

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-Seventh Legislature
State of Maine

Daily Edition

Second Regular Session

beginning January 6, 2016

beginning at page H-1188

affects the functioning of the brain and social interaction and communication skills; and

WHEREAS, in the United States, one in 68 children is diagnosed with this spectrum disorder and prevalence has increased 30% since the United States Centers for Disease Control and Prevention's study in 2008; and

WHEREAS, autism knows no racial, ethnic or social boundaries and neither income nor lifestyle nor education affects its occurrence and it is estimated that more than 3,500,000 people live with autism spectrum disorder in the United States; and

WHEREAS, autism costs the United States over \$236,000,000,000 in annual health care costs, most of which are in adult services, and these costs are anticipated to increase; and

WHEREAS, while a single specific cause of autism is not known, current research links it to biological or neurological differences in the brain, and outdated theories and myths, such as autism being a mental illness, have been proven to be false; and

WHEREAS, with support, people with autism can live full lives and make meaningful contributions to society; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the Second Regular Session, on behalf of the people we represent, pause in our deliberations to acknowledge that the month of April 2016 is Autism Awareness Month and to pledge our support and encouragement to all those affected by autism; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Autism Society of Maine as a token of our respect and support.

READ.

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

Representative **FARNSWORTH**: Thank you very much once again, and Ladies and Gentlemen of the House, we've already been through this once and so I think I can make this short. All I wanted to say was thank you very much for those who were patient enough to go in and sign the new Joint Resolution. It is greatly appreciated and, however, the other part of this is it gives me the opportunity to, once again, remind you that people with autism are people that have some tremendous possibilities and we need to open up our world to allow them to become a part of it. Thank you very much.

Subsequently, the Joint Resolution was **ADOPTED**. Sent for concurrence.

ENACTORS

Emergency Measure

An Act To Correct Errors and Inconsistencies in the Laws of Maine

(H.P. 1118) (L.D. 1643)
(C. "A" H-672)

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

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Hobbins.

Representative **HOBBINS**: Thank you, Mr. Speaker, and Women and Men of the House, the good news is that I am rising today on the errors bill, LD 1643, because it means, Mr. Speaker, that the end is near for this legislative session. First of all, I'd like to thank the members of the Judiciary Committee for their tedious efforts and diligent efforts in going through this bill. It is significant in length and significant in issues and it takes hours

and hours of time. In fact, I think we worked on this bill a total of eight times this particular session and it was at the end of the session that we got the bill.

The process of the Judiciary Committee that we followed in reviewing the errors bill and considering additional changes as amendments has been the same for several years. One of the purposes of the process is for the Judiciary Committee to understand each provision and why it has been proposed for inclusion in the errors bill and whether it is a technical change or a substantive change. We believe that the committee has to be fully aware and comfortable in what is in the bill and the Committee Amendment and the only way to do that is to look at each section and its historical significance individually.

We offered to utilize a subcommittee to examine each section, then review the subcommittee's recommendation as a full committee. Must report that this committee was even more diligent than that. Most committee members, essentially, made up the subcommittee in reviewing this particular errors bill. Now, the committee's definition of technical is that the change doesn't result in a different interpretation of the law. The change doesn't affect how a court would apply the law. That's the definition that our committee uses. Technical changes are often spelling, grammar, and clerical corrections and usually cross-references, updates, are considered to be technical in nature. Many technical corrections are simply dealing with conflicts created by two different bills amending the same section in different ways, but in ways that can be read together.

Substantive changes do change the effect of the law. We are comfortable including substantive changes when it is clear that the change is consistent with the legislative intent underlying the law. Mr. Speaker, we usually ask the committee of jurisdiction to review the proposal and send us a brief memo memorializing the report and support for inclusion in the errors bill. When we do support the inclusion of substantive changes in the errors bill, we include them in a part of the Committee Amendment and we state in the summary that the changes of that part of the amendment are, or could be considered, substantive. That is how we let everyone know that we understand the effect of the corrections and are not trying to hide anything or sneak anything through the legislative process. And I must concede, decades ago, that wasn't the case.

We have documentation for every section in the errors bill and the committee amendment and we are happy to share any of this information with you if you would like to review it. Thank you very much and I appreciate your consideration and understanding about this bill.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 130 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.