representative FREDETTE of Newport, **TABLED** pending the motion of Representative TIPPING of Orono to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

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

On motion of Representative DENNO of Cumberland, the House adjourned at 1:24 p.m., until 9:30 a.m., Tuesday, June 6, 2017.